A meeting of the Cumberland Local Planning Panel will be held at 11:30am via Zoom on Wednesday, 10 June 2026.

Business as below:

Yours faithfully

Peter J. Fitzgerald
General Manager

ORDER OF BUSINESS

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

CONTENTS

Report No. Name of Report Page No.

Development Applications
ELPP019/26 Development Application - 48 Hall Street, Auburn.....5
ELPP020/26 Development Application - 96-98 Chiswick Road, Auburn 55
ELPP021/26 Development Application - 16 Bernard Street, Lidcombe 213
ELPP022/26 Development Application - 11 John Street, Lidcombe 439
ELPP023/26 Development Application - 481 Woodville Road, Guildford 605
ELPP024/26 Development Application - 1-7 Elvina Street, Greystanes 751

Item No: ELPP019/26

DEVELOPMENT APPLICATION - 48 HALL STREET, AUBURN

Directorate: Environment and Planning
Responsible Officer: Acting Executive Manager City Planning and Development

Application lodged	14 April 2026.
Applicant	Mr G Russell.
Owner	Anglican Church Property Trust.
Application No.	DA2026/0261.
Description of Land	48 Hall Street, Auburn Lot 28 to 30, Sec 11 in DP 995.
Proposed Development	Demolition of an existing swimming pool, paving and a shed, filling of the pool area and landscaping works.
Site Area	3,729.57sqm.
Zoning	Zone E1 Local Centre.
Disclosure of political donations and gifts	Nil disclosure.
Cost of works	$19,500.00.
Heritage	Yes - Heritage Listed or Heritage Conservation Area.
Principal Development Standards	N/A.
Issues	“Nil”.

SUMMARY:

1. Development Application 2026/0261 was accepted on the 15 April 2026 for the demolition of an existing swimming pool, paving and a shed, filling of the pool area and landscaping works.

2. The application was publicly notified to occupants and owners of the adjoining properties for a period of 14 days between 23 April 2026 and 7 May 2026. In response, 1 submission was received.

3. The subject site is listed as a heritage item in the Cumberland Local Environmental Plan 2021 as Heritage Item I8 (Local).

4. The application is referred to the Panel as the proposal is a sensitive development, relating to the partial demolition of a heritage item.

5. The application is recommended for approval subject to the conditions as recommended within the Council’s assessment report.

REPORT:

Subject Site and Surrounding Area

The site is legally identified as Lot 28 to 30, Sec 11 in DP 995 and is known as 48 Hall Street, Auburn.

The site has a combined area of 3,729.57 square metres, has a primary frontage to Hall Street of 65.55 metres and a secondary frontage to Macquarie Road of 48.30 metres. There is a place of public worship (being the principal building) and associated ancillary buildings including a hall and a rectory or minister's residence situated across the site. The main facade of the Rectory faces Hall Street.

There is a swimming pool situated at the rear of the rectory.

The subject site is listed as a local heritage item I8 under the Cumberland Local Environmental Plan 2021 and is known as the St. Phillips Anglican Family Church.

The locality is undergoing consistent change in which the low rise housing stock is being replaced with mid to high rise mixed use developments and shop top housing developments. This includes a newly constructed shop top housing development with ground floor shop-front commercial premises, apartments above and underground basement parking that is located immediately to the east of the site.

There is also an older residential flat building located immediately to the south.

The location of the site is shown below edged in yellow.

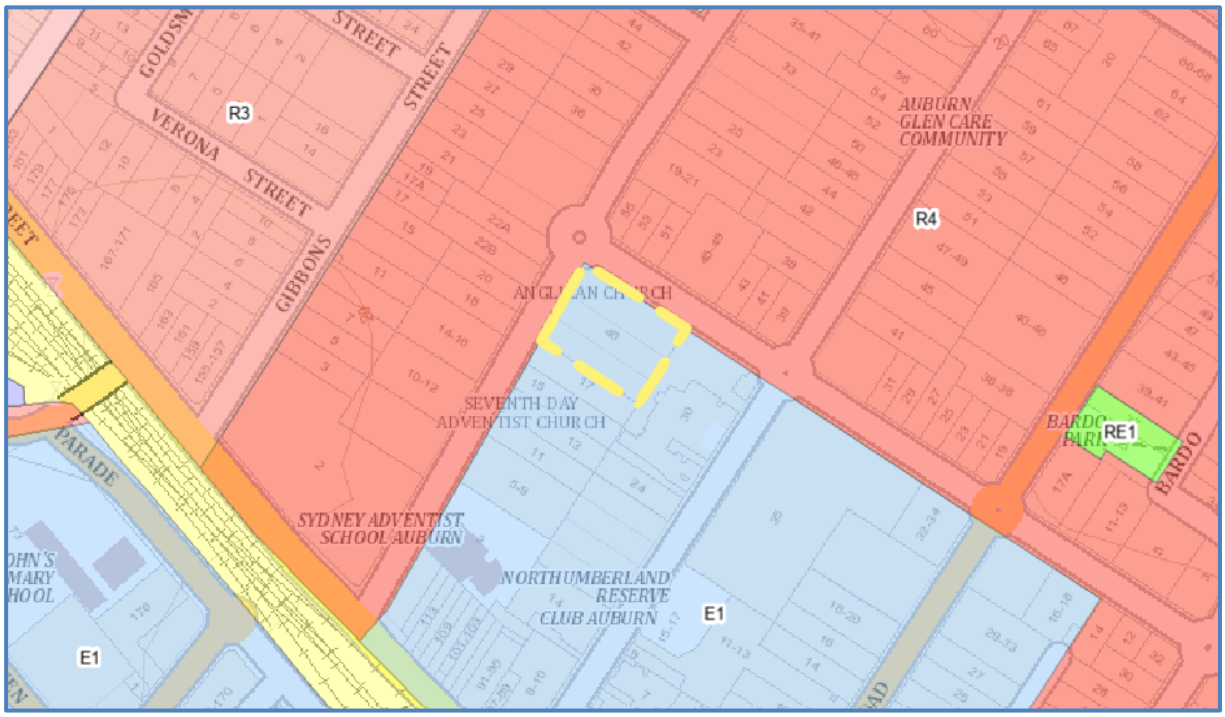


Figure 1 - Land zoning map showing the location of the subject site.

An aerial photo is provided below.



Figure 2 - Aerial photograph showing the location of the subject site.

A photo of the site is shown below.



Figure 3 - View of the rectory and car park from the Hall Street.

Description of The Development

Council has received a development application for the demolition of an existing swimming pool, paving and a shed, filling of the pool area and general landscaping works. Specifically, there are no works proposed to the existing main building (Place of Public Worship), Hall and Rectory within the site.

The works to be undertaken are:

1. Demolition and removal of the existing in-ground fibreglass pool.
2. Demolition of the existing concrete concourse surrounding the swimming pool.
3. Removal of the pool fencing and shed.

Following the removal of the structures, the area will be filled in with new topsoil and new planting and landscaping established including new lawn areas.

There are no works specifically proposed to the Rectory or place of public worship building on the site.

Applicants Supporting Statement

The applicant has provided a Statement of Environmental Effects prepared by Sydney Anglican Property dated 24 March 2026 and was received by Council 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

Heritage

The development application was referred to Council's Heritage Committee for comment and no objections have been received.

Tree Management

The development application was referred to Council's Tree Management Officer for comment who has advised that the development proposal is satisfactory.

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:

State Environmental Planning Policies (SEPPs)	Relevant Clause(s)	Compliance with Requirements
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Chapter 2 - Vegetation in non Rural Areas.	N/A - The development application does not include the removal of trees within the site. As such, no assessment is required.
	Chapter 6 - Water Catchments. Sydney Harbour Catchment.	N/A - It is determined that given the location of the site/development, a detailed assessment is not required given that there is no direct impact upon the catchment and no direct impact upon watercourses.
State Environmental Planning Policy (Resilience and Hazards) 2021	Chapter 2 - Coastal Management.	N/A - The subject site is not identified as a coastal wetland or 'land identified as "proximity area for coastal wetlands" or coastal management area.
	Chapter 4 - Remediation of Land.	N/A - Other than the removal of services, i.e. wastewater pipes, the proposal does not involve significant excavation works. It is considered that a contamination audit is not required. As such, it is considered that the development application is satisfactory under Part 4.6 of Chapter 4 of the State Policy.
State Environmental Planning Policy (Transport and Infrastructure) 2021.	Chapter 2 - Infrastructure.	N/A – The site does not have a frontage to a classified roadway, nor is it located adjacent to the rail corridor. As such, no detailed assessment is required.

Local Environmental Plans

Cumberland Local Environmental Plan 2021

The provision of the Cumberland Local Environmental Plan 2021 is applicable to the development proposal. It is noted that the development achieves compliance with the key statutory requirements of the Cumberland Local Environmental Plan 2021 and the objectives of the E1 Local Centre Zone.

(a) Permissibility:

The proposed development is defined as demolition and landscaping works to an existing Place of Public Worship. Under Clause 2.7 of the Cumberland Local Environmental Plan 2021, demolition work or the demolition of a building or work may be carried out only with development consent. In this regard, such work is permitted with consent within the E1, Local Centre zone.

The relevant matters to be considered under the Cumberland Local Environmental Plan 2021 and the applicable clauses for the proposed development are summarised below. A comprehensive LEP assessment is contained in Appendix A.

DEVELOPMENT STANDARD	COMPLIANCE	DISCUSSION
4.3 Height of Buildings max. 38m.	N/A	A maximum height of building requirement does not apply in this instance as the proposal involves demolition and landscaping works only.
4.4 Floor Space Ratio max. 3.6:1.	N/A	A maximum floor space ratio requirement does not apply as the proposal does not involve additions to any existing building across the site.
5.10 Heritage Conservation.	Yes	The subject site is a local heritage item identified as no. I8 in the Cumberland Local Environmental Plan 2021), known as the 'St. Phillips Anglican Family Church'. The proposed development is supported by a Heritage Impact Assessment letter, prepared by Sydney Anglican Property, dated the 24 March 2026. This letter has concluded that the works are minor, localised and confined to a non-significant modern structure located within the curtilage of the heritage listed Place of Public Worship. Also, the swimming pool is not identified as having heritage significance within

		the site within Council's Heritage Inventory. It has also concluded that the works will not have any adverse impact on the heritage significance, setting or fabric, especially since the swimming pool is not visible from the surrounding public domain. The removal of the swimming pool and associated equipment complies with the clause as the removal of the swimming pool and associated pump equipment will not adversely impact the overall heritage significance of the item.

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

Council has received a Gateway Determination from the Department of Planning, Housing and Infrastructure for the Draft Woodville Road Corridor Planning Proposal. As part of this approval, public exhibition of the Draft Woodville Road Corridor Planning Proposal has commenced. The public exhibition was carried out between the 23 April 2026 and 7 May 2026.

The Draft Planning Proposal seeks to revitalise Woodville Road by amending planning controls in the Cumberland Local Environmental Plan (CLEP) 2021 for 31 sites located around the three (3) precincts of Woodville North, Merrylands East and Woodville South.

The subject application was received on the 14 April 2026 and the site does not fall within the Draft Woodville Road Corridor. Therefore, no further consideration is required.

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

The Cumberland Development Control Plan 2021 is relevant to the development proposal and has been assessed using the following chapters:

- Part E4 - Places of Public Worship.
- Part G2 - Heritage.
- Part G3 - Traffic, Parking, Transport & Access (Vehicle).
- Part G4 - Stormwater & Drainage.
- Part G7 - Tree Management & Landscaping.

The development is found to comply with the relevant provisions and no issues are identified.

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)(iiia))

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 Regulation 2021 (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 (Website) ☒ Mail ☒ Sign ☒ Not Required ☐

In accordance with Council's Notification requirements contained within the Cumberland Development Control Plan 2021, the proposal was publicly notified for a period of 14 days between the 23 April 2026 and the 7 May 2026. The notification generated 1 submission in respect of the proposal. The matter raised in the public submission is summarised and commented on as follows:

Issue	Planner's Comment
Improvement in amenity.	The swimming pool is no longer in use and is abandoned, with overgrowing weeds surrounding the coping area. The removal of the swimming pool and replacement with landscape will improve the visual quality of the site, especially from overlooking balconies that are situated to the east of the subject site.

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.

CUMBERLAND LOCAL INFRASTRUCTURE CONTRIBUTIONS PLAN

The development would not require the payment of contributions in accordance with Cumberland Local Infrastructure Contributions Plan 2020 as the development is for the removal of a swimming pool and re-instatement into landscaping.

HOUSING AND PRODUCTIVITY OF CONTRIBUTION (HPC)

In accordance with Schedule 2 of the HPC Order 2024, the proposed development is exempt from the HPC, as the development is for the removal of a swimming pool and re-instatement into landscaping.

DISCLOSURE OF POLITICAL DONATIONS AND GIFTS

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

CONCLUSION:

The proposed development is appropriately located within the E1 Local Centre Zone under the relevant provisions of the Cumberland LEP. The proposal is consistent with all statutory and non-statutory controls applying to the development. 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:

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

FINANCIAL IMPLICATIONS:

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

POLICY IMPLICATIONS:

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

COMMUNICATION / PUBLICATIONS:

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

REPORT RECOMMENDATION:

1. **That development application 2026/0261 for the demolition of an existing swimming pool, paving and a shed, filling of the pool area and landscaping works, on land at 48 Hall Street, Auburn be approved subject to conditions listed in the attached schedule.**

2. Persons whom have lodged a submission in respect to the application be notified of the determination of the application.

ATTACHMENTS

1. Draft Notice of Determination ⇩
2. Architectural Plans ⇩
3. Appendix A - Cumberland LEP 2021 Assessment ⇩
4. Appendix B - Cumberland DCP 2021 Assessment ⇩
5. Heritage Impact Assessment Letter ⇩

DOCUMENTS ASSOCIATED WITH REPORT ELPP019/26

Attachment 1

Draft Notice of Determination

CUMBERLAND CITY COUNCIL

DEVELOPMENT APPLICATION
DRAFT CONDITIONS OF CONSENT

Under the *Environmental Planning and Assessment Act, 1979*

Application No:	DA2026/0261
Applicant:	G Russell 2/18 Gibbons Street AUBURN NSW 2144
Property Description:	48 Hall Street Auburn. Lot 28 to 30, Sec 11 in DP 995.
Development:	Demolition of an existing swimming pool, paving and a shed, filling of the pool area and landscaping works.
Determined by:	Cumberland Local Planning Panel.

CONDITIONS OF CONSENT

General Conditions

1. DAGCA01- General

This consent shall lapse five years after the date from which it operates unless building, engineering or construction work has physically commenced.

(Reason: Advisory)

2. DAGCA02 - Approved Plans and Supporting Documents

The development must be carried out in accordance with the following endorsed plans and documents, except as otherwise provided by the conditions of this consent.

Reference/Drawing No.	*Title/Description*	*Prepared By*	*Date/s*
22602.NP01/ B	Notification Plans	Preistleys Architects	19 March 2026
22602.01/ B	Site Analysis & Erosion-Sediment Control Plan, Swimming Pool Demolition Plan & Section	Preistleys Architects	19 March 2026
	Heritage Impact Assessment Letter	Sydney Anglican Property	24 March 2026

(Reason: To confirm and clarify the details of the approval)

Conditions which must be satisfied prior to the commencement of work

3. DAPDB02 - Notice of Demolition

At least five working days prior to the commencement of demolition work, notice must be given to adjoining residents of the following:

- The date when demolition will commence;
- Details of the name, address and business hours contact telephone number of the demolisher, contractor or developer; and
- The telephone number of the SafeWork NSW Hotline.

At least five working days prior to the commencement of demolition work, notice must be given to Council of the following:

- The date when demolition will commence;
- Details of the name, address and business hours contact telephone number of the demolisher, contractor or developer;
- A copy of the notification issued to adjoining residents including the date the notice was delivered;
- The licence number of the demolisher;
- If asbestos is to be demolished, the full name and licence number of the asbestos removalist/s;
- Relevant SafeWork licences, and
- Copies of the demolisher's current public liability/risk insurance policy indicating a minimum cover of $10,000,000.00.

Demolition work must not commence until Council has inspected the site and is satisfied that all pre-demolition conditions have been satisfied.

(Reason: To ensure compliance with the relevant legislation and to ensure public and work safety)

4. DAPDB07 - Site Safety Fencing - Demolition Only

The site must be fenced to a minimum height of 1.8m in accordance with SafeWork NSW guidelines to prevent public access throughout demolition. The fencing must be erected before the commencement of any demolition work and be maintained until works are completed.

(Reason: Public safety)

5. DAPDB08 - Demolition Inspections

Council (not a private certifier) must inspect the site prior to and after demolition works. Payment of the demolition inspection fee in accordance with Council's current fees and charges policy must be made. To arrange a Council inspection contact Council's Customer Service on 8757 9000.

After completion of demolition works, the applicant must notify Council within 7 days to assess the site and ensure compliance with AS2601-2001 - Demolition of Structures.

(Reason: To ensure compliance with the relevant legislation)

6. DACCB05 - Fees to be paid to Council

Types of fees	***Amount***	***Payment timing***
Demolition Inspections	$302.00 (per inspection)	Prior to inspection
TOTAL	$302.00 + CPI where applicable	

Payment of the above fees shall be paid to Council in accordance with timing stipulated above. Please note that other fees and charges may be applicable to the proposal. Fees to be paid to Council will be determined at the time of payment in accordance with Council's adopted Fees and Charges Policy and may therefore exceed the fee amount quoted above.

Note: In the event that the applicant does not apply for a refund of bonds, Council will forfeit the bonds and it will be transferred to the Infrastructure Reserve seven years after the completion of works in accordance with Council's Construction Bonds Management Policy.

(Reason: Statutory requirement and information)

7. DAPDB12 - Sediment and Erosion Control Measures

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

a) A sediment-trapping fence using a geotechnical fabric specifically designed for such purpose and installed to manufacturer's specifications is to be placed in suitable locations below the construction area to reduce impacts on waterways.

b) Restricting vehicle access to one designated point and having the driveways adequately covered at all times with blue metal or the like.

The above measures are to be maintained at all times to the satisfaction of Council. Failure to do so may result in the issue of penalty notices.

(Reason: To minimise/prevent impacts on waterways by minimising soil erosion and sediment leaving the site)

8. DAPCA03 - Site Safety Fencing

Site fencing to a minimum height of 1.8m shall be erected before the commencement of any work and shall be maintained throughout the duration of works to exclude public access to the site.

(Reason: Statutory requirement and health and safety)

9. DAPCA06 - Toilet Amenities for People Working at the Site

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

a) have a hinged door capable of being fastened from both inside and outside;
b) be constructed of weatherproof material;
c) have a rigid and impervious floor; and
d) have a receptacle for, and supply of, deodorising fluid.

(Reason: To ensure suitable toilet amenities are provided for workers)

Conditions which must be satisfied during any development work

10. DADWA01 - Demolition Hours

Construction and all related activities including the delivery of materials to the site may only take place between the hours of 7.00am to 6.00pm Mondays to Fridays and 8.00am to 4.00pm Saturdays. No work is to occur on Sundays and public holidays.

Where the development involves the use of jackhammers / rock breakers and the like or other heavy machinery, such equipment may only be used between the hours of 7.00am and 6.00pm Monday to Friday, excluding public holidays.

Note: Construction hours may also be regulated through State legislation and policies, and any works need to comply with these requirements.

(Reason: To minimise impacts on neighbouring properties)

11. DADWA03 - Site Management

All possible and practical steps shall be taken to prevent nuisance to the occupants of the surrounding neighbourhood from windblown dust, debris, noise and the like during the demolition works and site rectification works.

(Reason: Health and amenity)

12. DADWA06 - Stamped Plans

Stamped plans and the consent shall be available on site at all times.

(Reason: To ensure compliance with approved plans)

13. DADWA07 - General Site Requirements during Demolition

All of the following are to be satisfied/complied with during demolition any other site works:

a) A single entrance is permitted to service the site for demolition

b) Care must be taken during demolition to prevent any damage to adjoining buildings.
c) Any demolition materials are to be recycled wherever practicable.
d) The disposal of demolition waste must be in accordance with the requirements of the *Protection of the Environment Operations Act 1997*.
e) All waste on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the *Protection of the Environment Operations Act 1997*.
f) Any excavated material removed from the site shall be disposed of to an authorised waste disposal facility.
g) All non-recyclable demolition materials shall be disposed of at an approved waste disposal facility.
h) All materials on site or being delivered to the site are to generally be contained within the site. The requirements of the *Protection of the Environment Operations Act 1997* must be complied with when placing/stockpiling loose material, disposing of concrete waste, or other activities likely to pollute drains or water courses.
i) Any materials stored on site must be stored out of view or in such a manner so as not to cause unsightliness when viewed from nearby lands or roadways.
j) Building operations such as brick cutting, washing tools or paint brushes, and mixing mortar shall not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.

(Reason: To ensure protection to public spaces and prevent unauthorised access to the site)

14. DADWA14 - Classification of Waste

Prior to the exportation of waste (including fill or soil) from the site, the waste materials must be classified in accordance with the provisions of the *Protection of the Environment Operations Act 1997* and the NSW EPA's *Waste Classification Guidelines*, Part 1: Classifying Waste (2014). The materials must be transported and disposed of in accordance with the *Protection of the Environment Operations Act 1997* and the requirements of their relevant classification.

(Reason: Environmental protection)

15. DADWA15 - Importation of Fill

All fill imported onto the site shall be validated to ensure the imported fill is suitable for the proposed land use from a contamination perspective. Fill imported on to the site shall also be compatible with the existing soil characteristic for site drainage purposes.
Validation shall take place by one or both of the following methods:

a) Provision of documentation from the supplier certifying that the material is not contaminated based upon analyses of the material for the known past history of the site from where the material was sourced; and/or
b) Sampling and analysis of the fill material shall be conducted in accordance with NSW EPA's Sampling design guidelines (2022).

(Reason: To ensure controls are in place for contamination management)

16. DADWA17 - Notification of New Contamination Evidence

Any new information which comes to light during site preparation, remediation, demolition or construction works which has the potential to alter previous conclusions about site suitability and contamination must be notified to Council.

Council may require a NSW accredited site auditor to be engaged to review the contamination assessment and remediation/validation process. If appropriate, Council may also require a new Remedial Action Plan (RAP) to be prepared and implemented to ensure the site can be made suitable for the approved use in light of the new information.

Where a NSW accredited Site Auditor is engaged, a Section A Site Audit Statement shall be submitted to Council by the Auditor confirming the site is now suitable for the proposed use.

(Reason: To ensure controls are in place for contamination management)

17. DAOCF01 - Landscape Works

After the removal of the swimming pool and shed, landscaping works are to be completed with new turf and selected plants located on the fence line.

(Reason: To ensure compliance with approved plans)

Advisory Notes

18. DAANN01 - 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 it is recommended that you contact Before You Dig before excavating or erecting structures. If alterations are required to the configuration, size, form or design of the development upon contacting the 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 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 Before You Dig service in advance of any construction or planning activities.

19. DAANN08 - Process for Modification

The plans and/or conditions of this Consent are binding and may only be modified upon approval of an application under s.4.55 of the *Environmental Planning and Assessment Act, 1979*. A modification application shall be accompanied by the appropriate fee, application form and required information. You are not to commence any action, works or the like on the requested modification unless and until a modified consent is issued.

20. DAANN09 - Review of Determination

In accordance with the provisions of section 8.2 of the *Environmental Planning and Assessment Act 1979*, you can request a review of a determination not relating to a complying development certificate, application for designated development or application for Crown development. A review application may not be determined after the period within which any appeal may be made to the Court if no appeal was made. To determine a review application within that time limit, the application must be submitted well in advance of the appeal right timeframe. A fee as per Council's current Pricing Policy, Fees and Charges, is payable for a review application.

21. DAANN10 - Right of Appeal

Section 8.7 and 8.10 of the *Environmental Planning and Assessment Act 1979*, gives the applicant the right of appeal to the Land and Environment Court within six months after the date the decision appealed against is notified or registered on the NSW Planning Portal.

22. DAANN13 - Work Health and Safety

For information regarding, codes of practice and guidelines regarding demolition and construction work, visit the SafeWork NSW.

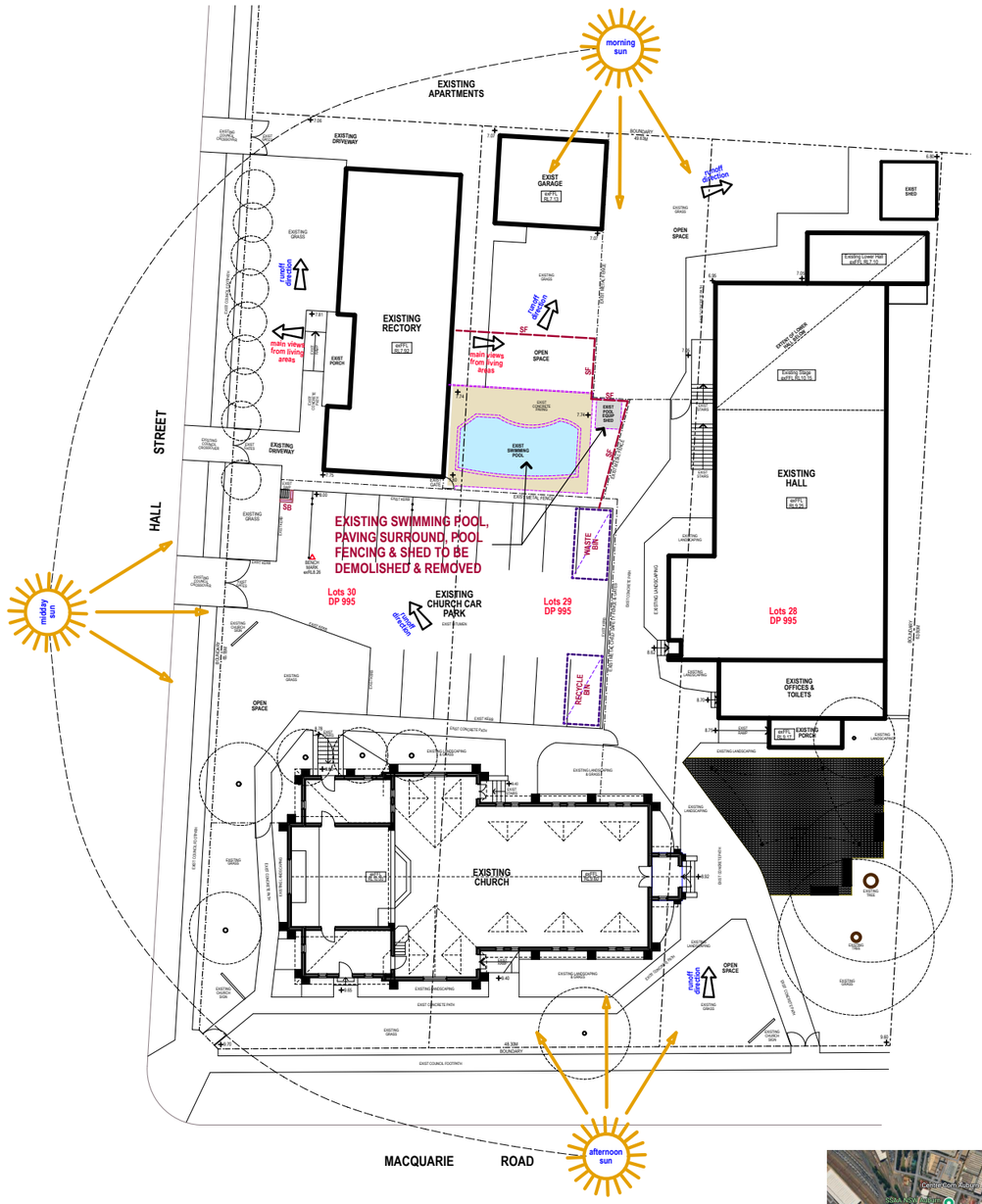
23. DAANN16 - Compliance with Disability Discrimination Act

This approval does not necessarily protect or guarantee against a possible claim of discrimination (intentional or unintentional) under the *Disability Discrimination Act 1992*, and the applicant/owner is advised to investigate their liability under that Act.

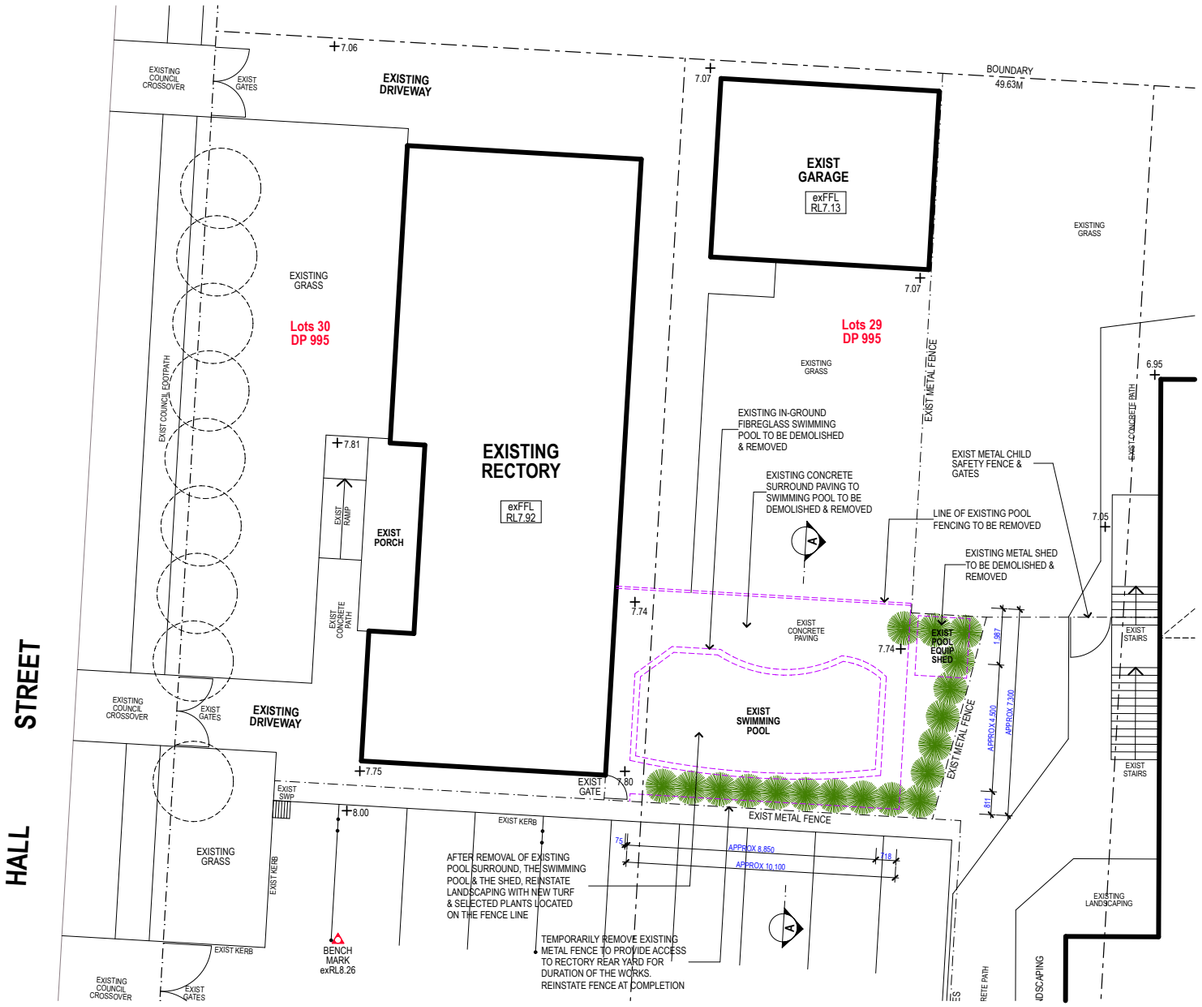
DOCUMENTS ASSOCIATED WITH REPORT ELPP019/26

Attachment 2

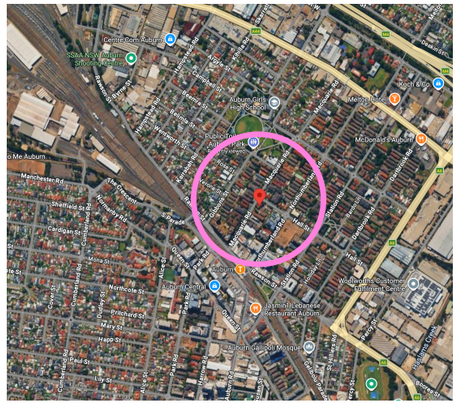
Architectural Plans



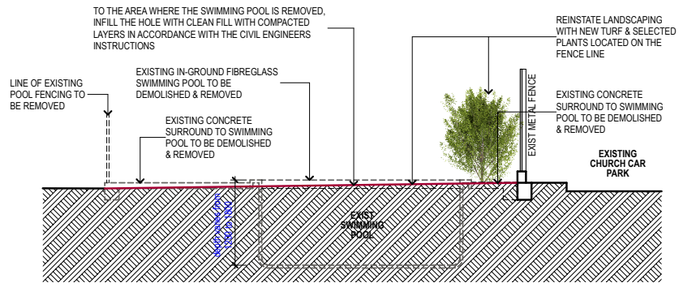
2 Site Analysis & Erosion-Sediment Control Plan
1:200



3 Swimming Pool Demolition Plan
1:100



1 Location Plan
NTS

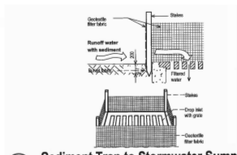


4 Section A-A
1:50

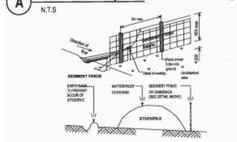
EROSION AND SEDIMENTATION CONTROL

ALL EROSION AND SEDIMENT CONTROL MEASURES TO CONTROL POLLUTANTS DURING CONSTRUCTION ARE TO BE IN ACCORDANCE WITH *MANAGING URBAN STORMWATER: SOILS & CONSTRUCTION*, AND WITH COUNCIL REQUIREMENTS. THE BUILDER IS TO CONFIRM FINAL LAYOUT ON SITE.

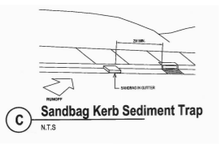
NOTES:
1. PROVIDE A SEDIMENTATION FENCE TO THE LOW SIDE OF ANY EXCAVATION DURING CONSTRUCTION. TIE SEDIMENT FENCING MATERIAL TO CYCLONE WIRE SECURITY FENCE. SEDIMENT CONTROL FABRIC SHALL BE AN APPROVED MATERIAL (EG HUMES PROPOEX SILT STOP) STANDING 300mm MIN. ABOVE GROUND AND EXTENDING 200mm BELOW GROUND.
2. PROVIDE TEMPORARY SEDIMENT TRAP TO STORMWATER SUMPS/GRATED TRENCHES (REFER TO DETAIL A).
3. EXISTING DRAINS LOCATED WITHIN THE SITE SHALL ALSO BE ISOLATED BY SEDIMENT FENCING MATERIAL.
4. NO PARKING OR STOCKPILING OF MATERIALS IS PERMITTED ON THE LOWER SIDE OF THE SEDIMENT FENCE.
5. GRASS VERGES SHALL BE MAINTAINED AS MUCH AS PRACTICAL TO PROVIDE A BUFFER ZONE TO THE CONSTRUCTION SITE.
6. ROOF DRAINAGE IS TO BE CONNECTED TO THE EXISTING STORMWATER SYSTEM AS SOON AS PRACTICAL.
7. PROVIDE TEMPORARY STOPCKPILES IF REQUIRED (REFER TO DETAIL B) ALL TEMPORARY STOCKPILES SHALL BE AT LEAST 2000mm CLEAR OF AREAS OF CONCENTRATED WATER FLOW & THE DRIVEWAY. FOOTPATH NOT TO BE USED.
8. PROVIDE TEMPORARY SANDBAG KERB SEDIMENT TRAP TO PROTECT ANY EXISTING STORMWATER, KERB & GUTTER PIT (REFER TO DETAIL C), & USE MESH & GRAVEL "SAUSAGE" PROTECTION TO GUTTER INLETS NEAR THE ALLOTMENT, COUNCIL TO CONFIRM IF REQUIRED



A Sediment Trap to Stormwater Sump
N.T.S



B Building Material Stockpiles
N.T.S



C Sandbag Kerb Sediment Trap
N.T.S

VEHICULAR ACCESS TO & FROM THE SITE DURING CONSTRUCTION

SF — SEDIMENT FENCE (for Erosion and Sediment Control over site)

SB — STRAW BALES OR SAND FILLED HESSIAN BAGS (for Erosion and Sediment Control at driveway)

OVERLAND FLOW PATHS

0 2 4 6 8 10 20
Scale 1:200

0 1 2 3 4 5 10
Scale 1:100

0 1 2 5
Scale 1:50

NOTES

1. THE CONTRACTOR IS TO CHECK ALL DIMENSIONS AND LEVELS BEFORE COMMENCING WORK. LEVELS AND DIMENSIONS ARE NOT TO BE SCALED FROM DRAWINGS BUT DETERMINED ON SITE. USE OF ALL MATERIALS NOTED AND SPECIFIED ARE TO BE USED AND FIXED IN ACCORDANCE WITH MANUFACTURERS INSTRUCTIONS.
2. REFER TO CIVIL, STRUCTURAL, HYDRAULIC, ELECTRICAL & MECHANICAL DRAWINGS & ASSOCIATED SPECIFICATIONS FOR DETAILED INFORMATION CONCERNING WORKS ASSOCIATED WITH CIVIL, STRUCTURAL, HYDRAULIC, ELECTRICAL & MECHANICAL WORKS.
3. UNLESS OTHERWISE NOTED DIMENSIONS ASSOCIATED WITH EXTERNAL & INTERNAL MASONRY WALLS ARE GENERALLY TO THE FACE OF THE UNFINISHED MASONRY WALLS ONLY, & ASSOCIATED WITH EXTERNAL & INTERNAL FRAMED WALLS ARE TO THE WALL FRAMES ONLY.

DA Issue

ITEM	DATE	DESCRIPTION
B	19.3.26	ISSUED FOR DEVELOPMENT APPLICATION
A	13.3.26	PRELIMINARY ISSUE FOR DEVELOPMENT APPLICATION

AMENDMENTS

CLIENT:
AUBURN ANGLICAN CHURCH

PROJECT:
REMOVAL OF EXISTING IN-GROUND SWIMMING POOL AT AUBURN ANGLICAN CHURCH
48 HALL STREET, AUBURN NSW 2144

THIS DRAWING:
SITE ANALYSIS & EROSION-SEDIMENT CONTROL PLAN, SWIMMING POOL DEMOLITION PLAN & SECTION

N

Priestleys architects
ABN 72 636 317 858
PETER PRIESTLEY ASSOCIATES (N.S.W.) PTY. LTD.
5 COLAH ROAD, MT. COLAH NSW 2079
TELEPHONE: (02) 9482 8123
RUSSELL A. BRAMLEY (Reg. No. 5439)

Member Australian Institute of Architects

Drawn:	RAB	Chkd: RAB	Plot Date: 9.4.26
Date:	13.3.26		Drawing no.
Scales:	1:100		22602.01/B
Issue:	B		

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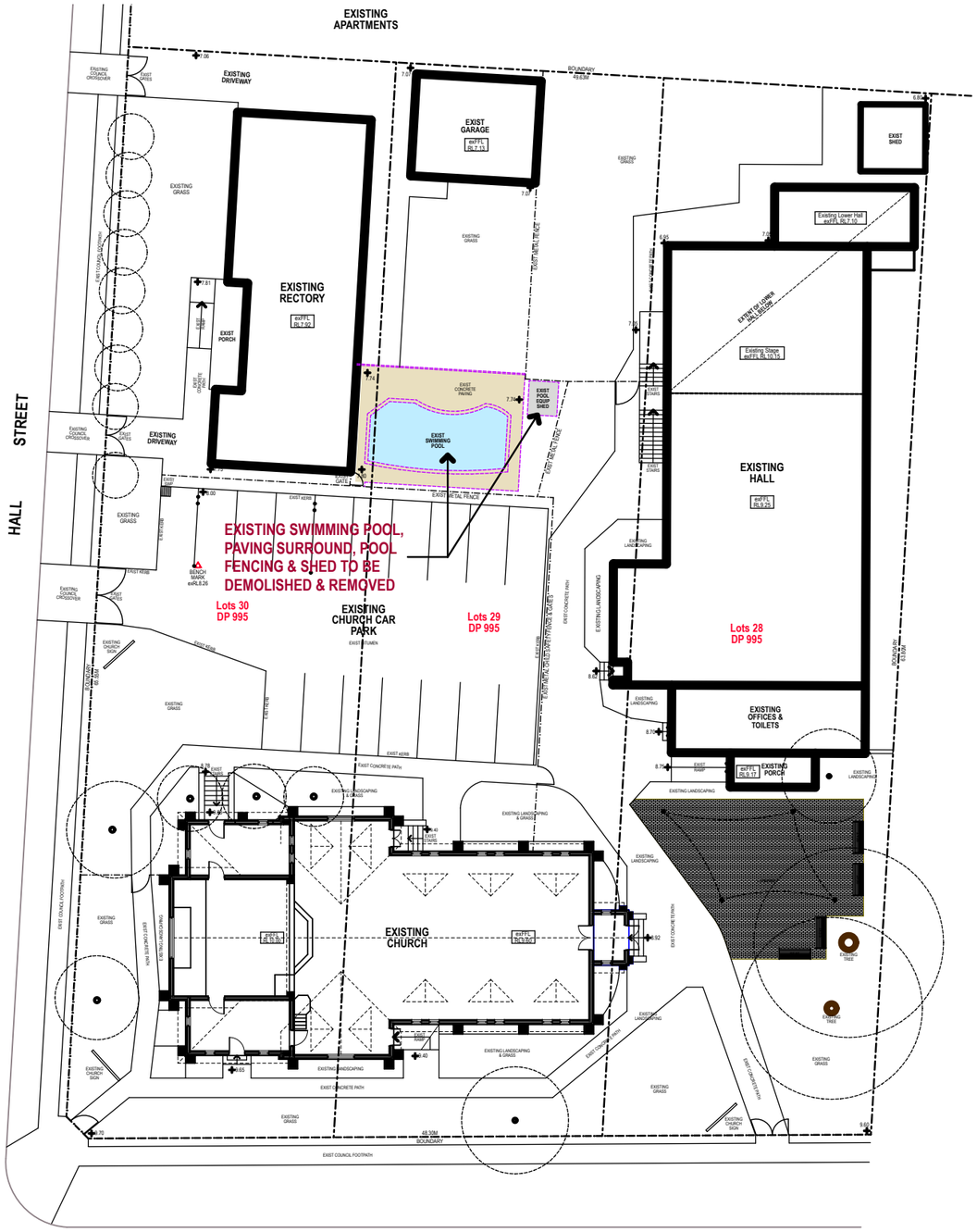
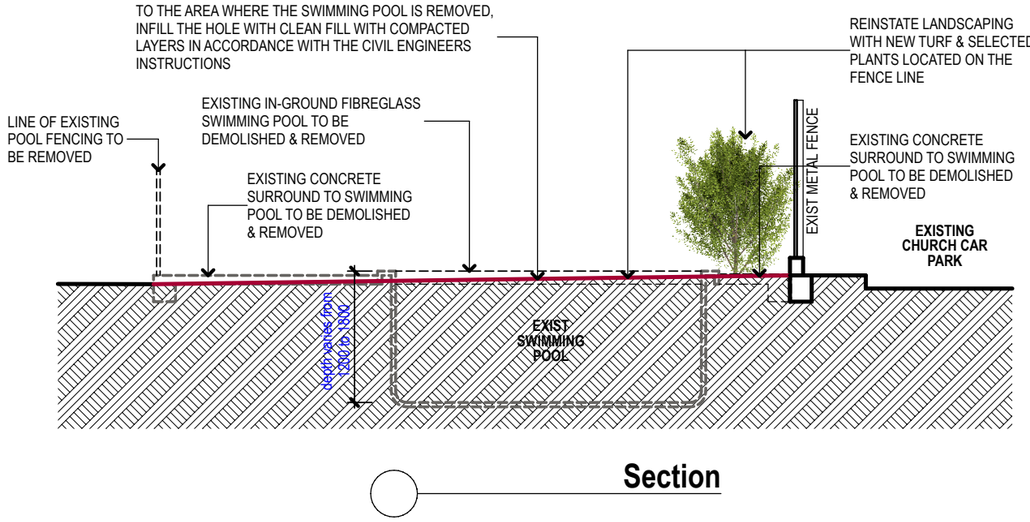
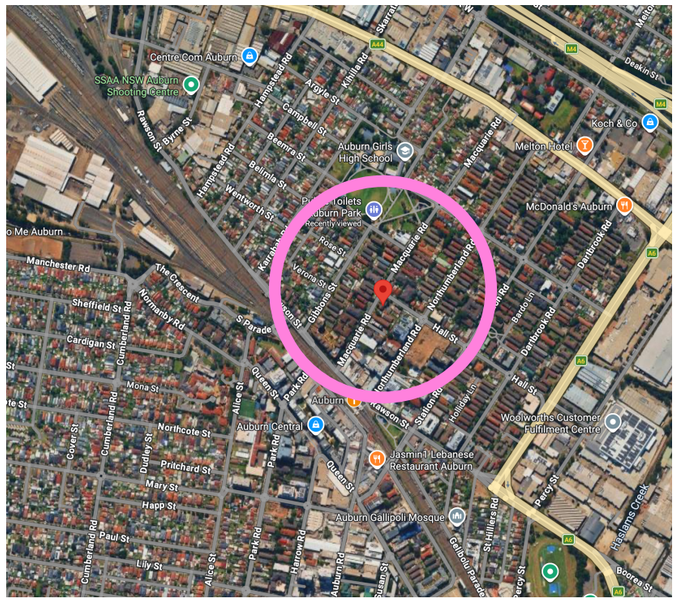


Site Plan



Section



Location Plan

DA Issue

ITEM	DATE	DESCRIPTION
B	19.3.26	ISSUED FOR DEVELOPMENT APPLICATION

AMENDMENTS

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RUSSELL A. BRAMLEY (Reg. No. 5439)

Member Australian Institute of Architects

CLIENT:
AUBURN ANGLICAN CHURCH

PROJECT:
REMOVAL OF EXISTING IN-GROUND SWIMMING POOL AT AUBURN ANGLICAN CHURCH

48 HALL STREET, AUBURN NSW 2144

N

THIS DRAWING
NOTIFICATION PLANS

Drawn: RAB	Chkd: RAB	Plot Date: 9.4.26
Date: 18.3.26		Drawing no.
Scales: NTS		**22602.NP01/B**
Issue: B		

DOCUMENTS ASSOCIATED WITH REPORT ELPP019/26

Attachment 3

Appendix A - Cumberland LEP 2021 Assessment

APPENDIX A - Cumberland Local Environmental Plan 2021

Clause	Comments	Compliance
1.2 Aims of Plan	The particular aims of this Plan are as follows: (aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts, (a) to provide a comprehensive planning framework for the sustainable development of land in Cumberland, (b) to provide for a range of land uses and development in appropriate locations to meet community needs, (c) to facilitate economic growth and employment opportunities within Cumberland, (d) to conserve and maintain the natural, built and cultural heritage of Cumberland, (e) to provide for community facilities and services in Cumberland to meet the needs of residents, workers and visitors, (f) to promote development that is environmentally sustainable. **Comment:** The proposed demolition works do not involve the main historic buildings. In this regard, the built and cultural heritage of Cumberland is being preserved.	Yes
2.3 Zone Objectives and Land Use Table	The LEP defines **demolish** as the following: *in relation to a heritage item or an Aboriginal object, or a building, work, relic or tree within a heritage conservation area, means wholly or partly destroy, dismantle or deface the heritage item, Aboriginal object or building, work, relic or tree.* Demolition works are proposed within 48 Hall Street, Auburn (Lot 29 Sec 11 DP 995 & Lot 30 Sec 11 DP 995) and is situated in the Zone E1 Local Centre. The objectives of the Zone E1 Local Centre are: • *To provide a range of retail, business and community uses that serve the needs of people who live in, work in or visit the area.* • *To encourage investment in local commercial development that generates employment opportunities and economic growth.* • *To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council's strategic planning for residential development in the area.* • *To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.*	Yes

	• *To promote active street frontages on the ground floor of buildings that attract pedestrian traffic and that facilitate active and vibrant centres with inviting public domain areas.* **Comment:** The proposed demolition and landscaping works will not interfere with the existing space that is commonly frequented by the congregation; as swimming pool is located within a more private area of the site, being specifically the rear yard of the Rectory. In this regard, the demolition works continues to enable land to be continued as a Place of Public Worship, as the swimming pool removal and landscaping works will not interfere with the amenity of other buildings within the site. Hence, the Place of Public Worship will continue to provide a community use that serves the needs of people.	
2.6 Subdivision-consent requirements	Subdivision is not proposed under this application.	N/A
2.7 Demolition requires development consent	*The demolition of a building or work may be carried out only with development consent.* **Comment:** Appropriate conditions of development consent will be imposed to ensure that demolition works are carried out in accordance with the relevant Australian Standards.	Yes
4.3 Height of Buildings	*(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.* **Comment:** The proposal does not involve any changes to any height of building.	N/A
4.4 Floor Space Ratio	*(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.* **Comment:** The proposal does not involve any changes to any floor space ratio.	N/A
4.6 Exceptions to development standards	*(3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:* *(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*	N/A

	(b) that there are sufficient environmental planning grounds to justify contravening the development standard. **Comment:** A written request in accordance with Clause 4.6 of CLEP 2021 is not required as the proposed development is for the purposes of demolition and minor landscaping works only.	
5.10 Heritage Conservation	*(2) **Requirement for consent** Development consent is required for any of the following—* *(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)—* *(i) a heritage item,* *(ii) an Aboriginal object,* *(iii) a building, work, relic or tree within a heritage conservation area,* *(b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item.* **Comment:** The site is identified as a local heritage listed item (Number I8 of the Cumberland Local Environmental Plan 2021), known as the 'St. Phillips Anglican Family Church'. The site is a heritage listed item but is not within a heritage conservation area. Consent is being sought for the removal of an abandoned swimming pool. These structures of significance are located within the confines of the site. The abandoned swimming pool is not visible from the public domain, as it is located behind the primary building line of the principal building. The removal of the swimming pool will not affect the visual amenity of the principal building, in which the proposed landscaping works will further improve the visual quality of the item.	Yes
5.21 Flood planning	*(2) Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development—* *(a) is compatible with the flood function and behaviour on the land, and* *(b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and* *(c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity*	N/A

	of existing evacuation routes for the surrounding area in the event of a flood, and *(d) incorporates appropriate measures to manage risk to life in the event of a flood, and* *(e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of riverbanks or watercourses.* *(3) In deciding whether to grant development consent on land to which this clause applies, the consent authority must consider the following matters—* *(a) the impact of the development on projected changes to flood behaviour as a result of climate change,* *(b) the intended design and scale of buildings resulting from the development,* *(c) whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood,* *(d) the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion.* **Comment:** The site is not flood affected, in which comments from Council's Development Engineering Team are not required.	
6.1 Acid Sulphate Soils	*(2) 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.* *Class 5 - Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.* **Comment:** The site has a class 5 rating. However, the works do not involve further excavation works other than for the removal of services relating to the swimming pool, such as wastewater pipes. In this regard, it is unlikely that the water table will be lowered.	Yes
6.2 Earthworks	*(3) In deciding whether to grant development consent for earthworks, or for development involving ancillary earthworks, the consent authority must consider the following matters—* *(a) the likely disruption of, or the detrimental effect on, drainage patterns and soil stability in the locality of the development,* *(b) the effect of the development on the likely future use*	Yes

	or redevelopment of the land, *(c) the quality of the fill and the soil to be excavated,* *(d) the effect of the development on the existing and likely amenity of adjoining properties,* *(e) the source of the fill material and the destination of the excavated material,* *(f) the likelihood of disturbing relics,* *(g) the proximity to, and potential for adverse impacts on, a waterway, drinking water catchment or environmentally sensitive area,* *(h) appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.* **Comment:** As mentioned under the previous clause, detrimental effect on existing drainage patterns or soil stability will not be envisaged since the landscaping works does not involve any hard-stand surfaces. In this regard, the earthworks associated with the removal process will not affect the amenity of adjoining properties.	
6.4 Essential Services	*(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:* *a) the supply of water,* *b) the supply of electricity,* *c) the disposal and management of sewage,* *d) stormwater drainage or on-site conservation,* *e) suitable vehicular access.* **Comment:** Essential services are already provided to the site.	N/A
6.7 Stormwater management	*(2) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development—* *(a) is designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics affecting on-site infiltration of water, and* *(b) includes, if practicable, on-site stormwater retention for use as an alternative supply to mains water, groundwater or river water, and* *(c) avoids significant adverse impacts of stormwater runoff on adjoining properties, native bushland and receiving waters, or if the impact cannot be reasonably avoided, minimises and mitigates the impact.* **Comment:**	N/A

	The demolition will not impede on the current drainage management system.	
6.12 Urban Heat	*In deciding whether to grant development consent for the purposes of commercial premises, industries or residential accommodation, the consent authority must consider whether—* *(a) the facade and roof of the proposed building and paved surfaces are designed to reduce adverse effects of solar heat on the surrounding land, including private open space and the public domain, and* *(b) the awnings and eaves of the building are designed to provide shelter from the sun and improve public comfort at street level, and* *(c) the heating, ventilation and air conditioning systems of the building are designed to minimise the release of heat in the direction of private open space and the public domain, and* *(d) the development maximises the use of green infrastructure that is strategically designed and managed to support a good quality of life in an urban environment, and* *(e) the development accommodates sufficient tree canopy, open space and deep soil zones to achieve urban cooling benefits, and* *(f) the building is designed to achieve high passive thermal performance.* **Comment:** Since the demolition does not involve the removal of structures associated with the main buildings of significance, concerns regarding urban heat are not raised.	N/A

DOCUMENTS ASSOCIATED WITH REPORT ELPP019/26

Attachment 4

Appendix B - Cumberland DCP 2021 Assessment

Appendix B – Cumberland DCP 2021 Compliance Table

Relevant Control		Compliance with Requirements	Consistency with Objectives
Part E4 – Places of Public Worship			
2.1 Bulk and scale	C2. Maximum site coverage for places of public worship in residential zones is 50%. Council will consider a variation to site coverage to facilitate at-grade parking if basement parking cannot be incorporated.	N/A – The removal of the swimming pool will not increase the existing overall site coverage.	N/A
	C3. Places of public worship are to be designed and landscaped in a manner that enhances the quality and visual amenity of the streetscape and are sensitive to the streetscape character, adjacent uses and buildings as well as views.	Yes – The visual quality of the existing Place of Public Worship will continue to be preserved as the swimming pool is currently not visible from the public domain.	Yes
	C4. The front entrance of all places of public worship shall be in clear view of the street.	Yes – The existing main entrance and vehicular access gate to the site will be retained.	Yes
	C5. Where a place of public worship has a dual frontage, the development shall be designed to address both streets, by way of windows, architectural features and to provide opportunities for passive surveillance.	N/A – Façade works are not proposed in which changes to the surveillance opportunities are of any concern.	N/A
	C6. Building setbacks shall respond to the existing character of the street.	N/A – There is no change to any building setback.	N/A
2.3 Acoustic privacy	C2. The design of the proposed place of public worship shall minimise the projection of noise from the various activities anticipated to occur within the site.	N/A – The removal of the swimming pool and re-instatement into landscaping not raise any concerns in noise throughout the site.	N/A
2.4 Landscaping	C1. Where places of public worship are	Yes – The removal of the swimming pool will not	Yes

and Open Space	proposed in residential zones, a minimum of: • 25% of the site area shall be landscaped area; and • 50% of the front setback shall be landscaped area.	decrease the existing landscaping area throughout the site.	
2.5 Operational Plan of Management	C1. A development application for the purposes of establishing a new place of public worship or diversification of an established place of public worship and/or conversion/adaptation of existing buildings to a place of public worship shall include an Operational Plan of Management. This will be used both for the assessment of the application as well as a means to manage the ongoing operation of the proposed premises through the conditions of the development consent.	N/A – An Operational Plan of Management is not required because this application does not involve any operational changes to the Place of Public Worship such as operating hours and size of congregation.	N/A
Part G2 – Heritage			
2.1 Development requirements for environmental heritage	C1. Council may waive the need for applicants to submit a Heritage Impact Statement as may be required under the LEP, if it deems the development and its potential impacts are minor in nature.	Yes – A Heritage Impact Statement that was prepared.	Yes
	C2. A Conservation Policy or Conservation Management Plan may be required, depending on the significance of the item, the proposed works and the need for strategies for the retention of the significance of the heritage item.	Yes – A conservation management plan is not required as the proposal relates to the removal of a less-important ancillary item.	Yes
	C3. Development applications and their assisting documentation shall be prepared in accordance with the Burra Charter.	Yes – The demolition work continues to respect the significance of the Place of Public Worship and is appropriate in terms of preserving the significance	Yes

		of the site, still being consistent with the conservation processes that are outlined in the Burra Charter.	
2.2 Conservation and development work on heritage items	C3. Ensure that conservation or maintenance works on a heritage item use materials, detailing, features, and design elements that are appropriate to the style and age of the heritage item.	N/A – Given that is involves demolition only, a schedule of materials and finishes is not required.	N/A
	C4. Additions and/or extensions to heritage items: • are to be located and designed to complement the existing scale, character and amenity of the streetscape; • are not to dominate the appearance of the heritage item from the street; and • are to consistent with the style of the heritage item.	N/A – The proposal is not considered to be an alteration or an extension of an existing building or structure.	N/A
	C8. When undertaking any form of development, conservation, maintenance or construction works on a heritage item, the materials, colours, maintenance and construction techniques used shall be appropriate to the heritage item.	N/A – As per the above.	N/A
	C11. When undertaking works on a heritage item, the design of building detailing such as windows or doors, should be in keeping with the age and style of the heritage item. Where original design features of heritage items, such as bullnosed verandahs, have been removed, these should be replaced where possible	N/A – As per C4.	N/A

	as they are important to the design and appearance of the building and generally serve a useful function.		
	C12. Where original gates and fences still remain as part of a heritage property, these should be retained. Where this is not possible, the use of replacement fences and gates should be in a style appropriate to the design and style of the building.	N/A – Demolition works to the building and existing boundary fencing are not proposed. The existing pool fencing will also be removed so that the new landscaping area will be integrated with the existing rear yard of the Rectory.	N/A
	C23. The siting of buildings should retain any significant trees and gardens identified on the site.	Yes – The demolition works is not intended to remove or damage any trees since there are no significant trees within proximity of this part of the site.	Yes
	C24. Where proposing development within the curtilage of a heritage item, the new development should be designed so that the heritage item retains its visual prominence.	Yes – The demolition works still ensures that the main items are being retained and are not visually affected.	Yes
	C38. Development should not impact upon the sight lines from public areas to the original building.	Yes – The proposed demolition will continue to preserve sightlines of all buildings of significance from public areas.	Yes
	C39. Development should minimise any changes to the significant fabric of the building and, in particular, to the streetscape appearance of the heritage item.	N/A – The fabric of all buildings of significance are not to be altered.	N/A
Part G3 - Traffic, Parking, Transport & Access (Vehicle)			
3. Parking rate	Development is to provide on-site parking in accordance with the following minimum rates in Table 1. Where a parking rate has not been specified in the table, the Guide to Traffic Generating Developments shall be	N/A – The swimming pool removal is not a traffic generating development as there are no new features being proposed that would generate further parking demand.	N/A

	used to calculate the parking requirements for the proposed development. Alternatively, a parking study may be used to determine the parking, subject to prior approval by Council. Additional parking objectives and controls are provided in Section 4 of this DCP.		
Part G4 - Stormwater & Drainage			
2.2 Method of stormwater disposal from the site	C1. All stormwater collecting as a result of the carrying out of development under this DCP must be directed by a gravity fed or charged system to: (a) a public drainage system, or (b) an inter-allotment drainage system, or (c) an on-site disposal system.	N/A – The removal of the swimming pool will not impede on the current drainage management system as the in-fill of soft surfaces with turf will in-fact alleviate the overflow of water through the site by increasing soil infiltration.	N/A
2.6 Flood Risk Management	C1. The proposed development does not result in any increased risk to human life and does not increase the potential flood affectation on other development or properties.	N/A – The site is not known to be flood affected.	N/A
Part G7 - Tree Management & Landscaping			
2.1 Preservation of trees	C1. The following are not considered to be substantive criteria for tree removal: • flower, leaf or fruit fall causing nuisance; • to increase general natural light; • to enhance views; • to reduce shade created by a tree; • tree not suiting existing or proposed landscape; • unsubstantiated fear of tree failure;	N/A – The removal of the abandoned swimming pool will not result in any removal of significant trees that are located close to the structures. New plantings and spices-type are to be chosen by the occupants of the land.	N/A

	• a tree being too large or high; and to increase direct sunlight onto solar panels or pool heating apparatus.		
2.3 Landscaping	C1. Where a landscape plan is required, it shall be prepared by an appropriately qualified person such as an experienced Landscape Architect/Landscape Designer. The landscape plan shall be prepared at a minimum scale of 1:100, be fully documented with the inclusion of a plant schedule and show sufficient detail to enable construction.	Yes – Since the proposal involves the removal of a swimming pool within a rear yard area, a detailed landscape plan is not required. However, the provided site plan indicates that satisfactory landscaping works will be carried-out once the removal of the fibreglass surface and the in-fill of the future-redundant space is carried-out.	Yes

DOCUMENTS ASSOCIATED WITH REPORT ELPP019/26

Attachment 5

Heritage Impact Assessment Letter

sydney anglicans
SYDNEY ANGLICAN PROPERTY

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464-480 Kent St,
SYDNEY NSW 2000

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QVB POST OFFICE NSW 1230
sydneyanglicans.net
02 9265 1555

Cumberland City Council
16 Memorial Avenue,
Merrylands NSW 2160

24/3/2026

Heritage Impact Assessment Letter – Auburn Anglican Church – 48 Hall Street, Auburn Minor Heritage Works Application - Removal of Swimming Pool to Rectory

1. Introduction

This Heritage Impact Statement has been prepared to accompany a Minor Heritage Works Application to Cumberland City Council for the proposed removal of an existing in-ground swimming pool located within the curtilage of the Auburn Anglican Church rectory at 48 Hall Street, Auburn (NSW 2150). The subject land is legally described as Lot 30 DP 995 and forms part of the broader Auburn Anglican Church property (the *site*), which is identified as a heritage-listed item under the Cumberland Local Environmental Plan 2021.

The rectory building occupies a portion of the site that falls within the heritage curtilage of the church but is not itself individually significant. The heritage significance of the listing primarily relates to the original church building and its contribution to the historic ecclesiastical precinct on Hall Street, rather than to later ancillary structures such as the rectory or the pool.

The proposed works comprise the demolition and removal of the existing swimming pool and associated paving within the rear curtilage of the rectory, as detailed in the accompanying Demolition Plan (Prepared by Priestleys Architects, drawing 22602.01/B). No demolition or alteration is proposed to any fabric of the church or rectory buildings.

The purpose of this report is to assess the proposed works in accordance with the relevant statutory and heritage management frameworks, including Clause 5.10 of the Cumberland LEP 2021 and the principles of the Australia ICOMOS Burra Charter (2013). The statement considers the heritage context of the site, identifies its significant elements, and evaluates the extent to which the proposed works may affect the heritage significance of the place.

The proposed works are considered minor and reversible, representing routine maintenance and removal of a non-significant modern element. The report demonstrates that the proposal will have no adverse impact on the heritage significance of the site or its setting, and that it is consistent with the conservation objectives of the applicable heritage framework.

2. Site Description and Heritage Context

The subject site is located at 48 Hall Street, Auburn NSW 2144, on the southern side of Hall Street near its intersection with Macquarie Road. It occupies Lot 30 DP 995 and forms part of a larger landholding associated with St Phillip's Anglican Family Church. The site is within the Cumberland Local Government Area and zoned E1 – Local Centre under the *Cumberland Local Environmental Plan 2021*.

The Church complex occupies a prominent corner parcel at Hall Street and Macquarie Road. The precinct includes the Federation Gothic-style brick church fronting Macquarie Road and ancillary structures to the

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SYDNEY ANGLICAN PROPERTY

east and south, including the rectory (48 Hall Street)—a modest mid-20th-century brick dwelling with a hipped terracotta-tiled roof—and the former kindergarten and office buildings. The surrounding context comprises a mix of medium-density residential apartments and older detached dwellings along Hall Street, with the Seventh Day Adventist Church located immediately south-west.

The rectory site is visually and functionally separated from the main church by mature plantings and a front setback with established trees and hedging along Hall Street. A narrow driveway provides vehicular access to a rear yard containing the existing in-ground fibreglass swimming pool proposed for removal.



Figure 1 – Aerial view of the subject site. Note the rectory and pool are located to the northeast corner of the site.

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SYDNEY ANGLICAN PROPERTY

3. Heritage listing and Significance

The broader property is listed as a Local Heritage Item (I8) under the *Cumberland Local Environmental Plan 2021*, titled "St Phillip's Anglican Family Church", with local significance under Clause 5.10 Heritage Conservation. The listing applies to the entire church parcel, encompassing Lots 28–30 DP 995, and is based on the *Cumberland Heritage Study (Extent Heritage 2019).*

According to the study, the item has local historic, aesthetic, and social significance as:

- *"The first Anglican place of worship erected in Auburn"* (constructed 1921);
- *An intact example of a suburban Federation Gothic church building* demonstrating early 20th-century ecclesiastical design; and
- *A longstanding community resource* serving the local Anglican congregation and broader Auburn community for over a century.

The statement of significance identifies the church building and associated early structures as the primary elements of heritage value. Later additions, including the rectory and modern landscape elements such as fencing and the swimming pool, are not contributory to the item's significance. The 2019 study specifically recommends that *"the heritage curtilage for this item should be revised/reduced"* to reflect the core heritage fabric and setting

The statement of Significance for this item is as follows:

> *'The St. Phillips Anglican Church and Kindergarten buildings have local historic and social significance as having served as a community resource since 1921. The buildings are also significant for the evidence they provide of the nature of suburban development in the Federation period. In particular, they provide evidence of the development of local social and cultural institutions to accompany the notable residential growth of the period, the Church serving the local Anglican community. The Church building has aesthetic significance as an intact example of a suburban Federation Gothic Church and externally it appears to retain much of its original character and fabric'.*[1]

[1] https://www.cumberland.nsw.gov.au/sites/default/files/inline-files/auburn-listing%20sheets-sep-2024.pdf

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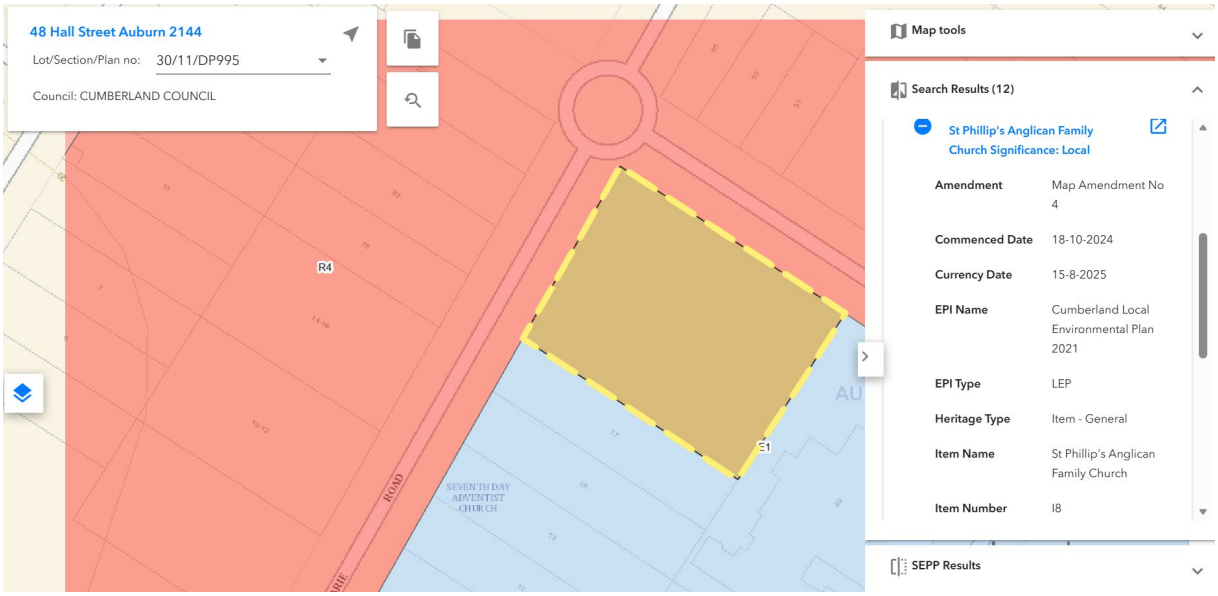

Figure 2 – An excerpt from the ePlanning Spatial Viewer displaying the site's heritage listing.
Source: NSW Planning Portal Spatial Viewer

4. Description of the Rectory

The rectory at 48 Hall Street is a single-storey brick dwelling of post-war suburban character, distinguished by a simple hipped roof with concrete or terracotta tiles, aluminium windows, and plain brick detailing. It presents to Hall Street behind a metal fence and mature vegetation, with limited visual relationship to the main church.

Aerial imagery and on-site observations confirm that a small in-ground swimming pool occupies the rear yard of the rectory. This feature, along with associated paving and fencing, is of modern construction and bears no heritage value. The proposed removal works are confined entirely within this portion of the site and will not affect any original or significant church fabric, built form, or landscaping elements identified in the listing.

5. Surrounding context and visual character

The Hall Street streetscape comprises a varied mix of late-20th-century dwellings and contemporary apartment developments. The church remains the most visually distinctive building in the vicinity due to its Federation Gothic architecture, red brickwork, sandstone detailing, and steeply pitched rooflines, as evident from the street view imagery. By contrast, the rectory reads as a neutral and secondary structure, partially screened by vegetation and consistent in scale and materiality with surrounding residential forms.

This broader setting underscores the hierarchical relationship between the church as the principal heritage item and the rectory as a later ancillary component. Accordingly, works limited to the rectory curtilage—such as removal of the existing pool—are unlikely to impact the visual prominence or aesthetic appreciation of the heritage item as viewed from public areas.

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6. Site Images

Images of the site taken Friday 7th November 2025.



Figure 3 – Façade of the rectory as viewed from Hall Street.



Figure 4 – Rear yard of ther rectory, view towards the pool proposed for removal.

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Figure 5 – Rear yard of the rectory,



Figure 6 – View from the car park towards the rectory located on the right behind the hedging.

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7. The Proposed Works

7.1 Overview

The proposed works involve the complete demolition and removal of the existing in-ground fibreglass swimming pool located to the rear of the rectory at 48 Hall Street, Auburn, within the wider curtilage of St Phillip's Anglican Family Church. The rectory is a later, non-significant structure within the heritage property and forms part of the broader *Local Heritage Item I8* under the *Cumberland Local Environmental Plan 2021*.

The works are limited to the rear yard of the rectory and do not affect the church, or other significant heritage buildings on the site. The pool and its immediate fencing, paving, and associated landscape structures are of modern construction and not contributory to the heritage values of the item as identified in the 2019 *Cumberland Heritage Study.*

7.2 Scope of Works

Based on the demolition drawings prepared by Priestleys Architects, drawing 22602.01/B, March 2026 and the accompanying *site plan* (drawing 22602.01/B, March 2026) , the scope of works includes the following components:

1. Demolition of existing pool
    - Full structural removal of the existing in-ground fibreglass swimming pool, including the shell, coping, filtration equipment, pipework, and fencing.
    - Removal of associated hardstand areas and surrounding concrete paving as necessary to facilitate access and reinstatement of the ground surface.
2. Site remediation and reinstatement
    - Excavation to expose and remove redundant hydraulic and electrical connections.
    - Backfilling of the excavation using suitable clean fill material in controlled layers, with proper compaction to meet engineering standards to ensure future ground stability.
    - Restoration of the surface as lawn or level compacted ground, with provision for appropriate drainage to prevent ponding and protect adjacent building footings.
3. Waste management and compliance
    - Disposal of demolition waste at an approved facility in accordance with AS 2601-2001 – Demolition of Structures and WorkCover NSW requirements.
    - Implementation of erosion and sediment control measures consistent with the *Sediment Control Plan (Sheet 4 of 4, Signature Design & Drafting)* to prevent run-off during works.

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7.3 Purpose

The parish has advised that the works are proposed to remove the redundant and deteriorating pool structure to allow the ground to be properly drained, stabilised, and compacted in accordance with engineering requirements for any potential future use of the site. The works are not intended to accommodate new development at this stage, but rather to remediate an unsafe and non-functional element within the rectory curtilage.

The rectory's rear yard is presently characterised by an underutilised pool enclosure that detracts from the otherwise open and landscaped setting of the site. Removal of the pool will enhance the visual and functional quality of this space and restore a more coherent landscape character compatible with the broader church precinct.

8. Statutory Assessment

8.1 Cumberland LEP 2021

The site at 48 Hall Street, Auburn forms part of the heritage item "St Phillip's Anglican Family Church" (Item I8) listed in Schedule 5 – Environmental Heritage of the *Cumberland Local Environmental Plan 2021* (originally listed under the *Auburn LEP 2010*).
Assessment is therefore required under Clause 5.10 – Heritage Conservation, which seeks to ensure that development:

- Conserves the environmental heritage of the area;
- Minimises impact on the significance of heritage items, conservation areas and their settings; and
- Encourages sympathetic alterations and compatible land uses.

The proposed demolition and removal of the existing in-ground pool within the rectory yard at 48 Hall Street, Auburn, has been assessed under Clause 5.10 – Heritage Conservation of the *Cumberland Local Environmental Plan 2021* (formerly *Auburn LEP 2010*). The pool is a modern, non-significant structure located within the curtilage of the locally listed heritage item "St Phillip's Anglican Family Church", and its removal will have no adverse effect on the heritage significance, setting, or fabric of the listed church or associated early buildings. The works are minor, reversible, and confined to a part of the site that has already been heavily disturbed.

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The proposal is consistent with the objectives of Clause 5.10 in that it conserves the environmental heritage of the area, protects the church's heritage significance, and enhances the visual and landscape character of the site. The removal of the pool will improve site drainage and stability while eliminating an unsympathetic modern intrusion. Accordingly, the works are considered acceptable on heritage grounds and fully compliant with the intent and provisions of the *Cumberland LEP 2021*.

8.2 Auburn DCP 2010 (Heritage)

The proposed removal of the existing in-ground pool within the rectory yard at 48 Hall Street, Auburn has been reviewed against the relevant provisions of the *Auburn Development Control Plan 2010*, specifically Part 2.6 – Heritage under the *Detached Dwellings and Dual Occupancies* section. The DCP requires that development adjacent to or within the curtilage of a heritage item be responsive to its context, respectful of its heritage significance, and supported by a Heritage Impact Statement

The works comply with these provisions. The pool is a modern, non-significant structure that does not contribute to the heritage value of the St Phillip's Anglican Family Church item. Its removal will have no adverse effect on the heritage significance, curtilage, or setting of the listed church buildings and will in fact improve the landscape presentation by reinstating open, permeable ground consistent with DCP objectives for landscaping and deep soil zones (Part 3.0). The proposal respects the form, scale, and landscape character of the site, aligns with the DCP's built-form and heritage intent, and requires no alteration to any fabric of significance.

Accordingly, the proposal satisfies the heritage performance criteria of the Auburn DCP 2010. It is sympathetic to the setting of the heritage item, conserves its visual and historical significance, and is considered acceptable on both heritage and environmental planning grounds.

9. Conclusion

The proposed demolition and removal of the existing in-ground pool within the rectory yard at 48 Hall Street, Auburn, has been assessed in accordance with the relevant provisions of the Cumberland Local Environmental Plan 2021 (formerly *Auburn LEP 2010*) and the Auburn Development Control Plan 2010. The works are minor, localised, and confined to a non-significant modern structure located within the curtilage of the heritage-listed St Phillip's Anglican Family Church.

The proposal will have no adverse impact on the heritage significance, setting, or fabric of the listed item. It complies with the objectives of both the LEP and DCP by conserving the site's heritage values, enhancing the landscape setting, and improving ground conditions for future use. Overall, the proposed works are heritage-neutral, consistent with sound conservation principles, and are supported on heritage grounds.

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If you have any queries, please do not hesitate to me on (02) 9265 1617 or by email at aga@sydney.anglican.asn.au.

Kindest Regards,



Alin Almasan,
Manager Parish Property Services - Heritage
B. Prop Val, B. Arch, M. Herit Cons

Item No: ELPP020/26

DEVELOPMENT APPLICATION - 96-98 CHISWICK ROAD, AUBURN

Directorate: Environment and Planning
Responsible Officer: Acting Executive Manager City Planning and Development

Application lodged	19 February 2026.
Applicant	Mr G Bakewell.
Owner	Cumberland City Council.
Application No.	DA2026/0126.
Description of Land	96 & 98 Chiswick Road, Auburn. Lot 1 in DP 938994. Lot 8 to 14 in DP 6713. Lot 21 to 27 in DP 6713. Lot 1520 in DP 1307391. Lot 2 in DP 235351. Lot 2 in DP 669013.
Proposed Development	Partial demolition of perimeter walls and roof along the southern side of the Peacock Gallery building and the construction of prefabricated buildings for use as an office and amenities in association with Council's depot, erection of a roof between the buildings and the Peacock Gallery building and erection of a prefabricated building for use as a café with associated tree removal, landscape and stormwater works.
Site Area	34,040.50sqm.
Zoning	Zone RE1 - Public Recreation.
Disclosure of political donations and gifts	Nil disclosure.
Cost of works	$990,000.00.
Heritage	Yes - Auburn Botanic Gardens.
Principal Development Standards	N/A.
Issues	"Nil".

SUMMARY:

1. Development Application 2026/0126 was lodged on the 19 February 2026 for the partial demolition of perimeter walls and roof along the southern side of the Peacock Gallery Building and construction of prefabricated buildings for use as an office and amenities in association with Council's depot, a roof between the buildings and the Peacock Gallery building and a prefabricated building for use as a café with associated tree removal, landscape and stormwater works.

2. The application was publicly notified to occupants and owners of the adjoining properties for a period of 28 days between the 12 March 2026 to the 9 April 2026. In response, no submissions were received.

3. The subject site is listed as a heritage item within in the Cumberland Local Environmental Plan 2021 as Item I5. The heritage item is a local heritage item known as the Auburn Botanic Gardens. The proposed development does not have any direct impact on any of the items of significance.

4. The application is referred to the Cumberland Local Planning Panel for determination as the development is proposed on land for which Council is the landowner resulting in a conflict of interest.

5. The application is recommended for conditional approval subject to the conditions as recommended in the Council's assessment report.

REPORT:

Subject Site and Surrounding Area

The site is identified as 96 to 98 Chiswick Road which is defined by the following allotments:

- Lot 1 in DP 938994.
- Lot 8 to 14 in DP 6713.
- Lot 21 to 27 in DP 6713.
- Lot 1520 in DP 1307391.
- Lot 2 in DP 235351.
- Lot 2 in DP 669013.

However, the works proposed within the development application are occurring wholly within Lot 2 in DP 235351 with some spillover effect into Lot 2 in DP 669013.

The parts of the site that consists of the proposed development has a combined area of 34,050.50 square metres and a combined primary frontage to Chiswick Road of 175.495 metres.

The subject site is within the Auburn Botanic Gardens precinct which also forms part of the local heritage listed item (Number I5 of the Cumberland Local Environmental Plan 2021) known as the Auburn Botanic Gardens. Specifically, the depot, the Peacock Gallery and the Auburn Aviary are located within the subject site and are accessed by vehicle via Chiswick Road which forms the northern frontage of the site.

The Auburn Botanic Gardens is located opposite the subject site to the north. Duck River is also located within the vicinity of the site to the west. The primary Council depot is located to the immediate west between the subject site and Duck River. There is a public car park on site that services the Aviary and the Peacock Gallery.

The location of the site is shown below edged in purple.



Figure 1 - Land zoning map showing the location of the subject site.



Figure 2 - Aerial photograph showing the location of the subject site.

A photo of the site is shown below.



Figure 3 - View of the location of where the new facilities building is to be constructed in the foreground.

Description of The Development

Council has received a development application for the partial demolition of the perimeter walls and roof along the southern side of the Peacock Gallery Building and construction of prefabricated buildings for use as an office and amenities in association with Council's depot, erection of a roof situated between the buildings and the Peacock Gallery building and erection of a prefabricated building for use as a café with associated tree removal, landscape and stormwater works.

The prefabricated office building and café will be constructed towards the west of the existing car park over the part of the site that previously occupied the Bonsai Gallery building which has already been removed.

The structures will be attached to the rear of the Peacock Gallery building via a connected walkway area that will include a roof structure.

The proposed buildings are single storey in height and the office building will include a meeting/lunch room, 71 workstations, male and female toilets that each have individual accessible toilets. The workstations will accommodate the offices of the Council works depot as a temporary arrangement whilst the depot is being upgraded.

The café building will have an outdoor dining deck, café area, kitchen (with a grease trap) and a store room. The proposed buildings have a combined floor area of 676.40 square metres, specifically summarised as follows:

- Office = 552.3sqm.
- Male amenities (male toilets and accessible male toilet) = 25sqm.
- Female amenities (female toilets and accessible female toilet) = 25sqm.

- Café = 51.7sqm.

At least three trees are required to be removed for the purposes of the café building. A car park with room for 78 vehicles will be retained for Council staff within the existing car park of 98 Chiswick Road, Auburn. Furthermore, a separate car park with room for parking 13 vehicles will be retained for the Aviary and Peacock Gallery.

The proposed office building and café will not affect the features and structures associated with the Peacock Gallery (previously known as a Kiosk) and the Aviary. The café is proposed to be open to the public and Council staff between the hours of 6am to 5pm, Monday to Sunday (including Public Holidays). There will be 3 to 4 staff at any time managing the café and there will be seating for 20 patrons across 10 tables to be situated within an outdoor decking area.

Whilst the site is contained within the Duck River Parklands (as detailed in the Duck River Parklands Strategic Masterplan, dated the 21 November 2022), the proposed structures will not have any direct impact to the Duck River ecosystem. Also, the clearing of vegetation within the ecosystem of Duck River is not required.

Temporary structures

The proposed structures, being the office and café, are to be temporary. The reason for these structures is to accommodate the offices of Council works depot for a period of at least five years so that the Council can upgrade the existing depot. The area subject to this proposed development will then be reinstated into landscaping upon conclusion of those works.

History

The following applications have been issued for the land.

- Development consent DA2024/0332 was issued on the 11 December 2024 for the Installation of a prefabricated building to be used as office spaces and installation of a prefabricated bathroom amenity building.

- Development consent DA2022/0645 was issued on the 8 February 2023 for the demolition of existing amenities building, construction of a new amenities building (inclusive of amenities, lunchroom and meeting room) and provision of temporary demountable facilities.

- Development consent DA2005/356 was issued on the 2 September 2005 for the use and fit out of existing building for Council offices.

- Development consent DA2009/254 was issued on the 26 August 2009 for the change of use of the existing kiosk to arts and culture facility, exhibition gallery, meeting and storage room.

- Development consent DA2011/199 was issued on the 5 August 2011 for the change of use and internal refurbishment of existing fernery to an art gallery (Peacock Gallery & Auburn Arts Studio - Auburn Botanic Gardens).

Applicants Supporting Statement

The applicant has provided a Statement of Environmental Effects prepared by Graham Bakewell Architect dated January 2026 and was received by Council on the 19 February 2026 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

Development Engineering

The development application was referred to Council's Senior Development Engineer for comment. It is determined that the development proposal is satisfactory and therefore can be supported subject to conditions of consent.

Environmental Health

The development application was referred to Council's Environmental Health Officer for comment who has advised that the development proposal is satisfactory subject to condition of consent.

Public Spaces Planning and Design

The development application was referred to Council's Senior Landscape Architect for comment who has advised that the proposal is satisfactory and therefore can be supported. Specific conditions are not required.

Tree Management

The development application was referred to Council's Tree Management Officer for comment who has advised that the development proposal is satisfactory and therefore can be supported subject to conditions of consent.

Heritage Advisory Committee

The development application was referred to Council's Heritage Committee for comment who has provided no response. On this basis, it is considered that the Committee has no issue with the development from a heritage perspective.

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:

State Environmental Planning Policies (SEPPs)	Relevant Clause(s)	Compliance with Requirements
• **State Environmental Planning Policy (Biodiversity and Conservation) 2021**	Chapter 2 - Vegetation in non Rural Areas	Yes - Overall, 3 trees are to be removed. At least 3 new trees are to be planted to replace trees that are to be removed. In this regard, the proposal does not exceed the biodiversity offsets scheme threshold. Therefore, the proposed vegetation removal is considered acceptable. Council's Tree Management Officer did not raise any concerns regarding the proposed development. A further detailed analysis is provided under Appendix B of this report.
	Chapter 6 - Water Catchments. Sydney Harbour Catchment	Yes - It is determined that given the location, a detailed assessment is not required given that there is no direct impact upon the catchment and no direct impact upon watercourses.
• **State Environmental Planning Policy (Resilience and Hazards) 2021**	Chapter 2 - Coastal Management	Yes - The subject site is not identified as being within a coastal wetland area or land identified as "proximity area for coastal wetlands" or a coastal management area.
	Chapter 4 - Remediation of Land. Clause 4.6	Yes - A preliminary site investigation report was not required with this application as the proposed buildings are prefabricated structures where excavation works are not required. Council's Environmental Health Officer has not raised no issues in relation to contamination on the grounds that no excavation work is proposed. As such, it is considered that the development application is satisfactory under Part 4.6 of Chapter 4 of the State Policy.

• **State Environmental Planning Policy (Sustainable Buildings) 2022**	Chapter 3 - Standards for non-residential development	N/A - Chapter 3 of SEPP (Sustainable Buildings) 2022 does not apply to the development as the new building does not have a capital investment value of $5 million or more (as per Clause 3.1(1)(a)).

Local Environmental Plans

Cumberland Local Environmental Plan 2021

The provision of the CLEP 2021 is applicable to the development proposal. It is noted that the development achieves compliance with the key statutory requirements of the CLEP 2021 and the objectives of the RE1 Public Recreation land use zone in which the subject site is situated within.

(a) Permissibility:

Part of the proposed development being office spaces/amenities is considered ancillary works to the existing depot. A ***depot*** under the CLEP is defined as the following:

> *"a building or place used for the storage (but not sale or hire) of plant, machinery or other goods (that support the operations of an existing undertaking) when not required for use but does not include a farm building".*

Part of the proposed development is also a café'. A ***restaurant or café*** under the CLEP is defined as the following:

> *"restaurant or cafe means a building or place the principal purpose of which is the preparation and serving, on a retail basis, of food and drink to people for consumption on the premises, whether or not liquor, take away meals and drinks or entertainment are also provided, but does not include the preparation and serving of food and drink to people that occurs as part of—*
>
> *(a) an artisan food and drink industry, or*
>
> *(b) farm gate premises".*

A ***depot*** and a ***café*** are permissible development with the RE1 Public Recreation land use zone.

The relevant matters to be considered under the CLEP and the applicable clauses for the proposed development are summarised below.

DEVELOPMENT STANDARD	COMPLIANCE	DISCUSSION
4.3 Height of Buildings.	N/A	There is no maximum building height limit provided for the site. The buildings are one storey in height and rises no higher than 3.6 metres above the natural ground level. The height of the building including the ridge levels (RL's) is satisfactory.

4.4 Floor Space Ratio.	N/A	There is no maximum floor space ratio provided for the site. The proposed building(s) has a combined floor area of 654 square metres.
4.6 Exceptions to Development Standards.	N/A	There are no proposed variations to any development standards.
5.10 Heritage Conservation	Yes	The Heritage Impact Assessment Report prepared as part of the development is assessed as being satisfactory. To further conserve the heritage significance of the site, the 2 existing commemorative plaques for the former 'Auburn Bonsai Garden' (or Glasshouse), that are both currently located on the existing northern elevation wall will need to be removed and relocated to the new brick perimeter wall in a similar location, facing the public car park.

A comprehensive CLEP assessment is contained in Appendix A.

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

Council has received a Gateway Determination from the Department of Planning, Housing and Infrastructure for the Draft Woodville Road Corridor Planning Proposal. As part of this approval, public exhibition of the Draft Woodville Road Corridor Planning Proposal has commenced. The public exhibition was carried out between the 4 March 2025 to 17 April 2025.

The Draft Planning Proposal seeks to revitalise Woodville Road by amending planning controls in the Cumberland Local Environmental Plan (CLEP) 2021 for 31 sites located around the three (3) precincts of Woodville North, Merrylands East and Woodville South.

The site does not fall within the Draft Woodville Road Corridor. Therefore, no further consideration is required.

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

The Cumberland Development Control Plan (CDCP) 2021 is relevant to the development proposal. The development has been assessed in accordance with Part G - Miscellaneous Development Controls of the Cumberland DCP 2021.

The proposed development generally complies with all the relevant provisions of the Cumberland DCP 2021 and is considered acceptable from an environmental planning view point.

Plan of Management for Auburn Botanic Gardens Precinct

Furthermore, the proposed development is still consistent with the Plan of Management for the Auburn Botanic Gardens (Adopted on the 7 February 2001).

More specifically, this Plan of Management contains specific land management goals. This proposal is consistent with these goals because it still ensures that open space is still being provided; as the offices are to be constructed within the former Glasshouse area. The proposed development continues to maintain the landscape character of the precinct by preserving space for the planting of new trees within the primary setback area and adjacent to the car park within 96 Chiswick Road. The café will be integrated with the landscaping area as the outdoor deck will contribute to the inviting character of the precinct.

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)(iiia))

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 Regulation 2021 (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 (Website) ☒ Mail ☒ Sign ☒ Not Required ☐

In accordance with Council's Notification requirements contained within the Cumberland Development Control Plan 2021, the proposal was publicly notified for a period of 28 days between the 12 March 2026 to 9 April 2026. 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.

CUMBERLAND LOCAL INFRASTRUCTURE CONTRIBUTIONS PLAN

The development would not require the payment of contributions in accordance with Cumberland Local Infrastructure Contributions Plan 2020 as the site is Council property.

HOUSING AND PRODUCTIVITY OF CONTRIBUTION (HPC)

In accordance with s7.24, s7.26 and s7.28 of the Environmental Planning and Assessment Act, 1979 the proposed development is not subject to the (Housing and Productivity Contribution) Act 2024, and not subject to the payment of the Housing and Productivity Contribution (HPC), given that the proposal involves temporary structures.

DISCLOSURE OF POLITICAL DONATIONS AND GIFTS

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

CONCLUSION:

The development application has been assessed in accordance with the relevant requirements of the Environmental Planning and Assessment Act 1979, State Environmental Planning Policy (Resilience and Hazards) 2021, Statement Environmental Planning Policy (Biodiversity and Conservation) 2021, Cumberland Local Environmental Plan 2021 and the Cumberland Development Control Plan 2021.

The proposed development is appropriately located within the RE1 Public Recreation zone under the relevant provisions of the Cumberland Local Environmental Plan 2021. The proposal is consistent with all statutory and non-statutory controls applying to the development. The development is considered to perform adequately in terms of this 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:

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

FINANCIAL IMPLICATIONS:

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

POLICY IMPLICATIONS:

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

COMMUNICATION / PUBLICATIONS:

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

REPORT RECOMMENDATION:

That Development Application 2026/0126 for the partial demolition of perimeter walls and roof along the southern side of the Peacock Gallery Building and construction of prefabricated buildings for use as an office and amenities in association with Council's depot, erection of a roof between the buildings and the Peacock Gallery building and erection of a prefabricated building for use as a café, with associated tree removal, landscape and stormwater works on land at 96 and 98 Chiswick Road, Auburn be approved subject to conditions listed in Council's assessment report.

ATTACHMENTS

1. Draft Notice of Determination ⇩
2. Architectural, Stormwater and Landscape Plans ⇩
3. Heritage Impact Report ⇩
4. Plan of Management for Auburn Botanic Gardens Precinct ⇩
5. Appendix A - Cumberland LEP 2021 Assessment ⇩
6. Appendix B - Cumberland DCP 2021 Assessment ⇩

DOCUMENTS ASSOCIATED WITH REPORT ELPP020/26

Attachment 1

Draft Notice of Determination

CUMBERLAND CITY COUNCIL

DEVELOPMENT APPLICATION
DRAFT CONDITIONS OF CONSENT

Under the *Environmental Planning and Assessment Act, 1979*

Application No:	DA2026/0126
Applicant:	Mr G Bakewell 45 Prospect Street ERSKINEVILLE NSW 2043
Property Description:	96 & 98 Chiswick Road, Auburn • Lot 1 in DP 938994. • Lot 8 to 14 in DP 6713. • Lot 21 to 27 in DP 6713. • Lot 1520 in DP 1307391. • Lot 2 in DP 235351. • Lot 2 in DP 669013.
Development:	Partial demolition of perimeter walls and roof along the southern side of the Peacock Gallery Building and construction of prefabricated buildings for use as an office and amenities in association with Council's depot, erection of a roof between the buildings and the Peacock Gallery building and erection of a prefabricated building for use as a café, with associated tree removal, landscape and stormwater works.
Determined by:	Cumberland Local Planning Panel.

CONDITIONS OF CONSENT

General Conditions.

1. DAGCA01- General

This consent shall lapse five years after the date from which it operates unless building, engineering or construction work has physically commenced.

(Reason: Advisory)

2. DAGCA02 - Approved Plans and Supporting Documents

The development must be carried out in accordance with the following endorsed plans and documents, except as otherwise provided by the conditions of this consent.

Reference/Drawing No.	*Title/Description*	*Prepared By*	*Date(s)*
DA02 (Revision B)	Site Plan	Graham Bakewell Architect	26 March 2026
DA03 (Revision B)	Roof Plan	Graham Bakewell Architect	26 March 2026
DA04 (Revision B)	Plan	Graham Bakewell Architect	26 March 2026
DA05 (Revision B)	Elevations – Office Buildings	Graham Bakewell Architect	26 March 2026
DA06 (Revision B)	Elevations – Café & Section	Graham Bakewell Architect	26 March 2026
DA07 (Revision A)	Parking Plan	Graham Bakewell Architect	2 April 2026
LA01 (Revision A)	Landscaping Plan	Graham Bakewell Architect	16 February 2026
SW010 1083-DA (Revision F)	Stormwater Layout Plan	Mathew J. Wahbe	10 April 2026
J7177_02 (Revision B)	Statement of	Weir Phillips Heritage	16 February

	Heritage Impact		2026
CNR-93161	Referral comments	Sydney Water	20 March 2026

(Reason: To confirm and clarify the details of the approval)

3. DAGCA10 - Time Limited Consent

In accordance with Section 4.17(1)(d) of the Environmental Planning and Assessment Act 1979, this development consent is limited to five (5) years from the date of issue of the Occupation Certificate.

In the event that the offices and the café building is required for an extended period of time being a period of greater than five years as specified by the condition, a separate development or modification application shall be lodged to the Council for determination prior to the five year period lapsing.

(Reason: To control the use of the premises)

4. DAGCF01 - Surface Runoff

Allowances shall be made for surface runoff from adjacent properties and to retain existing surface flow path systems through the site. Existing surface water flows from upstream properties shall not be diverted or treated in a manner that results in adverse effects for any other property.

(Reason: To prevent adjoining properties from being adversely affected by existing surface water flows

5. DAGCF02 - Utility Services

If the development causes damage to utility services or if it requires the adjustment or relocation of utility services, the applicant shall carry out works, at the applicant's expense, to the service/s to the satisfaction of the utility provider.

(Reason: To protect and ensure the ongoing integrity of utility infrastructure)

6. DAGCZ01 - Re-location of 2 commemorative plaques - for the former 'Auburn Bonsai Garden'

To further conserve the heritage significance of the site, the 2 existing commemorative plaques for the former 'Auburn Bonsai Garden' (or Glasshouse), that are both currently located on the existing northern elevation wall will need to be removed and relocated to the new brick perimeter wall in a similar location, facing the public car park.

(Reason: To ensure that the partial history of the Auburn Botanic Gardens Precinct is preserved)

Conditions which must be satisfied prior to the commencement of demolition.

7. DAPDB09 - Tree Preservation

All street trees and trees on private property that are protected under Council's Development Control Plan, shall be retained and protected in accordance with AS 4970 - 2009 'Protection of Trees on Development Sites' during demolition except where Council's prior written consent has been obtained.

(Reason: Tree Preservation and Protection)

8. DAPDB10 - Demolition, Excavation, Construction Noise and Vibration Management Plan

A site specific Noise Management Plan shall be developed and submitted to the Council or registered certifier prior to the commencement of any demolition, excavation and construction works on site. The Plan must be prepared by a suitably qualified Acoustic Consultant, being a consultant who holds a current member grade of the Australian Acoustical Society.

The Plan must include but not be limited to the following:

a) Identification of any noise sensitive receivers near to the site;
b) A prediction as to the level of noise and vibration impact, including the likely number of high noise intrusive appliances/equipment likely to affect the nearest noise sensitive receivers;
c) A statement outlining whether or not predicted noise levels will comply with the noise criteria

stated in the NSW EPA Interim Construction Noise Guideline (2009). Where resultant site noise levels are likely to be in exceedance of noise criteria, then details of the following must be included in the plan:

- Duration and frequency of respite periods that will be afforded to the occupiers of neighbouring properties; and
- Details of any other noise mitigation measures that will be deployed on site to reduce noise impacts on the occupiers of neighbouring noise sensitive property to a minimum.

d) Confirmation of the level of community consultation that has or will be undertaken with the occupiers of the main adjoining noise sensitive properties likely to be most affected by site works and the operation of plant/machinery particularly during demolition and excavation phases;
e) Details of the noise and vibration monitoring that is to be undertaken during works;
f) The type of action will be undertaken following receipt of a complaint concerning offensive noise or vibration, including nomination of a site contact.

(Reason: Environmental and residential protection)

9. DAPDB11 - Hazardous Materials Survey Required

Prior to the commencement of any demolition works, a Hazardous Materials Survey Report must be prepared by a suitably qualified person (such as a certified Occupational Hygienist) and submitted to the satisfaction of the Council or registered certifier. The report must identify and record the type, location and extent of any hazardous materials on the site and make recommendations as to the safe management and/or removal to ensure the site is safe for demolition, construction and future use/occupation.

(Reason: To ensure controls are in place for hazardous materials)

10. DAPDB12 - Sediment and Erosion Control Measures

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

a) A sediment-trapping fence using a geotechnical fabric specifically designed for such purpose and installed to manufacturer's specifications is to be placed in suitable locations below the construction area to reduce impacts on waterways.
b) Vegetation and/or existing building structures will be cleared from the construction areas only with other areas to remain undisturbed.
c) Restricting vehicle access to one designated point and having the driveways adequately covered at all times with blue metal or the like.

The above measures are to be maintained at all times to the satisfaction of Council and the Principal Certifier. Failure to do so may result in the issue of penalty notices.

(Reason: To minimise/prevent impacts on waterways by minimising soil erosion and sediment leaving the site)

11. DAPDB13 - Sediment and Erosion Control Plan - Large Sites

A Soil and Water Management Plan (also known as an Erosion and Sediment Control Plan) shall be prepared according to the Landcom's Managing Urban Stormwater: Soils and Construction - Volume 1, commonly known as the 'Blue Book'. A copy of the plan must be kept on-site at all times and made available to Council officers on request.

(Reason: To minimise/prevent impacts on waterways by minimising soil erosion and sediment leaving the site)

Conditions which must be satisfied prior to the issue of a Construction Certificate.

12. DACCA02 - Application for a Construction Certificate

Construction work must not commence until a Construction Certificate has been obtained from Council or a registered certifier.

(Reason: Statutory requirement)

13. DACCA03 - Disabled Access & Facilities

Access and facilities for people with disabilities must be provided in accordance with the relevant requirements of the National Construction Code (for all new building work) and in addition, with the relevant requirements of the 'Disability (Access to Premises - Building) Standards 2010'. Details of the proposed access, facilities and car parking for people with disabilities are to be included in the plans/specifications submitted with the Construction Certificate application.
(Reason: To ensure compliance with the requirements of the National Construction Code)

14. DACCA04 - Works Within the Boundary

No portion of the works are to encroach beyond the boundaries of the subject property. Alternatively, documentary evidence that the owner of the adjoining property has no objection to the required works or access, is to be submitted to the Council or registered certifier prior to the issue of a Construction Certificate.

(Reason: To ensure protection of adjoining properties)

15. DACCC02 - Protection or Management of Public Access

If the work involved in the demolition or construction of a building is likely to disrupt or obstruct pedestrian or vehicular traffic in a public place, or the building involves the closure of a public place, a barrier, fence or hoarding shall be erected prior to the commencement of any work, subject to approval of a Road Occupancy Licence by Council.

(Reason: Public safety)

16. DACCE02 - Construction Management Plan

Prior to the issue of any Construction Certificate, a Construction Management Plan shall be submitted to the Council or registered certifier providing details of the following:

a) Actions and works proposed to ensure safe access to and from the site, including how the road and footpath area will be protected from building activities, plant and materials delivery, or static loads from cranes, concrete pumps and the like.
b) The proposed method of loading and unloading excavation machines, building materials, formwork and the like.
c) The proposed areas within the site to be used for a builder's site office and amenities, the storage of excavated material, construction materials and waste containers during the construction period.
d) The proposed method of support designed by a qualified practising professional engineer with Engineers Australia membership for any excavation adjacent to adjoining properties or the road reserve.

(Reason: Safety, amenity and protection of public infrastructure and the environment)

17. DACCE03 - Construction Traffic Management Plan (CTMP)

Prior to the issue of any Construction Certificate, the applicant shall submit and have approved by Council, a detailed CTMP. The plan shall demonstrate how construction and delivery vehicles will access the development site during the demolition, excavation and construction phase of the development. The plan shall be certified by a suitably qualified and experienced traffic consultant and all traffic associated with the subject development shall comply with the terms of the approved CTMP.

The following matters must be addressed in the CTMP:
a) A detailed description and route map of the proposed truck/construction vehicle access routes.
b) The locations of any proposed Construction Works Zones along the site frontage.
c) Provide a construction schedule.

d) Tradesperson parking (parking shall be provided on-site where possible).
e) Provide relevant traffic control plans (must be certified by a suitably qualified RMS ticket holder).
f) Provide relevant pedestrian management plans.
g) A site plan which indicates site entrances and exits, turning areas within the site for construction and spoil removal vehicles allowing a forward ingress and egress for all construction vehicles on the site (superimposed truck swept path diagrams). Site entrances and exits shall be controlled by a certified traffic controller.

(Reason: Traffic safety and amenity during construction phase)

18. DACCF05 - Tree Replacement

The landscape plan submitted with the Construction Certificate application shall incorporate the following replacement tree/s to ensure the preservation of the landscape character of the area.

Species	Location	Pot Size
Ulmus glabra 'Lutescens' x3	Within subject site	45L

(Reason: Preservation of the landscape character of the area)

19. DACCJ03 - Certification of the Stormwater Drainage System Design

Prior to the issue of a Construction Certificate, the proposed stormwater design shall be certified by a qualified practising civil engineer as complying with Council's Development Control Plan and AS/NZS3500.3.

(Reason: Adequate stormwater management)

20. DACCK07 - Structural Engineer's Details

Structural engineer's details prepared and certified by a practising qualified structural engineer of all reinforced concrete and structural members shall be submitted with the Construction Certificate application to the Council or registered certifier.

(Reason: To ensure safety and the proper design or structural elements of the building)

21. DACCM01 - Food Premises - Detailed Plans

Detailed and scaled plans of all kitchen, bar, food preparation, waste and storage areas, food handler toilets and all areas associated with the food business must be prepared in accordance with the *Australia New Zealand Food Standards Code* - 3.2.3 - *Food Premises and Equipment* under the *Food Act 2003* and AS 4674 - Design, Construction and Fit-out of Food Premises. A copy of these plans must be submitted to and approved by Council or the registered certifier as being compliant with the required standards prior to the issue of the Construction Certificate.

(Reason: To ensure the food premises fitout complies with relevant food safety legislation and standards)

22. DACCM02 - Food Premises - Waste Storage Area

To ensure the adequate storage and collection of waste from the food premises, all garbage and recyclable materials emanating from the premises must be stored in a designated enclosed waste storage area. The waste storage area must be designed and constructed in accordance with AS 4674 - Design, Construction and Fit-out of Food Premises, Australia New Zealand Food Standards Code 3.2.3 - Food Premises and Equipment and must be:
a) Suitably sized to contain all waste and recyclable material;
b) Provided with a hose tap connected to the water supply;
c) Paved with impervious floor materials;
d) Coved at the intersection of the floor and walls;
e) Graded and drained to a waste disposal system in accordance with the requirements of Sydney Water;
f) Adequately ventilated (mechanically or naturally) so that odour emissions do not cause

offensive odour or air pollution as defined by the Protection of the Environment Operations Act 1997;

g) Fitted with appropriate interventions to meet fire safety standards in accordance with the National Construction Code;

h) Provided with the appropriate number and size of bins adequate for the storage of waste generated by the business, including recycling; and

i) Appropriately managed so that it does not attract pests or create litter.

Detailed plans and specifications for the construction of the waste storage area must be submitted to and approved by the Council or registered certifier prior to the issue of the Construction Certificate.

(Reason: To ensure waste generated by the business is appropriately contained)

23. DACCO08 - Stormwater Disposal

Stormwater runoff from the development shall be collected and piped by gravity flow to existing internal drainage system, generally in accordance with the drawing Nos. SW010 issue F dated 10. 04. 2026 prepared by MJW, subject to the following amendments:

a) Existing stormwater pipes and pit shall be relocated clear of the proposed building.

(Reason: To ensure effective and appropriate disposal of stormwater)

Conditions which must be satisfied prior to the commencement of any development work.

24. DAPCA01 - Appointment of Principal Certifier

No work shall commence in connection with this Development Consent until:

a) A Construction Certificate for the building work has been obtained.

b) the person having the benefit of the development consent has:
   (i) appointed a principal certifier for the building work, and
   (ii) given at least 2 days' notice to the Council, and the principal certifier if not the Council, of the person's intention to commence the erection of the building, and

c) The principal certifier has, no later than 2 days before the building work commences:
   (i) notified the Council 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

d) The person carrying out the building work has notified the principal certifier that the person will carry out the building work as an owner-builder, if that is the case

e) 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 certifier of 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.

(Reason: Statutory requirements)

25. DAPCA03 - Site Safety Fencing

Site fencing to a minimum height of 1.8m shall be erected before the commencement of any work and shall be maintained throughout the duration of works to exclude public access to the site.

(Reason: Statutory requirement and health and safety)

26. DAPCA04 - Principal Certifier Sign

Prior to commencement of any work, signage must be erected in a prominent position on the work site that:

a) shows the name, address and telephone number of the Principal Certifier;

b) shows the name and address of the principal contractor (if any) and a telephone number on which that person may be contacted outside of work hours.
c) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained whilst ever the work is being carried out and must be removed when the work has been completed.

(Reason: Statutory requirement)

27. DAPCA05 - Sydney Water Tap in Approvals

The approved plans must be submitted through the Sydney Water 'Tap in' portal to determine whether the development application will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Sydney Water 'Tap in' customers will receive an approval receipt. For further details please refer to Sydney Water's web site at www.sydneywater.com.au/tapin or call1300 082 746.

The Principal Certifier must ensure that the plans have been approved through the Sydney Water 'Tap in' process and an approval receipt is issued prior to the commencement of works.

(Reason: Statutory requirement)

28. DAPCA06 - Toilet Amenities for People Working at the Site

Suitable toilet amenities are to be provided at the work site at all times. If a temporary toilet is proposed, it must:-
a) have a hinged door capable of being fastened from both inside and outside;
b) be constructed of weatherproof material;
c) have a rigid and impervious floor; and
d) have a receptacle for, and supply of, deodorising fluid.

(Reason: To ensure suitable toilet amenities are provided for workers)

Conditions which must be satisfied during any development work.

29. DADWA01 - Construction Hours

Construction and all related activities including the delivery of materials to the site may only take place between the hours of 7.00am to 6.00pm Mondays to Fridays and 8.00am to 4.00pm Saturdays. No work is to occur on Sundays and public holidays.

Where the development involves the use of jackhammers / rock breakers and the like or other heavy machinery, such equipment may only be used between the hours of 7.00am and 6.00pm Monday to Friday, excluding public holidays.

Note: Construction hours may also be regulated through State legislation and policies, and any works need to comply with these requirements.

(Reason: To minimise impacts on neighbouring properties)

30. DADWA02 - Dust Control

Where applicable, the following are to be satisfied/complied with during demolition, construction and any other site works:
a) Where a dust nuisance is likely to occur, suitable screens and/or barricades shall be erected during the demolition, excavation and building works. If necessary, water sprays shall be used on the site to reduce the emission of dust. Screening shall consist of shade cloth or a similar material at least 2m high and secured to a chain wire fence or in a manner otherwise directed by Cumberland Council.
b) As and when directed by Council, measures identified below are to be implemented to control the emission of dust:
    - Erection and regular maintenance of dust screens around the perimeter of the site for the duration of the work.

- Dust must be suppressed by means of a fine water spray. Water used for dust suppression must not be contaminated or allowed to enter the stormwater system.
- Soil and material stockpiles are to be kept damp or covered.
- Stockpiles of soil or other materials are to be placed away from drainage lines, gutters or stormwater pits or inlets.
- Stockpiles of contaminated soil shall be stored in a secure area and be covered if remaining on site for more than 24 hours.

(Reason: To prevent the movement of dust outside the boundaries of the site)

31. DADWA03 - Site Management

All possible and practical steps shall be taken to prevent nuisance to the occupants of the surrounding neighbourhood from windblown dust, debris, noise and the like during the demolition, excavation and building works.

(Reason: Health and amenity)

32. DADWA05 - Construction Management Plan

All development activities and traffic movements must be carried out in accordance with the approved Construction Management Plan.

A copy of the plan must be kept on site at all times and made available to the Principal Certifier or Council on request.

(Reason: Safety, amenity and protection of public infrastructure and the environment))

33. DADWA06 - Stamped Plans

Stamped plans, specifications, documentation and the consent shall be available on site at all times during construction.

(Reason: To ensure compliance with approved plans)

34. DADWA07 - General Site Requirements during Demolition and Construction

All of the following are to be satisfied/complied with during demolition, construction and any other site works:

a) A single entrance is permitted to service the site for demolition and construction.
b) Care must be taken during demolition and construction to prevent any damage to adjoining buildings.
c) Any demolition and excess construction materials are to be recycled wherever practicable.
d) The disposal of construction and demolition waste must be in accordance with the requirements of the *Protection of the Environment Operations Act 1997*.
e) All waste on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the *Protection of the Environment Operations Act 1997*.
f) All non-recyclable demolition materials shall be disposed of at an approved waste disposal facility.
g) All materials on site or being delivered to the site are to generally be contained within the site. The requirements of the *Protection of the Environment Operations Act 1997* must be complied with when placing/stockpiling loose material, disposing of concrete waste, or other activities likely to pollute drains or water courses.
h) Any materials stored on site must be stored out of view or in such a manner so as not to cause unsightliness when viewed from nearby lands or roadways.
i) Building operations such as brick cutting, washing tools or paint brushes, and mixing mortar shall not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.

(Reason: To ensure protection to public spaces and prevent unauthorised access to the site)

35. DADWA12 - Compliance with the Noise Management Plan

All demolition and construction works carried must be carried out in accordance with the approved Noise Management Plan.

(Reason: To protect residential amenity)

36. DADWA13 - Compliance with Hazardous Materials Survey Report

All of the recommendations for management and/or removal of hazardous materials on the site, as outlined in the Hazardous Materials Survey Report prepared prior to commencement of demolition works, must be complied with.

Prior to the Occupation Certificate being issued, a clearance certificate must be submitted to the Principal Certifier from a suitably qualified person (such as a certified Occupational Hygienist) confirming that all hazardous materials identified have been contained, managed or removed in accordance with the recommendations in the Hazardous Materials Survey Report, and that the site is safe for future occupation in accordance with the approved use.

(Reason: To ensure controls are in place for hazardous materials)

37. DADWA17 - Notification of New Contamination Evidence

Any new information which comes to light during site preparation, remediation, demolition or construction works which has the potential to alter previous conclusions about site suitability and contamination must be notified to the Principal Certifier and Council.

Council may require a NSW accredited site auditor to be engaged to review the contamination assessment and remediation/validation process. If appropriate, Council may also require a new Remedial Action Plan (RAP) to be prepared and implemented to ensure the site can be made suitable for the approved use in light of the new information.

Where a NSW accredited Site Auditor is engaged, an Occupation Certificate must not be issued until a Section A Site Audit Statement has been submitted to Council by the Auditor confirming the site is now suitable for the proposed use.

(Reason: To ensure controls are in place for contamination management)

38. DADWB02 - Tree Protection

To minimise impacts on trees to be retained, no fill shall be placed and no building materials shall be stored under the drip lines of trees to be retained.

(Reason: Tree preservation)

39. DADWB08 - Removal of Trees

The following trees are approved for removal:

Species	Location
Platanus x acerifolius (x3)	Within subject site

(Reason: To clarify which trees are permitted to be removed)

40. DADWC01 - Obstruction/Temporary Occupation of the Public Road/Footpath Area

The road inclusive of footpath area is not to be occupied by building plant such as cranes and cement trucks, building materials, waste materials, waste bins, toilets and the like unless prior approval for such is obtained from the Council in the form of a Road Occupancy Licence.

(Reason: To ensure suitable and safe functioning of public road areas)

41. DADWC02 - Compliance with the National Construction Code

All building work must be carried out in accordance with the provisions of the National Construction Code.

(Reason: Prescribed statutory control)

42. DADWC04 - Survey Report - Development of Two Storeys or Less

In order to ensure compliance with approved plans, a survey certificate to Australian Height Datum shall be prepared by a Registered Surveyor as follows:-

a) The relationship of the building to the boundaries at completion.

Progress certificates in response to the above shall be produced to the Principal Certifier at the time of carrying out relevant progress inspections. Under no circumstances will work be allowed to proceed should such survey information be unavailable or reveal portions of the building closer to boundaries that what was approved.

(Reason: To ensure compliance with approved plans)

43. DADWC10 - Construction Within Boundary

All approved construction including but not limited to footings, walls and guttering shall be constructed wholly within the boundaries of the site.

(Reason: To prevent encroachment on other land)

44. DADWC15 - Mechanical Ventilation

The premises must be suitably ventilated in accordance with the *National Construction Code 2019* and AS1668.1 and 2 - 2012: The Use of Ventilation and Air-Conditioning in Buildings - Mechanical Ventilation in Buildings.

(Reason: To ensure compliance with ventilation standards)

45. DADWC16 - Waste Management

Requirements of the approved Waste Management Plan shall be complied with during site preparation and throughout demolition and construction phases of the development.

(Reason: Compliance with approval)

46. DADWC19 - Sediment and Erosion Control Measures

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

a) 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 or waterways.
b) Stockpiles of topsoil, sand, aggregate, soil or other material shall not be located on any drainage line or easement, natural watercourse, footpath or roadway. Stockpiles shall be protected with adequate sediment controls.
c) The installation of gutters, downpipes, and the connection of downpipes to the stormwater disposal system shall take place prior to the fixing of the roof cladding.

The above measures are to be maintained at all times to the satisfaction of Council and the Principal Certifier. Failure to do so may result in the issue of penalty notices.

(Reason: To minimise/prevent impacts on waterways by minimising soil erosion and sediment leaving the site)

47. DADWD02 - Demolition – Asbestos

For demolition works involving asbestos, standard commercially manufactured signs containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400m x 300mm are to be erected in prominent visible positions on the site during asbestos removal works. Barricades to delineate and isolate the asbestos removal area and prevent public access are to be installed prior to the commencement of asbestos removal works and remain in place until works are completed. The type of barricading should reflect the level of risk.

All demolition and site works involving the removal and disposal of asbestos must only be undertaken by contractors who hold a current SafeWork NSW Class A Licence for friable asbestos removal where applicable or a Class B Licence for non-friable (bonded) asbestos removal. No asbestos products are to be re-used on site and asbestos laden skips/bins must not be left in any public place.

All asbestos removal works are to be undertaken in accordance with the following:
a) Work Health and Safety Act 2011 & Work Health and Safety Regulation 2017;
b) 'Code of Practice on how to safely remove asbestos' published by Safe Work Australia (dated July 2020); and
c) Safe Work Australia Code of Practice for the Management and Control of Asbestos in the Workplace [NOHSC:2018(2005)].

Re-occupation of a workplace must not occur until following the completion of asbestos removal work until a Licensed Asbestos Assessor or Competent Person independent from the asbestos removalist undertakes a clearance inspection and issues a clearance certificate.

Note: To find a licensed asbestos removalist please visit SafeWork NSW website.

(Reason: To ensure compliance with the relevant legislation and to ensure public and work safety)

48. DADWD03 - Critical Stage Inspections – General

Work must not proceed beyond each critical stage until the Principal Certifier is satisfied that work is proceeding in accordance with this consent, the Construction Certificate(s) and the Act. 'Critical Stage Inspections' means the inspections prescribed by the Regulations for the purposes of section 6.5 of the Act or as required by the Principal Certifier and any Service Agreement.

Note: The Principal Certifier may, in addition to inspections, require the submission of Compliance Certificates, survey reports or evidence of suitability in accordance with Part A2.2 of the National Construction Code in relation to any matter relevant to the development.

(Reason: Statutory requirement)

Conditions which must be satisfied prior to the issue of an Occupation Certificate.

49. DAOCA01 - Occupation Certificate

A person must not commence occupation or use of the whole or any part of a new building or change the use of the whole building or any part of an existing building, unless an Occupation Certificate has been issued in relation to the building or part. Before issuing an Occupation Certificate, the Principal Certifier must be satisfied that:
a) All required inspections, including applicable mandatory critical stage inspections, have been carried out; and
b) Any preconditions to the issue of the certificate required by a development consent have been met.

(Reason: Statutory requirement)

50. DAOCA02 - Final Clearance

A final clearance is to be obtained from the relevant energy service provider.

(Reason: To ensure power is available for the site)

51. DAOCA04 - Structural Engineer's Certificate

A certificate from the supervising structural engineer responsible for the design shall be submitted to the Principal Certifier certifying that all foundation works/reinforced concrete/structural members have been carried out/erected in accordance with the engineer's requirements and the relevant standards/codes.

(Reason: To ensure the building is constructed in a structurally sound manner)

52. DAOCA08 - Certification of Engineering Works

Prior to the issue of an Occupation Certificate, the following documents must be submitted to the Principal Certifier.

a) Work as executed drawings prepared by a registered surveyor for completed engineering works.

b) Certification from a qualified practising professional engineer with Engineers Australia membership under the appropriate professional category, that the following matters have been constructed in accordance with the approved plans and conditions of consent:
- the stormwater drainage system;
- car parking provision;
- the dimension of parking spaces and any aisles and circulation ramps conform to AS2890.1;
- any related footpath works;
- any basement mechanical pump; and
- the proposed driveway and layback.

(Reason: Asset management)

53. DAOCA14 - Maintenance of Existing Drainage System

Where elements of the existing drainage system are to be utilised, the existing drainage system shall be maintained clear of silt and accumulated debris.

Certification from a licenced plumber or a person of equivalent or greater experience or qualification shall be provided to confirm that the system is in good working order and has the capacity to deal with additional flows from the development.

(Reason: To maintenance the existing drainage system in a satisfactory and functional state)

54. DAOCB01 - Mechanical Ventilation – Compliance

Prior to issue of an Occupation Certificate, certification must be provided that the mechanical ventilation system has been designed, installed and is operating in accordance with the *National Construction Code 2019*.

(Reason: To ensure correct installation of mechanical ventilation systems)

55. DAOCB06 - Monitoring of Field Parameters

Results of the monitoring of field parameters such as soil, groundwater, surface water, dust or noise measurements shall be made available to Council on request throughout the remediation and construction works.

(Reason: To ensure Council is informed as to monitoring of field parameters in the event of an incident)

56. DAOCD01 - Fire Safety Certificate

A final Fire Safety Certificate shall be obtained in accordance with part 11 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 prior to the issue of the Occupation Certificate for the building.

A copy of the Fire Safety Certificate and fire safety schedule shall be:

a) Forwarded to the Commissioner of the New South Wales Fire Brigade; and

b) Prominently displayed in the building.

(Reason: Fire safety)

57. DAOCG01 - Certification of the Constructed Stormwater Drainage System

The constructed stormwater drainage system shall be certified by a qualified practising civil engineer as being in accordance with Council's Development Control Plan and engineering policies.

(Reason: Adequate stormwater management)

Conditions which must be satisfied during the ongoing use of the development.

58. DAOUA07 – Deliveries

To minimise noise disturbance for the surrounding area, no deliveries are to occur before 7am and after 5pm, Monday to Saturday.

Deliveries are not permitted on Sunday and Public Holidays.

(Reason: To control noise impacts)

59. DAOUA14 - Hours of Café Business Operation

The hours of operation are restricted to 7am to 5pm, Monday to Sunday & Public Holidays.

(Reason: To minimise amenity impacts for nearby residential land)

60. DAOUA33 - Use of the buildings/structures

The buildings/structures subject to this development consent shall not be used unless all conditions of this consent have been met.

(Reason: To ensure the development complies with the applicable statutory and planning controls)

61. DAOUB01 - Annual Fire Safety Statement

Pursuant to section 88 of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*, the owner of the building shall furnish Council with an Annual Fire Safety Statement prepared by an accredited practitioner (fire safety). The Annual Fire Safety Statement shall be issued within 12 months of the date on which an annual fire safety statement was previously given, or if a Fire Safety Certificate has been issued within the previous 12 months, within 12 months after the Fire Safety Certificate was issued.

A copy of the Annual Fire Safety Statement shall also be:
a) Forwarded to the Commissioner of Fire and Rescue NSW; and
b) Prominently displayed in the building.

(Reason: Fire safety)

62. DAOUC14 - General Noise Emission Criteria

Cumulative noise from the development must not exceed any required project amenity/intrusiveness noise level or maximum noise level as determined in accordance with relevant requirements of the NSW EPA Noise Policy for Industry 2017 (NPfI). Background noise monitoring for the purpose of ensuring compliance with the NPfI must be carried out in accordance with the long-term methodology in Fact Sheet B of the NPfI.

An LAeq,15 minute (noise level) emitted from the development must not exceed the LA90, 15 minute (background noise level) by more than 3dB when assessed inside any habitable room of any affected residence or noise sensitive commercial premises at any time.
Consideration must be given to any annoying characteristics of the noise in accordance with Fact Sheet C of the NPfI.

(Reason: To protect residential amenity)

63. DAOUC18 - No speakers or Amplified Sound Equipment Outside

Speakers and/or noise amplification equipment must not be installed and music must not be played in any of the external/outdoor areas associated with the premises including the public domain. Speakers located within the premises must not be placed so as to direct the playing of music towards the outdoor areas associated with the premises.

(Reason: To protect residential amenity)

64. DAOUC28 - Liquid Trade Waste

Liquid trade waste materials from the food premises are to be disposed of in accordance with the requirements of Sydney Water.

(Reason: To ensure compliance with health standards)

65. DAOUE04 - Vehicle Access

All vehicles are to enter and exit the site in a forward direction.

(Reason: Traffic and pedestrian safety)

66. DAOUZ02 – Food Registration Licence for the Café / Food and Drink Premises

A Food Registration Licence for the café / food and drink premises must be obtained from the Cumberland City Council following the issue of the Occupation Certificate but prior to site operations commencing. The use of the café / food and drink premises shall not commence until the Licence is obtained.

The Food Registration Licence shall cease once the use of the café / food and drink premises ceases.

(Reason:- To ensure an appropriate Licence is obtained from Cumberland City Council.)

67. DAOUZ03 – Café patronage and outdoor seating capacity

The café specifically is to be used for the patronage of Council staff and the public only.

The maximum capacity within the covered outdoor area is 20 outdoor seats.

(Reason: To alleviate noise complaints within the vicinity of residential areas).

Advisory Notes.

68. DAANN01 - 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 it is recommended that you contact Before You Dig before excavating or erecting structures. If alterations are required to the configuration, size, form or design of the development upon contacting the 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 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 Before You Dig service in advance of any construction or planning activities.

69. DAANN08 - Process for Modification

The plans and/or conditions of this Consent are binding and may only be modified upon approval of an application under s.4.55 of the *Environmental Planning and Assessment Act, 1979*. A modification application shall be accompanied by the appropriate fee, application form and required information. You are not to commence any action, works or the like on the requested modification unless and until

a modified consent is issued.

70. DAANN09 - Review of Determination

In accordance with the provisions of section 8.2 of the *Environmental Planning and Assessment Act 1979*, you can request a review of a determination not relating to a complying development certificate, application for designated development or application for Crown development. A review application may not be determined after the period within which any appeal may be made to the Court if no appeal was made. To determine a review application within that time limit, the application must be submitted well in advance of the appeal right timeframe. A fee as per Council's current Pricing Policy, Fees and Charges, is payable for a review application.

71. DAANN10 - Right of Appeal

Section 8.7 and 8.10 of the *Environmental Planning and Assessment Act 1979*, gives the applicant the right of appeal to the Land and Environment Court within six months after the date the decision appealed against is notified or registered on the NSW Planning Portal.

72. DAANN13 - Work Health and Safety

For information regarding, codes of practice and guidelines regarding demolition and construction work, visit the SafeWork NSW.

73. DAANN16 - Compliance with Disability Discrimination Act

This approval does not necessarily protect or guarantee against a possible claim of discrimination (intentional or unintentional) under the *Disability Discrimination Act 1992*, and the applicant/owner is advised to investigate their liability under that Act.

74. DAANN22 - Obtaining a Construction Certificate for Building Work

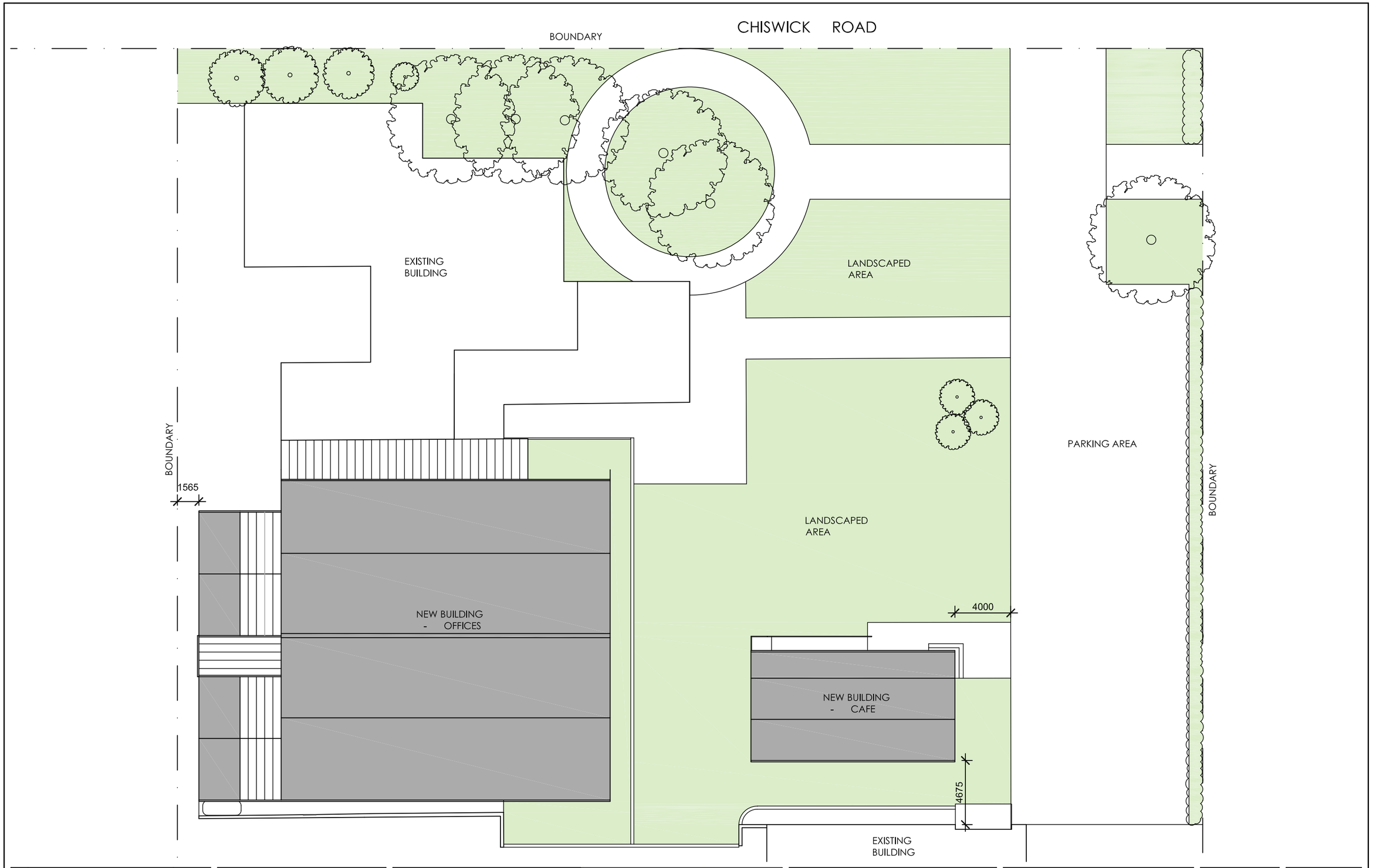
This Development Consent does not constitute approval to carry out construction work. Construction work may only commence upon the issue of a Construction Certificate, appointment of a Principal Certifier, and lodgement of Notice of Commencement.

If demolition is associated with the erection of or extension to an existing building, then demolition must not commence prior to the issue of a Construction Certificate.

DOCUMENTS ASSOCIATED WITH REPORT ELPP020/26

Attachment 2

Architectural, Stormwater and Landscape Plans



B	Issue for DA Submission	26.03.26
A	Issue for DA Submission	16.02.26
issue		date

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architect

Member Australian Institute of Architects

Temporary Offices
96 & 98 Chiswick Road
Auburn
project

Cumberland Council
client

Site Plan
drawing

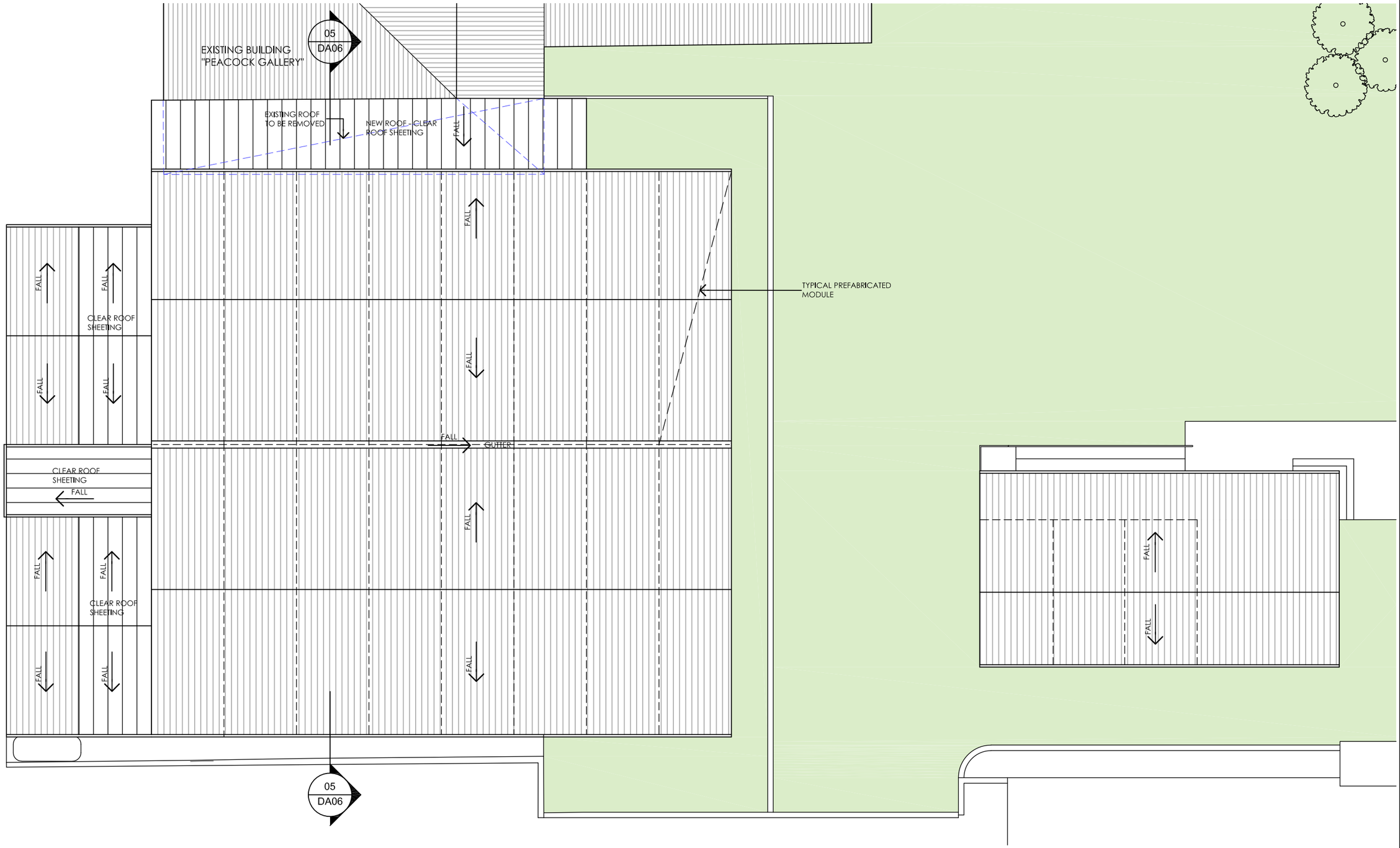
2349
project

1:250 @ A3
scale

January 2026
date

north

DA02 | B
drawing no. | issue



issue		date
B	Issue for DA Submission	26.03.26
A	Issue for DA Submission	16.02.26

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project
Temporary Offices
96 & 98 Chiswick Road
Auburn

client
Cumberland Council

drawing
Roof Plan

project 2349

scale 1:150 @ A3

date January 2026

north

drawing no. DA03

Issue B

EXISTING BUILDING "PEACOCK GALLERY"
05 DA06
18000
NEW FENCE
NEW RAISED AWNING ROOF - CLEAR ROOF SHEETING
3000
3000
24000
3020
11300
12000
2300
9000
3000
9000
7000
RAMP 1:14
AMB
MALE RL 13.00
ACCESSIBLE
DECK RL 13.00
CLEAR ROOF SHEETING OVER
ACCESSIBLE
AMB
FEMALE RL 13.00
TANK
SERVER, SWITCHBOARD STORE & PRINTER
LUNCH ROOM
6000
OPERABLE WALL
MEETING ROOM
OPERABLE WALL
MEETING ROOM
PODS
WORKSTATIONS
OFFICES RL 13.00
STRUCTURE TO BE REMOVED SHOWN DASHED BLUE
GRAVEL
AC CONDENSORS
05 DA06
NEW BRICK WALL
GARDEN EDGING TO BE REMOVED
1500
7000
RAMP 1:14
CONCRETE PATH
KITCHEN
CAFE RL 12.90
OUTDOOR DINING DECK RL 12.90
STORE
GREASETRAP
3000
6000
9000
6000

B	Issue for DA Submission	26.03.26
A	Issue for DA Submission	16.02.26
issue		date

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project

Cumberland Council
client

Plan
drawing

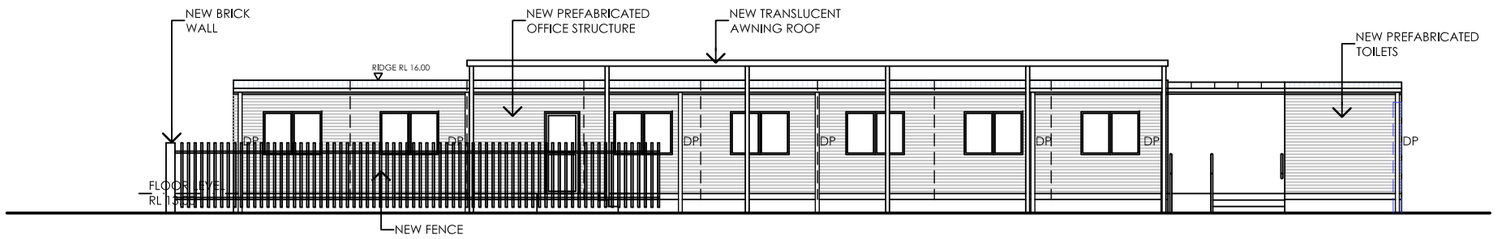
2349
project

1:150 @ A3
scale

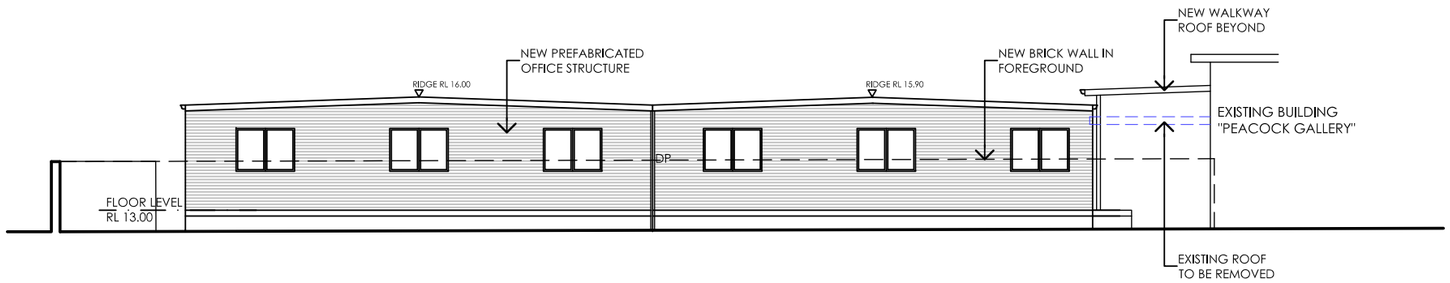
January 2026
date

north

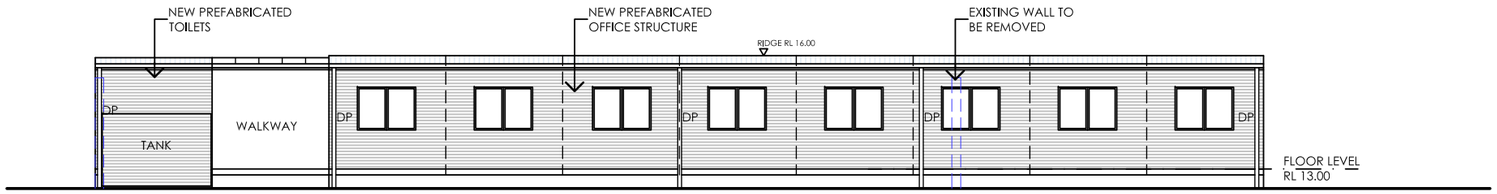
DA04 | B
drawing no. | issue



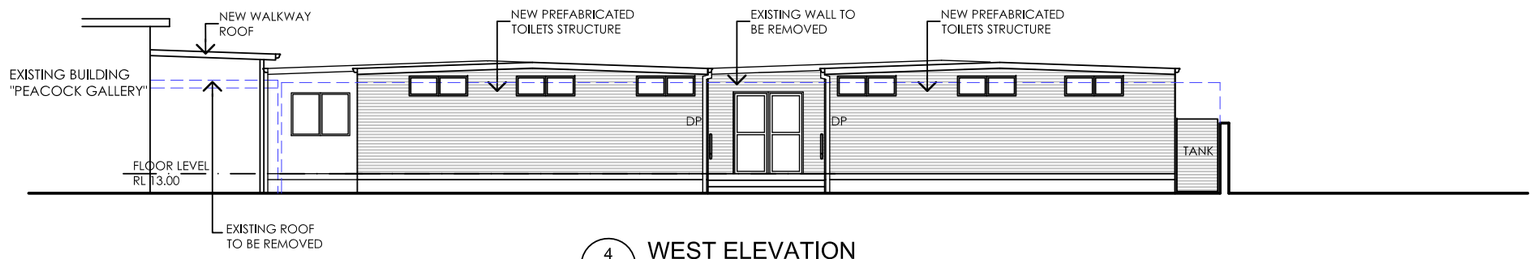
1 NORTH ELEVATION



2 EAST ELEVATION



3 SOUTH ELEVATION



4 WEST ELEVATION

B	Issue for DA Submission	26.03.26
A	Issue for DA Submission	16.02.26
issue		date

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Auburn
project

Cumberland Council
client

Elevations - Office Buildings
drawing

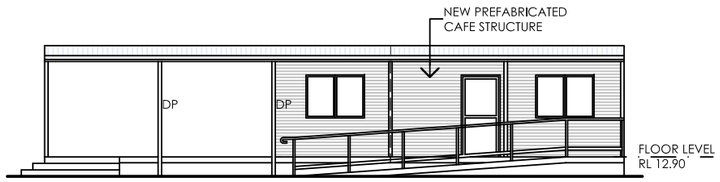
2349
project

1:150 @ A3
scale

January 2026
date

north

DA05 | B
drawing no. | issue



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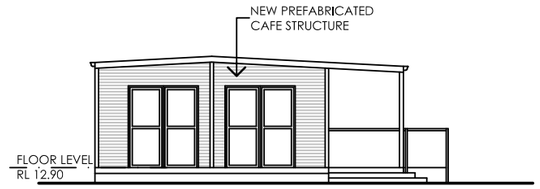

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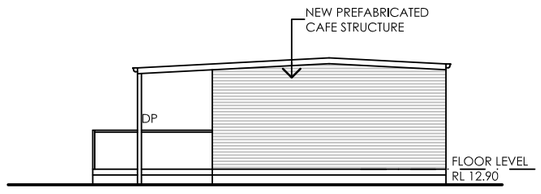

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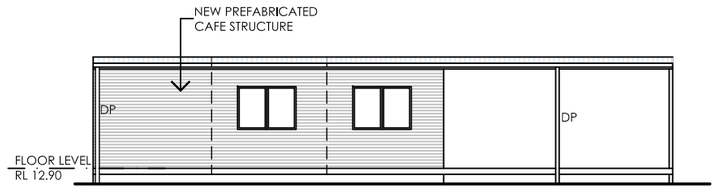
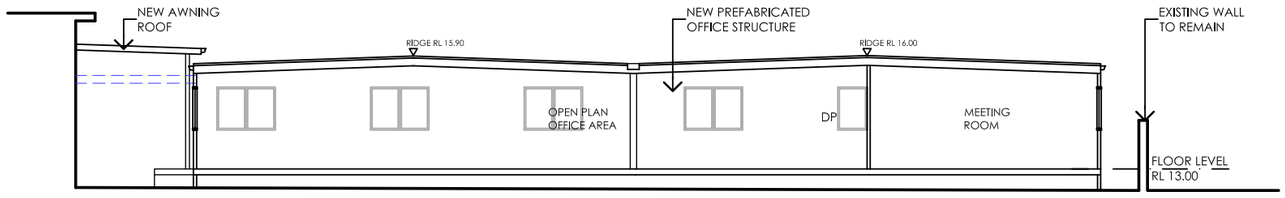


4 SOUTH ELEVATION



5 SECTION

B	Issue for DA Submission	26.03.26
A	Issue for DA Submission	16.02.26
issue		date

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Auburn
project

Cumberland Council
client

Elevations - Cafe & Section
drawing

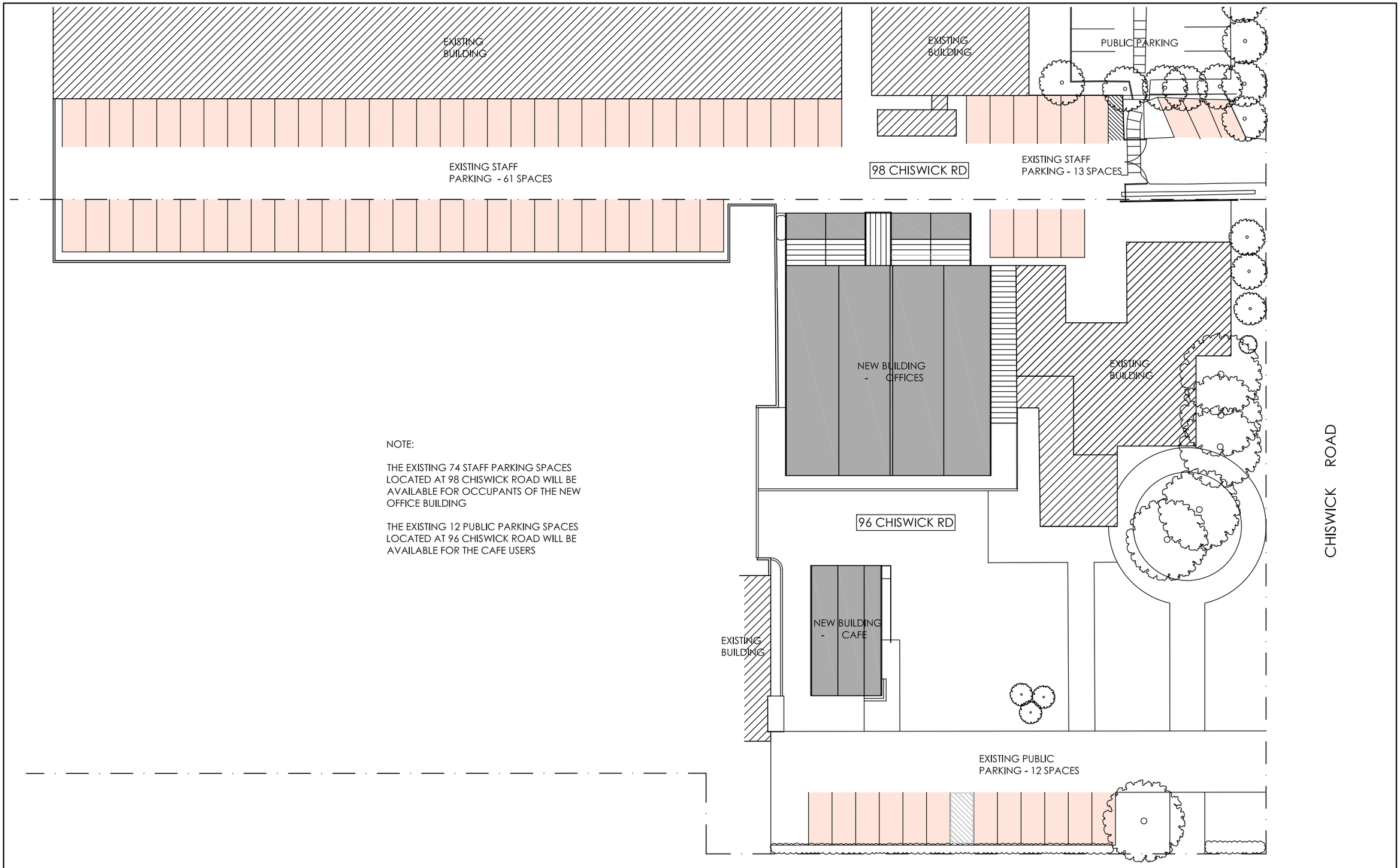
2349
project

1:150 @ A3
scale

January 2026
date

north

DA06 | B
drawing no. | issue



NOTE:

THE EXISTING 74 STAFF PARKING SPACES LOCATED AT 98 CHISWICK ROAD WILL BE AVAILABLE FOR OCCUPANTS OF THE NEW OFFICE BUILDING

THE EXISTING 12 PUBLIC PARKING SPACES LOCATED AT 96 CHISWICK ROAD WILL BE AVAILABLE FOR THE CAFE USERS

issue		date
A	Issue for DA Submission	02.04.26

note

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project

Temporary Offices
96 & 98 Chiswick Road
Auburn

client

Cumberland Council

drawing

Parking Plan

project	2349
scale	1:400 @ A3
date	April 2026
drawing no.	DA07
issue	A

north

STORMWATER MANAGEMENT PLAN
PROPOSED TEMPORARY OFFICES
96-98 CHISWICK ROAD, AUBURN NSW

GENERAL NOTES:

1. **THE BUILDER/CONTRACTOR SHALL LOCATE ALL EXISTING PUBLIC UTILITY SERVICES WITHIN THE SITE, FOOTPATH AREA AND ROAD RESERVE PRIOR TO THE COMMENCEMENT OF ANY WORKS. ALL LOCATIONS AND LEVELS OF SERVICES SHALL BE REPORTED TO THE STORMWATER ENGINEER PRIOR TO THE COMMENCEMENT OF ANY WORKS TO ENSURE THERE ARE NO OBSTRUCTIONS IN THE LINE OF THE DRAINAGE DISCHARGE PIPES.**
2. THE BUILDER IS TO VERIFY ALL LEVELS ON SITE PRIOR TO COMMENCING CONSTRUCTION. SILT FENCE IS TO BE ERECTED PRIOR TO COMMENCING WORK. FENCE TO BE MAINTAINED IN WORKING ORDER DURING TIME OF CONSTRUCTION.
3. W.A.E. DRAWING BY A REGISTERED SURVEYOR IS REQUIRED PRIOR TO CERTIFICATION OF DRAINAGE.
4. ALL THE CLEANING EYES (OR INSPECTION EYES) FOR THE UNDER GROUND PIPES HAVE TO BE TAKEN UP TO THE FINISHED GROUND LEVEL FOR EASY IDENTIFICATION AND MAINTENANCE PURPOSES.
5. ALL TERRACE FLOOR & PLANTER GRATES TO HAVE FIRE COLLARS FITTED.
6. ALL PITS HAVING AN INTERNAL DEPTH THAT EXCEEDS 1.0m SHALL BE PROVIDED WITH GALVANISED STEP IRONS AT 300mm CENTRES PLACED IN A STAGGERED PATTERN AND SHALL BE IN ACCORDANCE WITH THE AUSTRALIAN STANDARDS AS 4198-1994.
7. ALL LEVELS SHALL RELATE TO THE ESTABLISHED BENCH MARK.
8. THE BASE OF ALL DRAINAGE PITS SHALL BE BENCHED TO THE INVERT OF THE OULET PIPE.
9. ALL GUTTERS SHALL BE MINIMUM 145 x 75mm AND DOWNPIPES SHALL BE MINIMUM 100 x 75mm UNLESS NOTED OTHERWISE.
10. ALL STORMWATER DRAINAGE PIPES SHALL BE A MINIMUM Ø100mm PVC LAID AT 1% MINIMUM GRADE UNLESS NOTED OTHERWISE ON THE DRAWING. WHERE GROUND COVER OVER THE PIPES IS LESS THAN 300mm THE STORMWATER PIPES SHALL BE SEWER GRADE uPVC.
11. THE BUILDER SHALL ENSURE THAT THE STORMWATER ENGINEERING DRAWINGS CORRESPOND TO THE ARCHITECTURAL, STRUCTURAL AND LANDSCAPE DRAWINGS .
12. IF THERE EXISTS ANY DISCREPANCIES BETWEEN THE DRAWINGS THE BUILDER SHALL REPORT THE DISCREPANCIES TO THE ENGINEER PRIOR TO COMMENCEMENT OF ANY WORKS.
13. ALL MULCHING TO BE USED WITHIN THE AREA DESIGNATED AS ON SITE DETENTION STORAGE SHALL BE OF A NON-FLOATABLE MATERIAL SUCH AS DECORATIVE RIVER GRAVEL. PINE BARK MULCHING SHALL NOT BE USED WITHIN THE DETENTION STORAGE AREA.
14. ALL WORKS WITHIN THE FOOTPATH AREA SHALL BE SUITABLY BARRICADED AND SIGNPOSTED IN ACCORDANCE WITH A TRAFFIC MANAGEMENT PLAN THAT HAS BEEN PREPARED BY A QUALIFIED AND RMS ACCREDITED TRAFFIC ENGINEER AND APPROVED BY COUNCIL.
15. IT IS THE RESPONSIBILITY OF THE BUILDER OR CONTRACTOR CARRYING OUT THE WORKS WITHIN THE FOOTPATH AREA AND ROAD RESERVE TO OBTAIN THE NECESSARY APPROVED DOCUMENTS AS OUTLINED ABOVE.
16. ALL RETAINING WALLS SHALL BE CONSTRUCTED COMPLETELY WITHIN THE PROPERTY BOUNDARY LIMITS TO DETAILS PREPARED BY THE STRUCTURAL ENGINEER. WALLS FORMING THE ON SITE DETENTION SYSTEM SHALL BE OF MASONARY/BRICK CONSTRUCTION AND SHALL BE WATER TIGHT.
17. ALL SUB-SOIL DRAINAGE SHALL BE A MINIMUM OF Ø65mm AND SHALL BE PROVIDED WITH A FLITER SOCK. THE SUBSOIL DRAINAGE SHALL BE INSTALLED IN ACCORDANCE WITH DETAILS TO BE PROVIDED BY THE LANDSCAPE ARCHITECT.
18. PRIOR TO COMMENCING ANY WORKS ON THE SITE, THE BUILDER SHALL ENSURE THAT THE INVERT LEVELS OF WHERE THE SITES STORMWATER SYSTEM CONNECTS INTO THE COUNCIL'S KERB/DRAINAGE SYSTEM MATCHES THE DESIGN LEVELS. ANY DISCREPANCIES SHALL BE REPORTED TO THE DESIGN ENGINEER IMMEDIATELY.

SERVICES NOTES:

1. IT IS THE CONSTRUCTORS RESPONSIBILITY TO NOTIFY THE RELEVANT SERVICES AUTHORITIES OF THE WORKS AND VERIFY THE LOCATION OF ALL EXISTING SERVICES PRIOR TO ANY CONSTRUCTION ACTIVITIES COMMENCING.
2. THE CONSTRUCTOR SHALL LIAISE AND COORDINATE THE TIMING OF THE CONSTRUCTION OF THE WORKS WITH THE RELEVANT SERVICES AUTHORITIES AND/OR OTHER CONSTRUCTORS INSTALLING SERVICES CONCURRENTLY AT THIS SITE.
3. THE LOCATION OF ALL EXISTING SERVICES SHOWN ON THE DRAWINGS ARE APPROXIMATE ONLY AND HAVE BEEN TAKEN FROM INFORMATION PROVIDED BY THE RELEVANT SERVICE AUTHORITIES.
4. THE CONSTRUCTOR SHALL BE RESPONSIBLE FOR ALL DAMAGE CAUSED TO EXISTING SERVICES AS A RESULT OF THE CONSTRUCTION WORKS.
5. THE COORDINATION OF TELECOMMUNICATIONS, ELECTRICAL, GAS, WATER, SEWER, STORMWATER AND ANY OTHER SERVICE SHALL BE THE RESPONSIBILITY OF THE CONSTRUCTOR.

RAINWATER TANK NOTES:

1. LABELS SHALL BE FIXED ADJACENT TO ALL OUTDOOR WATERING TAPS STATING THAT THE WATER IS NOT TO BE CONSUMED.
2. AN EMERGENCY MAINS TAP SHALL BE PROVIDED ADJACENT TO THE WATER METER AND CONNECTED TO THE MAINS SUPPLY
3. RAINWATER TANK SUPPLY SHALL NOT BE CONNECTED TO DRINKING AND BATHING WATER TAP OUTLETS.
4. FIRST FLUSH DEVICES TO BE FITTED TO ALL DOWNPIPES CONNECTED TO RAINWATER TANK.
5. TANK SHALL BE CONNECTED TO A SYDNEY WATER APPROVED CONTROL PANEL TO ENSURE MAINS WATER SUPPLY IS PROVIDED WHEN TANK EMPTIES.
6. ALL PIPES WITHIN CHARGED RAINWATER COLLECTION SYSTEM TO BE MIN. Ø100 uPVC AND ALL JOINTS SOLVENT WELDED.
7. ALL PLUMBING WORKS SHALL BE CARRIED OUT BY A LICENSED PLUMBER IN ACCORDANCE WITH SYDNEY WATER GUIDELINES AND THE "NSW CODE OF PRACTICE: PLUMBING & DRAINAGE".

SEDIMENT & EROSION CONTROL NOTES:

1. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE CONSTRUCTED, PLACED AND MAINTAINED IN ACCORDANCE WITH THE HILLS SHIRE COUNCILS STANDARDS AND THE DEPARTMENT OF HOUSING'S "MANAGING URBAN STORMWATER: SOILS AND CONSTRUCTION" MANUAL.
2. NO CONSTRUCTION WORKS ARE TO COMMENCE ON SITE UNTIL ALL EROSION AND SEDIMENT CONTROL MEASURES ARE IN PLACE AND HAVE BEEN INSPECTED AND APPROVED BY THE PRINCIPAL CERTIFYING AUTHORITY.
3. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE REGULARLY INSPECTED, IN PARTICULAR AFTER STORMS, AND REPAIRED OR MAINTAINED AS REQUIRED TO ENSURE THE MEASURES' CORRECT AND EFFICIENT FUNCTION THROUGHOUT THE DURATION OF THE WORKS, UNTIL SUCH TIME AS THE PRINCIPAL CERTIFYING AUTHORITY AUTHORISES THE REMOVAL OF SUCH MEASURES.
4. ALL STOCKPILES SHALL BE CLEAR OF ALL TREES AND DRAINAGE LINES (INCLUDING OVERLAND FLOW PATHS) AND PROTECTED FROM EROSION.
5. DUST CONTROL MEASURES SHALL BE IMPLEMENTED CONTINUOUSLY DURING CONSTRUCTION
6. ALL AREAS OF THE SITE DISTRUBED AND GRADED SHALL BE REVEGETATED AS SOON AS CONSTRUCTION WORKS HAVE BEEN COMPLETED.

BOX GUTTER NOTES:

1. ALL BOX GUTTERS TO HAVE A MINIMUM UNIFORM SLOPE OF 0.5% OVER THE ENTIRE GUTTER LENGTH U.N.O.
2. PLUMBER /BUILDER IS TO ENSURE THAT ALL EMERGENCY OVERFLOW PROVISIONS DETAILED ARE IMPLEMENTED IN ACCORDANCE WITH THE APPROVED PLANS AS WELL AS ADDITIONAL MEASURES WHERE DEEMED NECESSARY ON SITE
3. BOX GUTTER WIDTH AND DEPTH SHOWN ON THIS PLAN ARE THE MINIMUM ALLOWABLE DIMENSIONS AT THE UPSTREAM END/CREST OF GUTTER U.N.O.
4. ALL BOX GUTTERS TO HAVE A MINIMUM WIDTH OF 300MM

LEGEND:

- PROPOSED PIPEWORK
- PROPOSED PIPEWORK TO RWT
- PROPOSED PUMP RISER
- PIPE CAST IN SLAB
- PROPOSED AG. LINE
- SILT FENCE
- DP — DOWNPIPE
- 73.88 — EXISTING LEVEL
- RL 73.88 — PROPOSED LEVEL
- FALL — ROOF / SURFACE FALL
- FG — Ø100 FLOOR GRATE
- SPS FG — SPS FLOOR GRATE
- PG — PLANTER GRATE
- GRATED DRAIN
- SURFACE INLET PIT
- SEALED JUNCTION PIT
- CE — CLEANING EYE

PIT P1 — PIT NO.
450X450 — PIT SIZE
S.L. 10.45 — SURFACE LEVEL
I.L. 10.00 — INVERT LEVEL

GD1 — GRATED DRAIN NO.
200X100 — WIDTH & DEPTH
S.L. 10.45 — SURFACE LEVEL
I.L. 10.00 — PIPE INV. LEVEL

FFL denotes FINISHED FLOOR LVL
FGL denotes FINSIHED GARAGE LVL
SL denotes SURFACE LEVEL
IL denotes PIT/PIPE INVERT
CL denotes ORIFICE CENTERLINE
TK denotes TOP OF KERB
GI denotes GUTTER INVERT
LIP denotes LIP LINE
LB denotes LAY BACK
BP denotes BACK of PATH
FP denotes FRONT of PATH
BDY denotes BOUNDARY
EB denotes EDGE OF BITUMEN
CR denotes CENTRELINE
PP denotes POWER POLE
SC denotes SAW CUT

SUSPENDED DRAINAGE NOTES

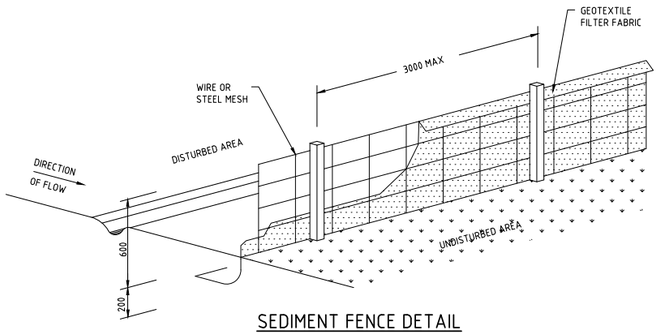
1. ALL SUSPENDED DRAINAGE LINES TO BE SEWER GRADE uPVC U.N.O.
2. ALL LINES SHALL BE SOLVENT WELDED AND PRESSURE TESTED IN ACCORDANCE WITH AS3500.3-2018 TO ENSURE WATERTIGHTNESS
3. ALL SUSPENDED LINES SHALL BE SUPPORTED AT MAX. 1200 CENTERS WITH LIGHT DUTY FIXTURES IN ACCORDANCE WITH THE MANUFACTURERS TECHNICAL MANUAL
4. WHERE NOTED, CHARGED LINES MUST BE SUPPORTED WITH HEAVY DUTY FIXTURES CAPABLE OF SUPPORTING THE WEIGHT OF A FULLY CHARGED LINE
5. STORMWATER SHALL TAKE PRECEDENCE TO ALL NON-GRAVITY SERVICES, ANY SERVICE CLASHES OR DISCREPANCIES MUST BE REPORTED TO THE DESIGNING ENGINEER IMMEDIATELY

DANGER

SERVICES ARE SHOWN INDICATIVLY ONLY.

ALL SERVICES MUST BE LOCATED PRIOR TO ANY EXCAVATION WITHIN SITE, FOOTPATH OR ROADWAY

FOR MORE INFORMATION CONTACT DIAL BEFORE YOU DIG ON PH. '1100' OR www.1100.com.au



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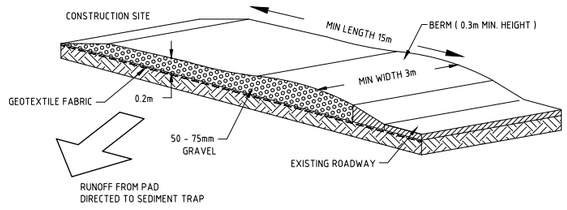

TEMPORARY CONSTRUCTION ENTRANCE/EXIT DETAIL
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B	ISSUED FOR APPROVAL	MJW	25/06/2024
A	ISSUED FOR APPROVAL	MJW	21/06/2024

PROJECT
PROPOSED TEMPORARY OFFICES
96-98 CHISWICK ROAD
AUBURN NSW

DRAWING TITLE
STORMWATER LAYOUT PLAN
TITLE PAGE, NOTES & DETAILS

ISSUED FOR COUNCIL APPROVAL
CHECKED AND APPROVED BY:
Signature: Mathew J. Wahbe Date: 10/04/2026
MATHEW J. WAHBE
DIRECTOR - B.E.Hons (CIVIL) MIEAust NO. 6163505

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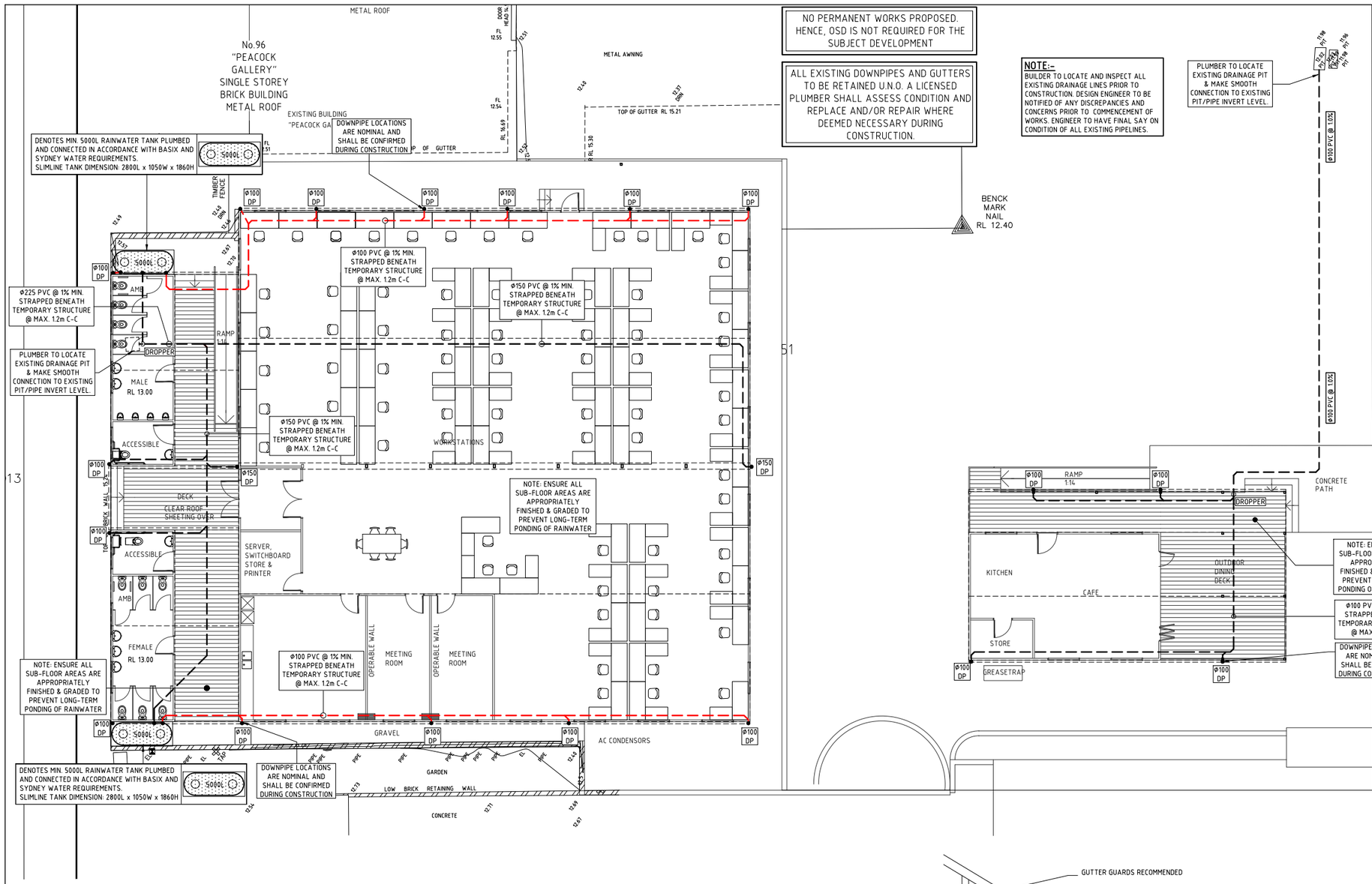


STORMWATER LAYOUT PLAN
GROUND FLOOR LEVEL
SCALE 1:100

GENERAL NOTES:

1. **THE BUILDER/CONTRACTOR SHALL LOCATE ALL EXISTING PUBLIC UTILITY SERVICES WITHIN THE SITE, FOOTPATH AREA AND ROAD RESERVE PRIOR TO THE COMMENCEMENT OF ANY WORKS. ALL LOCATIONS AND LEVELS OF SERVICES SHALL BE REPORTED TO THE STORMWATER ENGINEER PRIOR TO THE COMMENCEMENT OF ANY WORKS TO ENSURE THERE ARE NO OBSTRUCTIONS IN THE LINE OF THE DRAINAGE DISCHARGE PIPES.**
2. THE BUILDER IS TO VERIFY ALL LEVELS ON SITE PRIOR TO COMMENCING CONSTRUCTION. SILT FENCE IS TO BE ERECTED PRIOR TO COMMENCING WORK. FENCE TO BE MAINTAINED IN WORKING ORDER DURING TIME OF CONSTRUCTION.
3. W.A.E. DRAWING BY A REGISTERED SURVEYOR IS REQUIRED PRIOR TO CERTIFICATION OF DRAINAGE.
4. ALL THE CLEANING EYES (OR INSPECTION EYES) FOR THE UNDER GROUND PIPES HAVE TO BE TAKEN UP TO THE FINISHED GROUND LEVEL FOR EASY IDENTIFICATION AND MAINTENANCE PURPOSES.
5. ALL TERRACE FLOOR & PLANTER GRATES TO HAVE FIRE COLLARS FITTED.
6. ALL PITS HAVING AN INTERNAL DEPTH THAT EXCEEDS 1.0m SHALL BE PROVIDED WITH GALVANISED STEP IRONS AT 300mm CENTRES PLACED IN A STAGGERED PATTERN AND SHALL BE IN ACCORDANCE WITH THE AUSTRALIAN STANDARDS AS 4198-1994.
7. ALL LEVELS SHALL RELATE TO THE ESTABLISHED BENCH MARK.
8. THE BASE OF ALL DRAINAGE PITS SHALL BE BENCHED TO THE INVERT OF THE OULET PIPE.
9. ALL GUTTERS SHALL BE MINIMUM 100 x 75mm AND DOWNPIPES SHALL BE MINIMUM 100 x 75mm UNLESS NOTED OTHERWISE.
10. ALL STORMWATER DRAINAGE PIPES SHALL BE A MINIMUM Ø100mm PVC LAID AT 1% MINIMUM GRADE UNLESS NOTED OTHERWISE ON THE DRAWING. WHERE GROUND COVER OVER THE PIPES IS LESS THAN 300mm THE STORMWATER PIPES SHALL BE SEWER GRADE uPVC.
11. THE BUILDER SHALL ENSURE THAT THE STORMWATER ENGINEERING DRAWINGS CORRESPOND TO THE ARCHITECTURAL, STRUCTURAL AND LANDSCAPE DRAWINGS .
12. IF THERE EXISTS ANY DISCREPANCIES BETWEEN THE DRAWINGS THE BUILDER SHALL REPORT THE DISCREPANCIES TO THE ENGINEER PRIOR TO COMMENCEMENT OF ANY WORKS.
13. ALL MULCHING TO BE USED WITHIN THE AREA DESIGNATED AS ON SITE DETENTION STORAGE SHALL BE OF A NON-FLOATABLE MATERIAL SUCH AS DECORATIVE RIVER GRAVEL. PINE BARK MULCHING SHALL NOT BE USED WITHIN THE DETENTION STORAGE AREA.
14. ALL WORKS WITHIN THE FOOTPATH AREA SHALL BE SUITABLY BARRICADED AND SIGNPOSTED IN ACCORDANCE WITH A TRAFFIC MANAGEMENT PLAN THAT HAS BEEN PREPARED BY A QUALIFIED AND RMS ACCREDITED TRAFFIC ENGINEER AND APPROVED BY COUNCIL.
15. IT IS THE RESPONSIBILITY OF THE BUILDER OR CONTRACTOR CARRYING OUT THE WORKS WITHIN THE FOOTPATH AREA AND ROAD RESERVE TO OBTAIN THE NECESSARY APPROVED DOCUMENTS AS OUTLINED ABOVE.

LEGEND:

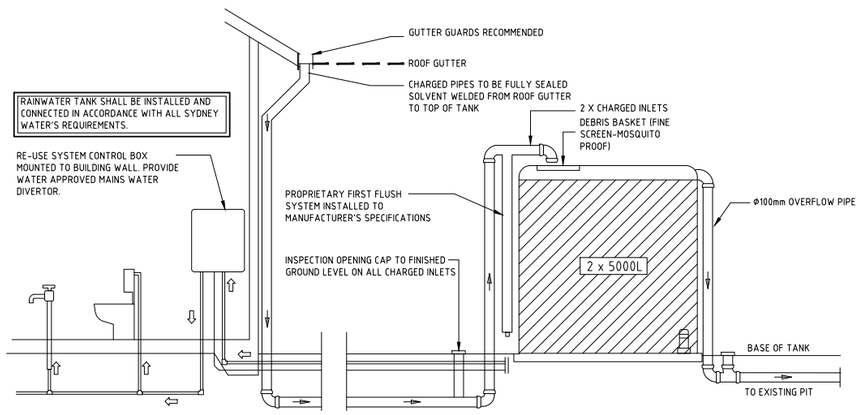
- PROPOSED PIEWORK
- SILT FENCE
- × 73.88 EXISTING LEVEL
- X 73.88 PROPOSED LEVEL
- FALL ROOF / SURFACE FALL
- PIT P1 PIT NO.
- 450X450 PIT SIZE
- S.L. 10.45 SURFACE LEVEL
- I.L. 10.00 INVERT LEVEL
- SURFACE INLET PIT
- SEALED JUNCTION PIT
- CE CLEANING EYE

SERVICES NOTES:

1. IT IS THE CONSTRUCTORS RESPONSIBILITY TO NOTIFY THE RELEVANT SERVICES AUTHORITIES OF THE WORKS AND VERIFY THE LOCATION OF ALL EXISTING SERVICES PRIOR TO ANY CONSTRUCTION ACTIVITIES COMMENCING.
2. THE CONSTRUCTOR SHALL LIAISE AND COORDINATE THE TIMING OF THE CONSTRUCTION OF THE WORKS WITH THE RELEVANT SERVICES AUTHORITIES AND/OR OTHER CONSTRUCTORS INSTALLING SERVICES CONCURRENTLY AT THIS SITE.
3. THE LOCATION OF ALL EXISTING SERVICES SHOWN ON THE DRAWINGS ARE APPROXIMATE ONLY AND HAVE BEEN TAKEN FROM INFORMATION PROVIDED BY THE RELEVANT SERVICE AUTHORITIES.
4. THE CONSTRUCTOR SHALL BE RESPONSIBLE FOR ALL DAMAGE CAUSED TO EXISTING SERVICES AS A RESULT OF THE CONSTRUCTION WORKS.
5. THE COORDINATION OF TELECOMMUNICATIONS, ELECTRICAL, GAS, WATER, SEWER, STORMWATER AND ANY OTHER SERVICE SHALL BE THE RESPONSIBILITY OF THE CONSTRUCTOR.

RAINWATER TANK NOTES:

1. LABELS SHALL BE FIXED ADJACENT TO ALL OUTDOOR WATERING TAPS STATING THAT THE WATER IS NOT TO BE CONSUMED.
2. AN EMERGENCY MAINS TAP SHALL BE PROVIDED ADJACENT TO THE WATER METER AND CONNECTED TO THE MAINS SUPPLY
3. RAINWATER TANK SUPPLY SHALL NOT BE CONNECTED TO DRINKING AND BATHING WATER TAP OUTLETS.
4. FIRST FLUSH DEVICES TO BE FITTED TO ALL DOWNPIPES CONNECTED TO RAINWATER TANK.
5. TANK SHALL BE CONNECTED TO A SYDNEY WATER APPROVED CONTROL PANEL TO ENSURE MAINS WATER SUPPLY IS PROVIDED WHEN TANK EMPTIES.
6. ALL PIPES WITHIN CHARGED RAINWATER COLLECTION SYSTEM TO BE MIN. Ø100 uPVC AND ALL JOINTS SOLVENT WELDED.
7. ALL PLUMBING WORKS SHALL BE CARRIED OUT BY A LICENSED PLUMBER IN ACCORDANCE WITH SYDNEY WATER GUIDELINES AND THE "NSW CODE OF PRACTICE: PLUMBING & DRAINAGE".



TOILET/AMENITIES BLOCK RAINWATER RE-USE TANK CONFIGURATION
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PROJECT
PROPOSED TEMPORARY OFFICES
96-98 CHISWICK ROAD
AUBURN NSW

DRAWING TITLE
STORMWATER LAYOUT PLAN
GROUND FLOOR PLAN, NOTES & DETAILS

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MATHEW J. WAHBE
DIRECTOR - B.E.Hons (CIVIL) MIEAust NO. 6163505

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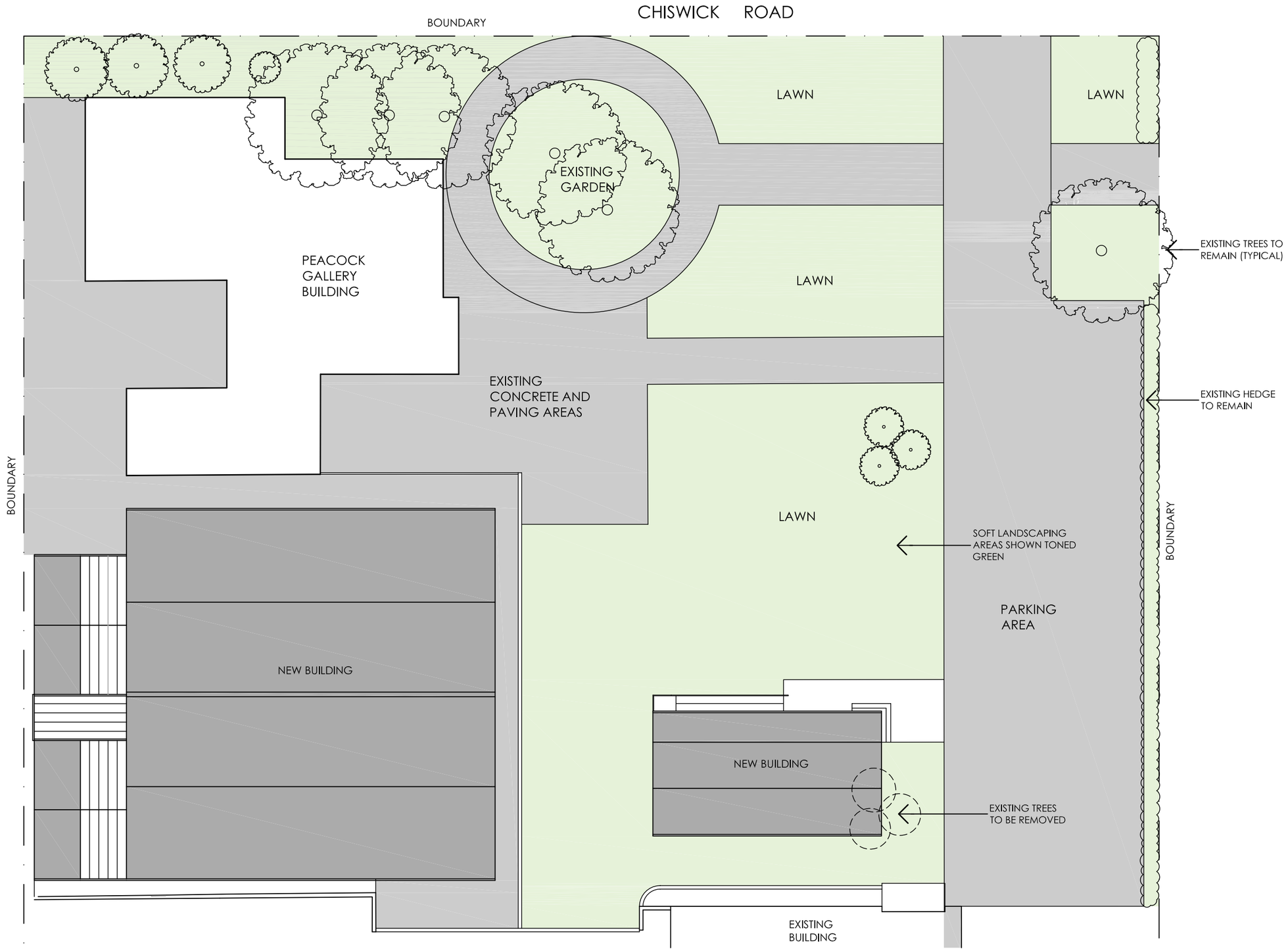

issue		date
A	Issue for DA Submission	16.02.26

note

All dimensions and levels are to be checked on site prior to any fabrication or commencement of work. Any discrepancies to be referred to Architect prior to proceeding. Use written dimensions only, do not scale from drawings. All drawings are to be read in conjunction with the specification and consultant documents
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project

Temporary Offices
96 & 98 Chiswick Road
Auburn

client

Cumberland Council

drawing

Landscape Plan

project	2349
scale	1:250 @ A3
date	January 2026
drawing no.	LA01
issue	A

north

DOCUMENTS ASSOCIATED WITH REPORT ELPP020/26

Attachment 3

Heritage Impact Report

STATEMENT OF HERITAGE IMPACT



Development Application

No. 96 Chiswick Road, Auburn, New South Wales

February 2026 | J7177_02

Weir Phillips Heritage

Level 19, 100 William Street, Sydney, NSW 2011
Phone: (02) 8076 5317

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Associate	**Elliot Nolan** B.A. (Anc.Hist.Hons.), M.Mus.Herit.Stud., Grad.Dip.Herit.Cons.
Director	**Patricia Sims** B. Arts, B.Appl.Sc. (Env.Des.), B. Arch., Grad.Dip.Herit.Cons.

Report Details	
Statement of heritage impact for:	New prefabricated amenities and office buildings and a cafe.

Revisions			
Revision	**Date**	**Prepared by**	**Reviewed by**
A	12.02.2026	EN	PS
B	16.02.2026	EN	N/A

We acknowledge that the land on which we live, learn and work as the traditional country of the Gadigal people of the Eora Nation. We acknowledge these traditional owners of this land and acknowledge their living cultures and the unique roles they have played in maintaining life, language, and culture in this region. We pay respect to their Elders past, present and emerging and all aboriginal people.

Cover photo: No. 96 Chiswick Road, Auburn (October 2024)
Weir Phillips Heritage

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1	**INTRODUCTION**	**3**
1.1	PREAMBLE	3
1.2	HERITAGE LISTINGS	3
1.3	METHODOLOGY	4
1.4	LIMITATIONS	4
2	**SITE DESCRIPTION**	**5**
2.1	SITE LOCATION	5
2.2	THE PROPOSED WORKS AREA	5
2.3	GENERAL SETTING	6
2.4	THE SITE	9
2.5	THE BUILDING	13
2.6	HISTORICAL ANALYSIS	15
2.7	ABORIGINAL BACKGROUND AND POST-CONTACT HISTORY	15
2.8	EARLY EUROPEAN HISTORY	16
2.9	THE EARLY HISTORY OF THE SUBJECT SITE	17
2.10	AUBURN BOTANIC GARDENS	19
3	**ASSESSMENT OF SIGNIFICANCE**	**24**
3.1	SUMMARY OF EXISTING CITATIONS AND LISTINGS FOR THE SITE	24
3.2	STATEMENT OF SIGNIFICANCE	24
3.3	ADDITIONAL INFORMATION RELATING TO THE SITE'S SIGNIFICANCE	25
3.4	HERITAGE ITEMS IN THE VICINITY OF THE SITE	27
4	**HERITAGE IMPACT ASSESSMENT**	**28**
4.1	SCOPE OF WORKS	28
4.2	METHOD OF ASSESSMENT	29
5	**EFFECT OF WORK**	**30**
5.1	EFFECT OF WORK ON AUBURN BOTANIC GARDENS	30
5.2	ASSESSMENT AGAINST THE *CUMBERLAND DCP 2021*	30
5.3	ASSESSMENT AGAINST THE STATEMENTS OF HERITAGE IMPACT GUIDELINES	33
6	**SUMMARY**	**35**
7	**REFERENCES AND DEFINITIONS**	**36**
7.1	DEFINITIONS	36
7.2	DOCUMENTARY EVIDENCE	36

1 INTRODUCTION

1.1 Preamble

This Statement of Heritage Impact (SoHI) has been prepared to accompany a Development Application (DA) for the site at No. 96 Chiswick Road, Auburn, New South Wales. This DA seeks consent for new prefabricated café, amenities and office building.

There are two existing Development Consents for the site which are relevant to the proposed works. In 2019, consent was granted under DA/2019/122 for: *Demolition of a glasshouse, part of a perimeter wall, a timber wall, turnstiles and a pond and rock edging at the Auburn Botanic Gardens*. This is known as the **2019 Consent**. The works involving the demolition of the Glasshouse were recently carried out under this consent. Have the DA works been completed?

In 2024, consent was granted under DA/2024/0332 for: *Installation of a prefabricated building to be used as office spaces and installation of a prefabricated bathroom amenity building.* This is known as the **2024 Consent**. The works have not been carried out. Weir Phillips Heritage prepared the SoHI that accompanied the **2024 Consent**. This SoHI should be read as an update to, and in conjunction with, the original SoHI that accompanied this DA.

The site is located within the Cumberland City Council. The principal environmental planning instrument for the site is the *Cumberland Local Environmental Plan 2021* (*LEP 2021*). The site forms part of a heritage item ('Auburn Botanic Gardens') as defined by Schedule 5 Part 1 of the *LEP 2021*.

Accordingly, under Part 5.10 of the *LEP 2021*:

> *(4) Effect of proposed development on heritage significance*
> *The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).*
>
> *(5) Heritage assessment*
> *The consent authority may, before granting consent to any development:*
> *(a) on land on which a heritage item is located, or*
> *(b) on land that is within a heritage conservation area, or*
> *(c) on land that is within the vicinity of land referred to in paragraph (a) or (b),*
> *require a heritage management document 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.*

In order to assess the potential impacts of the DA on the heritage item, a heritage management document must be submitted with the DA. The appropriate heritage management document, in this instance, is a SoHI; and this document is submitted in satisfaction of this requirement.

This report has been prepared at the request of the client and accompanies plans prepared by Graham Bakewell Architect.

1.2 Heritage Listings

The following table addresses the relevant heritage listings for the site. For further information refer to Section 4.

Table 1: Statutory Heritage Listings

Listing Type	Item Name and Details	Item No.
Listed on the State Heritage Register under the *Heritage Act 1977* (NSW).	N/A	N/A
In the vicinity of items on the State Heritage Register under the *Heritage Act 1977* (NSW).	N/A	N/A
Listed as an item of local heritage significance by Schedule 5 of the *Cumberland LEP 2021.*	'Auburn Botanic Gardens', Chisholm Road, Auburn	Item No. I5.
Located within the vicinity of local heritage items by Schedule 5 of the *Cumberland LEP 2021.*	N/A	N/A
Located within a heritage conservation area by Schedule 5 of the *Cumberland LEP 2021.*	N/A	N/A
Located within the vicinity of a heritage conservation area by Schedule 5 of the *Cumberland LEP 2021.*	N/A	N/A

1.3 Methodology

A site inspection was undertaken in October 2024 for the preparation of this updated SoHI by Weir Phillips Heritage. All photographs of the site were taken at this time unless otherwise noted.

This SoHI has been prepared with reference to the Heritage NSW publications *Assessing Heritage Significance* (2023 update) and *Statements of Heritage Impact* (2023 update) and with reference to the planning documents listed under Section 7.2. The historical information contained in this SoHI partly rely on existing studies (refer to Section 7.2 below). Acknowledgment of the authors of these studies is duly given.

1.4 Limitations

A full assessment of significance to Heritage NSW standards were not provided with regards to the site. Section 2.6 of this SoHI provides the established history and significance of the site. This was compiled from readily available sources. An assessment of archaeological potential and archaeological significance, Aboriginal or historical, is outside the scope of this SoHI.

2 SITE DESCRIPTION

2.1 Site Location

The site forms part of the 'Auburn Botanic Gardens', an extensive area of public open space that is located 2.5km southwest of Auburn GPO. The site is located on the south of Chiswick Road. The site is identified as Lot 2, Deposited Plan 235351. Refer to Figure 1.



Figure 1: Map of No. 96 Chiswick Road. The site is outlined in red and shaded yellow.
SIX Maps, 2026

2.2 The Proposed Works Area

For the following, refer to Figure 2, which reproduces an aerial photograph over the subject site. The area of the proposed works on the site is shaded in yellow. Refer to Figure 2.



Figure 2: Aerial photograph of No. 96 Chiswick Road. The site is outlined in red. The area of the proposed works is shaded in yellow.
NearMaps, 2026; overlay by WPH.

The proposed works are to the northern section of Lot 2, Deposited Plan 235351, as indicated by Figure 2.

2.3 General Setting

For the following, refer to Figure 3, an aerial photograph showing the site and the surrounding area.



Figure 3: Aerial photograph showing the surrounding area. The area of the proposed works is outlined in red.
NearMaps, 2026; overlay by WPH

The site is located in a mixed residential and recreational area. To the north of the site is the Western Motorway; to the east Olympic Drive; to the south Remembrance Driveway; and to the west Warren Road. The site is located within a large riparian corridor that extends along the banks of Duck River. The surrounding area is mainly residential with 20th century period dwellings set on large allotments.

2.3.1 Chiswick Road

Chiswick Road runs east-west between Killeen Street and Auburn Road. The road carries two-way traffic with provision for parking on both sides. Concrete footpaths with grass verges and a mixture of established and newly planted trees line either side of the road.

The 'Auburn Botanic Gardens', of which the site forms part, occupies the north and south side of this part of Chiswick Road, in addition to Cumberland City Council facilities. The gardens contain heavily treed landscaped areas water features. Most built structures, which predominantly date from the late 20th century, are one and two-storeys, set back from the road and/or partly concealed from view by fencing.

Refer to Figures 4 to 7 which illustrate the streetscape in the vicinity of the site.



Figure 4: Looking east on Chiswick Road and showing the general character of the road.

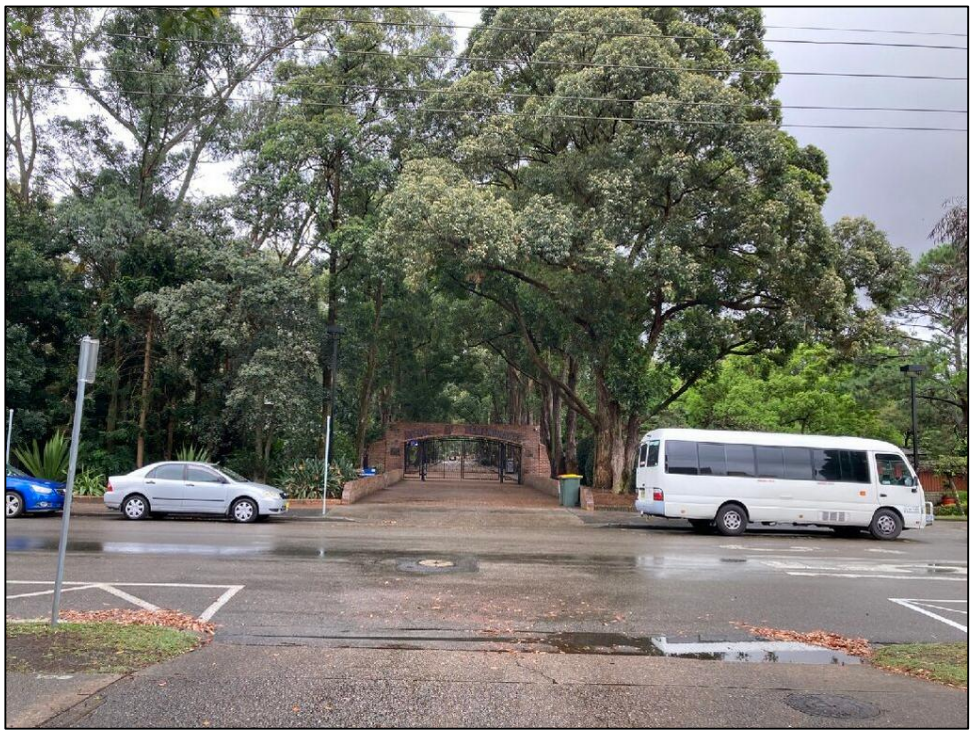

Figure 5: Looking towards the Avenue of Remembrance that forms part of the 'Auburn Botanic Gardens' on the north side of Chiswick Road.



Figure 6: Looking west towards the 'Auburn Botanic Gardens' on Chiswick Road.



Figure 7: The Aviary, part of the 'Auburn Botanic Gardens', to the east of the site and on the south side of Chiswick Road.

2.4 The Site

For the following, refer to Figure 8, an aerial photograph over the site showing No. 96 Chiswick Road. The area of the proposed works is confined to the yellow shaded area in Figure 8.



Figure 8: Aerial photograph showing No. 96 Chiswick Road. The site is outlined in red. The area of the proposed works is shaded yellow.
NearMaps 2026; overlay by WPH

For the purposes of the following description, Chiswick Road is designated as the northern boundary.

2.4.1 Site – General

The site is a large rectangular shaped allotment. The boundaries are approximately follows: north, 74m; south, 64m; east, 64m, then 137m; and west, 19m. The total site area is approximately 1.35ha. The site is primarily accessed via a concrete driveway that runs off Chiswick Road, with a parking area on the northeast side. Most of the site, comprising two-thirds of its area, is occupied by the Cumberland Council Depot and does not form part of the proposed works. The northern section is the location of the proposed works and is described in further detail in Section 2.4.2 below.

2.4.2 Area of the Proposed Works

For the following, refer to Figure 9, an aerial photograph over the site showing the area of the proposed works. Note the aerial photograph is no longer in date. The Glasshouse, annotated '2', was recently removed in accordance with the **2019 Consent**.

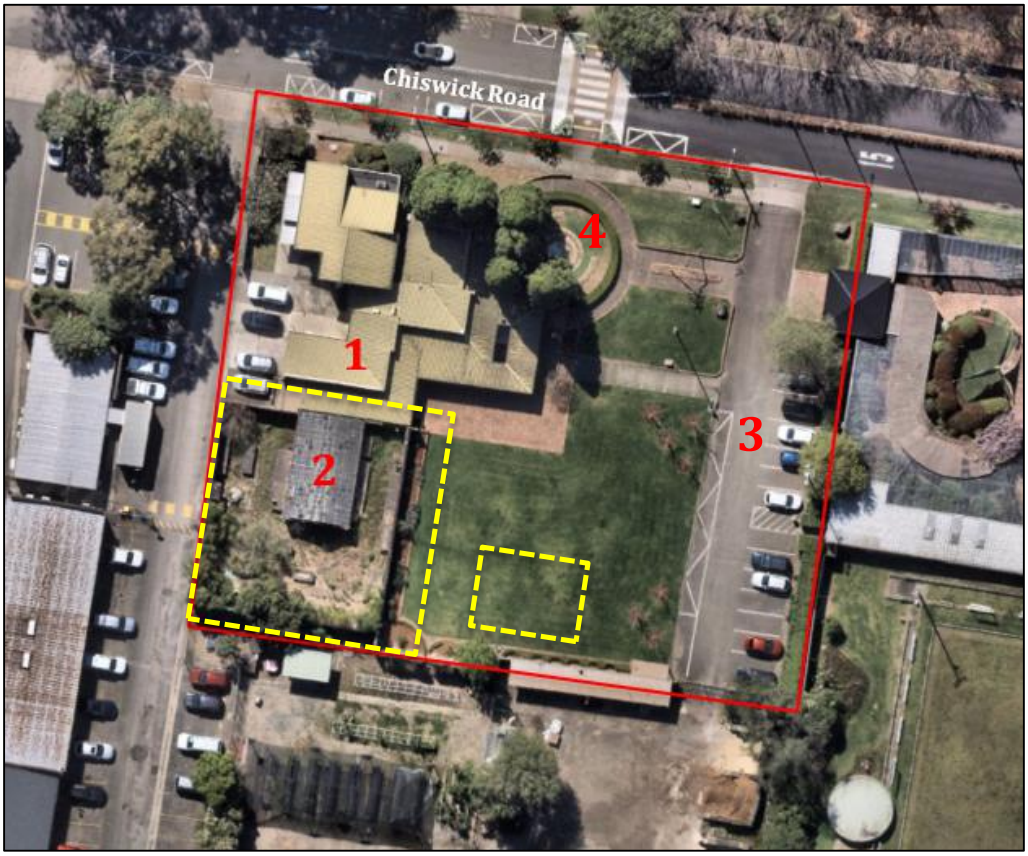

Figure 9: Aerial photograph of No. 96 Chiswick Road. The site is outlined in red. The approximate footprint of the proposed buildings is outlined in yellow.
NearMaps, 2026; overlay by WPH
Key: 1 = Peacock Gallery
2 = Glasshouse (recently demolished in accordance with the **2019 Consent**)
3 = Carpark
4 = Floral Clock

The area of the proposed works is located on the north side of the site as indicated by the red outline. The proposed works include the addtion of two prefabricated structures, outlined in yellow.

The larger structure is set directly behind the Peacock Gallery ('1' in Figure 9) on the area of the recently demolished Glasshouse ('2' in Figure 9). The enclosure surrounding the former Glasshouse remains in place and consists of a high brick/timber wall, with entry on its northern side via a metal turnstile. The second structure is located on the large lawn area adjacent to the former Glasshouse area.

The north-western half of the site is occupied by one building, comprising the Peacock Gallery ('1' in Figure 9). The 'Glasshouse' ('2' in Figure 9) was recently removed in accordance with the **2019 Consent**.

Access to the site is off Chiswick Road and leads to an ashphalt driveway and carpark all along the eastern boundary. Next to Peacock Gallery is a Floral Clock ('4' in Figure 9). Between the carpark and the former glasshouse is the large lawn area. The site is predominantly flat with some minor perimeter plantings. More established trees are located to the northeast of Peacock Gallery, while brick and concrete paved paths provide access to a driveway ('3' in Figure 9) and Chiswick Road. There is a low brick garden wall on the south boundary and a verandah that extends from the northern elevation of a Council depot building.

Refer to Figures 10 to 14 which illustrate the site, as well as Section 2.5 which describes the buildings in further detail.



Figure 10: The enclosure to the south of Peacock Gallery and the location of the proposed office and amenities buildings. Note the structure to the left formed part of the Glasshouse, which was removed under the 2019 Consent.



Figure 11: Carpark ('3' in Figure 9) on the east side of the site.



Figure 12: Looking west through the site. The trees visible in the foreground are relatively recent plantings. It is proposed to install a new prefabricated café building in this location.



Figure 13: Looking north through the site towards Chiswick Road.



Figure 14: Looking east through the site towards the driveway.

2.5 The Building

2.5.1 Peacock Gallery ('1' in Figure 9)

The Peacock Gallery is located on the northwest side of the area of the proposed works. It is a one and two-storey late 20th century period building. It is used as an art gallery. It is constructed of brick and has a skillion roof clad in standing seam with aluminium-framed sliding doors and windows.

The front elevation is oriented to Chiswick Road and has a first-floor verandah with a steel balustrade and railing. The western elevation is largely concealed from view by fencing and vegetation. The eastern and southern elevations are single-storey with a continuous steel awning supported by steel posts that extends over a brick and tiled courtyard.

Refer to Figures 15 to 18 which illustrate the exterior of Peacock Gallery.



Figure 15: Front elevation of Peacock Gallery.



Figure 16: Western elevation of Peacock Gallery.



Figure 17: Southern and eastern elevations of Peacock Gallery.



Figure 18: Southern elevation of Peacock Gallery. The brick/timber wall to the left encloses the now demolished Glasshouse behind.

2.6 HISTORICAL ANALYSIS

2.7 Aboriginal Background and Post-Contact History

While an Aboriginal history is not provided for, it is acknowledged that the traditional custodians of the Cumberland Council area are the Dharug peoples of the Eora nation.

2.8 Early European History

The British Colony of New South Wales was formally established in 1788. In February 1788, Captain John Hunter led a party up what is now the Parramatta River as far as Homebush Bay. Ten days later, a second party, led by Governor Phillip, traced the river to its meeting point with the Duck River. This river was named when the party misidentified Eastern Swan Hens as ducks. The end result of these and later expeditions within the immediate area, was the establishment of Rose Hill, later Parramatta, in late 1788. Parramatta was linked to the distant town of Sydney from an early date by a track, later Parramatta Road. By the early 1790s, regular ferry services were operating between Sydney and Parramatta.

The first land grants in the neighbouring Parramatta were made in 1791 and within the City of Auburn in 1792-3. The grants in Auburn were made to free settlers, giving the area its first European name, the 'Liberty Plains.' The soils of the Liberty Plains, however, proved disappointing; by 1828, only eight of the twenty-six grants made in the area since 1793 were occupied. No land was taken up in the southern part of Auburn until 1823.

One of the largest grants of land was given to James Chisholm (1772-1837) who received 600-acres on 30 June 1823. The subject site lies on this grant. Refer to Figure 19.

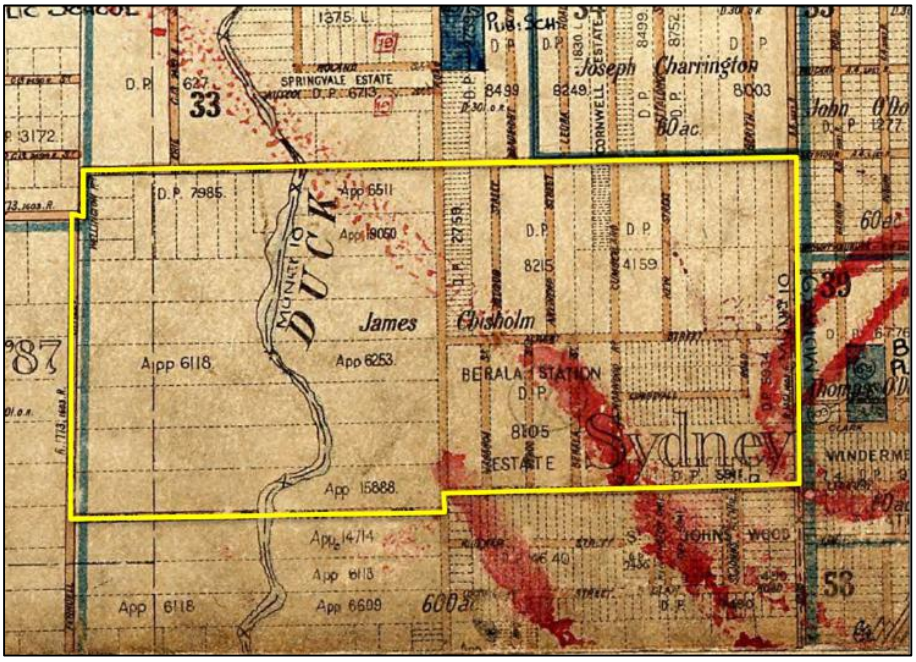

Figure 19: Detail, *Parish Map of Liberty Plains* (n.d.). James Chisholm's grant is outlined in yellow.
NSW LPI; overlay by WPH

James Chisholm was a free settler who came to New South Wales in 1791 as part of the Third Fleet. He undertook duties as a tailor in the New South Wales Corps and was eventually discharged in 1810. Following this, Chisholm became an importer and retailer of wine and spirits and accumulated substantial town and country landholdings. By the late 1820s, he was own of the six largest landholders in New South Wales and by the 1880s, his descendants owned 3,125 square miles of Australia. He died in 1837, following a bout of pneumonia.[1]

[1] Chris Maxwell and Alex Pugh, *The Merchant of Sydney: James Chisholm 1772-1837* (Melbourne: Australian Scholarly Publishing, 2015).

The census of 1851 records that there were only 270 people living in the area now covered by the suburbs of Granville, Auburn, Lidcombe and Homebush. Most were engaged in timber getting, small farming, grazing and charcoal burning.

The construction of the first railway line in the Colony, connecting Sydney to Parramatta (later Parramatta Junction, later Granville), was completed in 1855 and duplicated in 1856. When the railway was extended to Parramatta in 1856 it was decided to locate Sydney's new cemetery at Haslams Creek, close by the new railway. Local residents lobbied to have the name of the free cemetery changed to Rookwood.

From the 1850s through to the 1890s, the population of Sydney expanded. During this period, suburban growth radiated outwards from railway and tramlines. From around the mid 1870s onwards, no doubt encouraged by the railway, landowners and speculators began to subdivide land in modern day Granville and Auburn.[2]

The Municipality of Auburn was proclaimed on 20 February 1906. The Municipality merged with Lidcombe Council on 1 January 1949 and later became known as Auburn City Council in 1993. This Council was then abolished to merge with Cumberland Council in 2016.

2.9 The Early History of the Subject Site

By 1883, the site formed part of Section 16 of the Chisholm Estate, which comprised James Chisholm's original grant that had been subdivided into large allotments. Refer to Figure 20.



Figure 20: *Chisholm Estate* (1883). The red arrow indicates Section 16.
State Library of New South Wales; overlay by WPH

Lots 1 and 2 of Section 16 was purchased by Henry Veron, estate agent, on 14 June 1900 as shown by Figure 21.[3]

[2] Dictionary of Sydney, https://dictionaryofsydney.org/entry/auburn, accessed 17 October 2024.
[3] NSW LPI, Certificate of Title, Volume 2063-Folio 35.

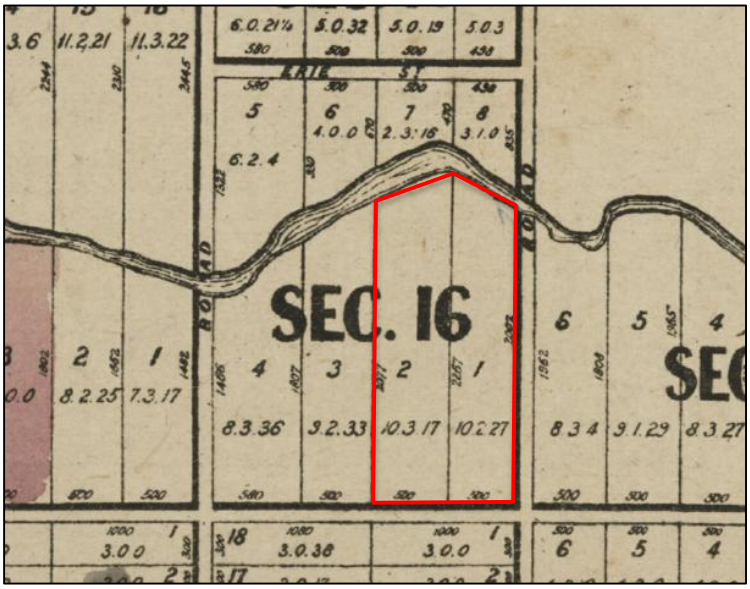

Figure 21: Detail of Figure 7. The boundaries of the land purchased by Henry Vernon in 1900.
State Library of New South Wales; overlay by WPH

In 1912, these allotments were subdivided again by Henry Veron. Part of Lot 1, which forms the northern section of the subject site, was purchased by Kate Tattersal in 1919, while part of Lot 2, the southern section, was bought by James McCasksie Junior in 1912.[4] What, if anything, these allotments were used for has not been ascertained for the purposes of this assessment, nor has the precise chain of ownership for each of them.

Figure 22 is a c. 1943 aerial photograph and shows the area of the proposed works was vacant of any structures and comprised scrubland. A dwelling (since demolished) is visible to the east.

[4] NSW LPI, Certificate of Title, Volume 2081-Folio 192; and NSW LPI, Certificate of Title, Volume 2081-Folio 194.



Figure 22: 1943 aerial photograph over Auburn. The red arrow indicates the approximate area of the proposed works.
NSW Historical Imagery; overlay by WPH

The land would later come to form part of the 'Auburn Botanic Gardens', as set out in Section 2.10.

2.10 Auburn Botanic Gardens

The 'Auburn Botanic Gardens' was first established in 1977. This followed years of planning by local residents and Eric Black, chief engineer of Auburn Municipal Council from 1949 to 1979. The gardens owe their origin to the Cumberland Planning Scheme (1946-1951), which set aside the area along the banks of the Duck River for recreation. Both before and after the scheme, the Council dumped rubbish and sewage along the banks and in brick and tile clay-pits for many years.

In July 1968, Black presented a detailed report to the Council on proposing a mixture of sporting grounds and intensive cultivation of the Duck River parklands. Black envisioned a series of gardens representing national styles from around the world. This vision was later reduced, however, some elements survived including what are now the Japanese gardens and lake and the different Australian habitats.[5]

Federal funding provided by the Whitlam Government gave Council the necessary resources to develop the gardens. The concept and design of the 'Auburn Botanic Gardens' is credited to Eric Black. On 9 September 1973, several hundred trees were planted during a Tree Planting Ceremony. Further construction and planting was undertaken which completed the eight main areas of the Gardens which included the Japanese Hill and Lake Garden, a central formal area containing the reflection pool and pergola, the garden of trees, the sunken rose garden, the scented garden and the woodland theatre. Other features included a kiosk, public toilets and ranger's cottage.

Figure 23 is a c. 1974 sketch plan of the design and layout.

[5] National Trust NSW, 'Auburn Botanic Gardens', https://www.nationaltrust.org.au/initiatives/auburn-botanic-gardens, accessed 16 October 2024.

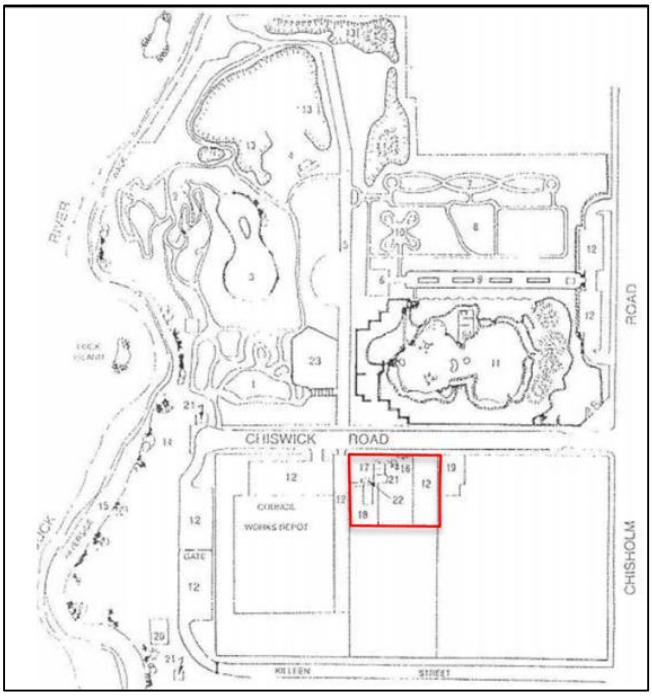

Figure 23: ***Sketch Plan of the 'Auburn Botanic Gardens'*** **(c. 1974).**
The area of the proposed works is outlined in red.
Cumberland City Council; overlay by WPH

The subject site outlined in red originally contained the following items:

12. Carpark.
16. Floral Clock.
17. Kiosk.
18. Bonsai Garden.
21. Toilets.
22. Glasshouse.

The Kiosk is now Peacock Gallery, which was opened in 2009. The Glasshouse was constructed to grow Bonsai plants.

The gardens were officially opened on 11 September 1977. As reported by the *Canberra Times*:

> *Hundreds of people swarmed into Auburn Botanic Gardens soon after they were officially opened yesterday by the Governor of NSW, Sir Roden Cutler. The gardens cost $1.5 million, took three years to complete, and cover 10 hectares of land which had been a garbage dump.*[6]

An aerial photograph over the 'Auburn Botanic Gardens' was taken in this year. Refer Figure 24.

[6] *Canberra Times*, 'Gardens', 12 September 1977.

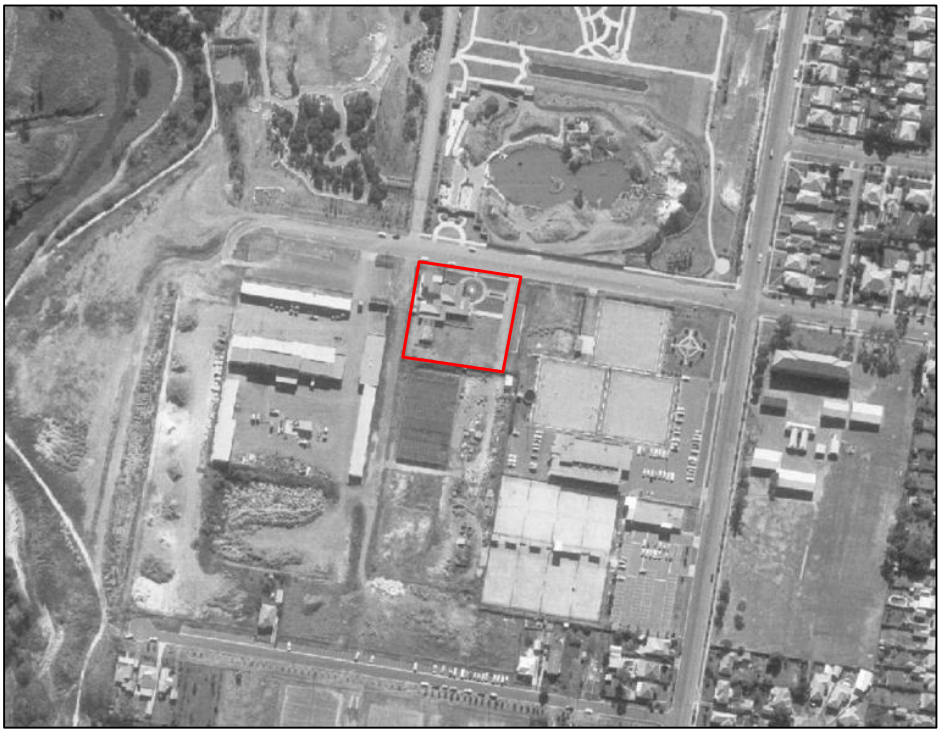

Figure 24: 1977 aerial photograph over Auburn. The area of the proposed works is outlined in red.
NSW Historical Imagery; overlay by WPH



Figure 25: Close-up of the 1977 aerial photograph.
NSW Historical Imagery; overlay by WPH
Key: 1 = Peacock Gallery (formerly known as Kiosk)
2 = Glasshouse
3 = Floral Clock
4 = Carpark

As illustrated above, the layout of the area of the proposed works including the existing Peacock Gallery, Glasshouse and Floral Clock can be seen and remains essentially unchanged as of the present-day. Of note is that the brick fence around the Glasshouse appears not to have been constructed at this stage. The existing vegetation within the study area also clearly dates from after 1977.

Figure 26 is an aerial photograph dates c. 1985 and shows little further development with regards to the study area. What may be the existing trees to the north of Peacock Gallery can be seen.



Figure 26: 1985 aerial photograph over Auburn.
NSW Historical Imagery; overlay by WPH
Key: 1 = Peacock Gallery (formerly known as Kiosk)
2 = Glasshouse
3 = Floral Clock
4 = Carpark

Figure 27 is a c. 1990 aerial photograph and shows the existing brick wall around the Glasshouse.



Figure 27: 1990 aerial photograph over Auburn.
NSW Historical Imagery; overlay by WPH
Key: 1 = Peacock Gallery (formerly known as Kiosk)
2 = Glasshouse
3 = Floral Clock
4 = Carpark

Figure 28 is an aerial photograph dated c. 2005.



Figure 28: 2005 aerial photograph over Auburn.
NSW Historical Imagery; overlay by WPH
Key: 1 = Peacock Gallery (formerly known as Kiosk)

2 = Glasshouse
3 = Floral Clock
4 = Carpark

The above aerial photograph shows plantings on the north and east side of the open grassed area. This vegetation has since been removed and replaced with the existing immature trees. Later additions to the 'Auburn Botanic Gardens' include the Avenue of Remembrance (1987), the Aviary (1988), the Fauna Reserve (1994) and an equal access playground (2001). The gardens have matured since their original planting and some areas have had to be replanted, including within the area of the proposed works.

In 2009, approval was granted for the change of use and refurbishment of the former Kiosk into what is now Peacock Gallery under DA2009/254.

In 2019, consent was granted under DA/2019/122 for: *Demolition of a glasshouse, part of a perimeter wall, a timber wall, turnstiles and a pond and rock edging at the Auburn Botanic Gardens*. The works involving the demolition of the Glasshouse were recently carried out.

In 2024, consent was granted under DA/2024/0332 for: *Installation of a prefabricated building to be used as office spaces and installation of a prefabricated bathroom amenity building.* The works have not been carried out.

3 ASSESSMENT OF SIGNIFICANCE

3.1 Summary of Existing Citations and Listings for the Site

For the following, refer to Table 2, a summary of the statutory heritage listings for the site.

Table 2: Summary of statutory heritage listings.

Listing Type	Item Name and Details	Item No.
Listed on the State Heritage Register under the *Heritage Act 1977* (NSW).	N/A	N/A
Listed as an item of local heritage significance by Schedule 5 of the *Cumberland LEP 2021.*	'Auburn Botanic Gardens', Chisholm Road, Auburn	Item No. I5.
Located within a heritage conservation area by Schedule 5 of the *Cumberland LEP 2021.*	N/A	N/A

3.2 Statement of Significance

3.2.1 'Auburn Botanic Gardens'

Cumberland City Council provides the following Statement of Significance for this item, of which the item forms part:

> *Auburn Botanic Gardens is of local significance for its historic, associative, aesthetic and social heritage values. The garden has historic significance through its origins in the Cumberland Planning Scheme (1946–1951) which set aside the area along the banks of the Duck River for recreation. It also has significance through its association with the Whitlam Government's (1972–1975) pioneering federal government funding scheme, which recognised local governments through direct funding. As a part of this*

scheme, Auburn Council received funding in 1974 and 1975–76 to develop the gardens. Its original concept and design is credited to Council's former Engineer and Town Planner Mr Eric Black rather than a commercial landscape architectural firm. The site is significant for its aesthetic qualities as an expression of cultural planting in the local area and demonstrates a high degree of creative accomplishment of creative parkland design. The Gardens have a range of environments including such a riverside ecosystem, Australian rainforest and native garden, rose garden, fauna reserve and the Ryoan-ji style Japanese Garden. In addition, the Gardens have social significance to the people of Auburn, those involved in the former Auburn Council unemployment relief works, and visitors from around Australia and overseas who visit the Gardens and attend family events such as weddings or enjoy the festivals that are regularly held in the Gardens.[7]

This Statement is adopted for the purposes of this assessment. It is noted that no part of the subject site, including the Glasshouse and Floral Clock, is specifically noted in this Statement as being of significance.

3.3 Additional Information Relating to the Site's Significance

3.3.1 Views

The principal view corridor towards the area of the proposed works is from directly outside on Chiswick Road, where the existing Peacock Gallery can be seen, as well as existing landscaping including the Floral Clock. The Glasshouse is concealed from view by its masonry enclosure, as well as by the Peacock Gallery. View of the site on approach from the east and west on Chiswick Road are limited, except when close by, due to fencing and vegetation. Views from out of the site look directly north towards the other side of Chiswick Road. Refer to Figures 29 to 31 which illustrate view corridors to and from the area of the proposed works.



Figure 29: Looking towards the area of the proposed works on approach from the east on Chiswick Road.

[7] Cumberland City Council, 'Auburn Listing Sheets, Auburn Botanic Gardens', https://www.cumberland.nsw.gov.au/sites/default/files/inline-files/auburn-listing%20sheets.pdf, accessed 10 October 2024.



Figure 30: Looking towards the area of the proposed works on approach from the west on Chiswick Road.



Figure 31: Looking north from within the site towards the other side of Chiswick Road.

3.3.2 Integrity

The following is limited to an analysis of the area of the proposed works.

The subject site has historically had a rural use. This use continued up to the 1970s, with the area of the proposed works remaining generally undeveloped until the establishment of the 'Auburn Botanic Gardens' c. 1977.

The existing layout of the site, including the Peacock Gallery, Floral Clock, car park and the now removed Glasshouse date from this year. The only major change identified is the construction of the brick/timber fence around the Glasshouse which occurred between c. 1985 and 1990, as well as the planting/replanting of vegetation over time.

The Glasshouse was recently demolished in accordance with the **2019 Consent**.

3.4 Heritage Items in the Vicinity of the Site

For the following, refer to Figure 32, which provides a detail of a heritage map from the *Cumberland LEP 2021*. In this plan, local heritage items are coloured brown and numbered and Conservation Areas are hatched red and numbered. The site is coloured brown and numbered 'I5', while the area of the proposed works is additionally outlined in red and indicated by the red arrow.



Figure 32: Detail, heritage map showing site in relation to heritage items (coloured brown and numbered) and Conservation Areas (hatched red). The site is coloured brown and numbered 'I5'. The area of the proposed works is additionally outlined in red and indicated by the red arrow.
Cumberland LEP 2021; overlay by WPH

3.4.1 Defining 'Vicinity'

For the items near to the subject site, 'in the vicinity' has been determined with reference to physical proximity, existing and potential view corridors and the nature of the proposed works.

There are no heritage items listed by Schedule 5 Part 1 of the *Cumberland LEP 2021* in the vicinity of the site.

4 HERITAGE IMPACT ASSESSMENT

4.1 Scope of Works

The following should be read in conjunction with the plans prepared by Graham Bakewell Architect that accompany this application.

It is proposed to:

- Retain the existing Peacock Gallery (excluding a small section of the south roof), Floral Clock and car park.
- Remove the existing brick/timber enclosure to the south of Peacock Gallery and replace with new brick wall, as noted on the plans.
- Remove existing garden edging and low garden wall, as noted on the plans.
- Construct a new prefabricated office building with attached deck and external roofed areas to be located to the south of Peacock Gallery.
- Construct a new prefabricated amenities building to be located to the west of the proposed office building.
- Construct a new prefabricated café building to be located within the open grassed area to the east of the proposed office building.

Figures 33 to 35 reproduce part of the proposed plan set.

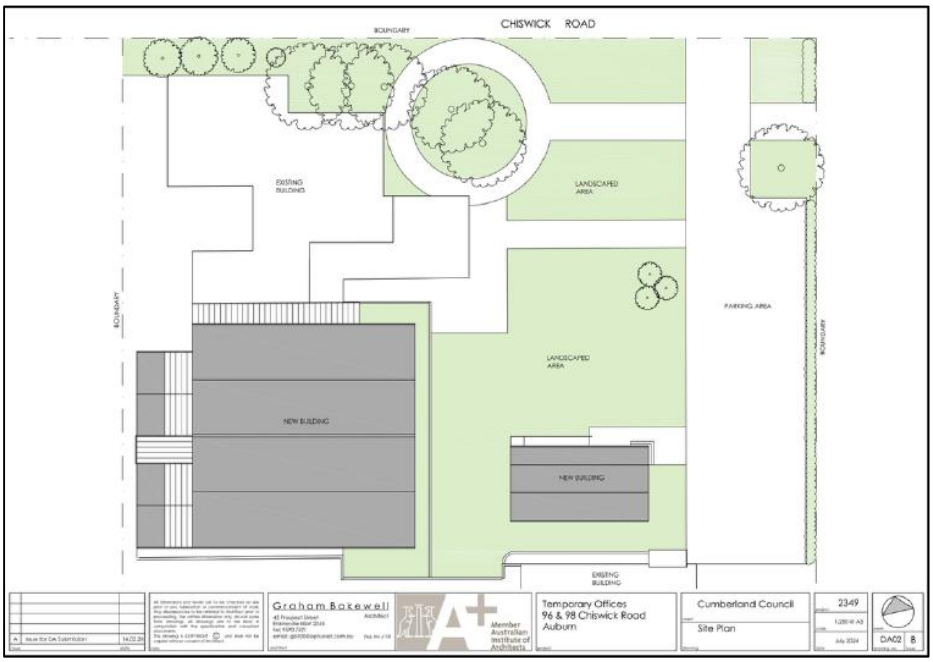

Figure 33: Proposed site plan.
Graham Bakewell Architect 2026

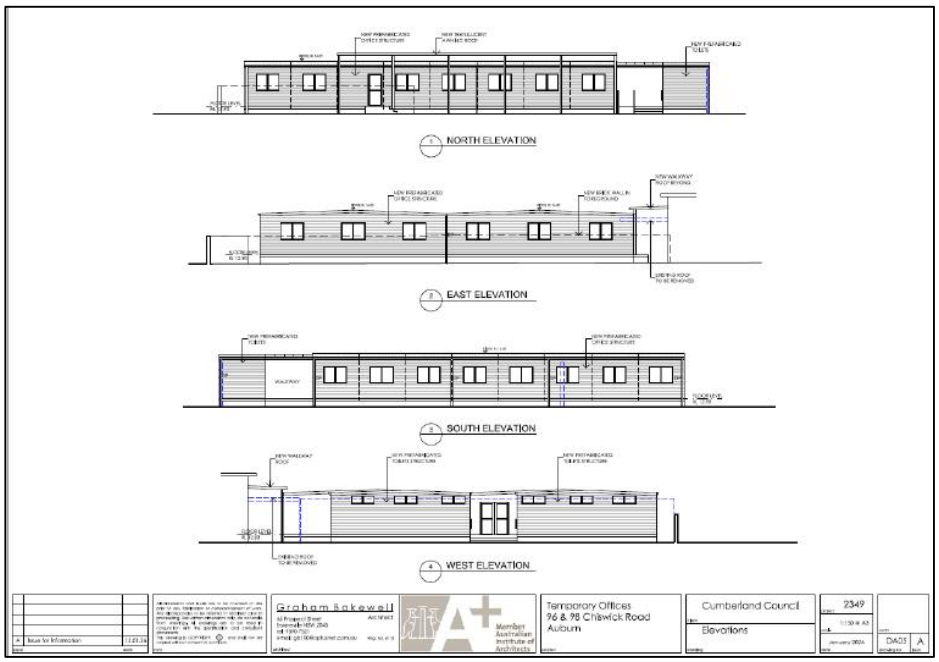

Figure 34: Proposed elevations plan for the office and amenities buildings.
Graham Bakewell Architect, 2026

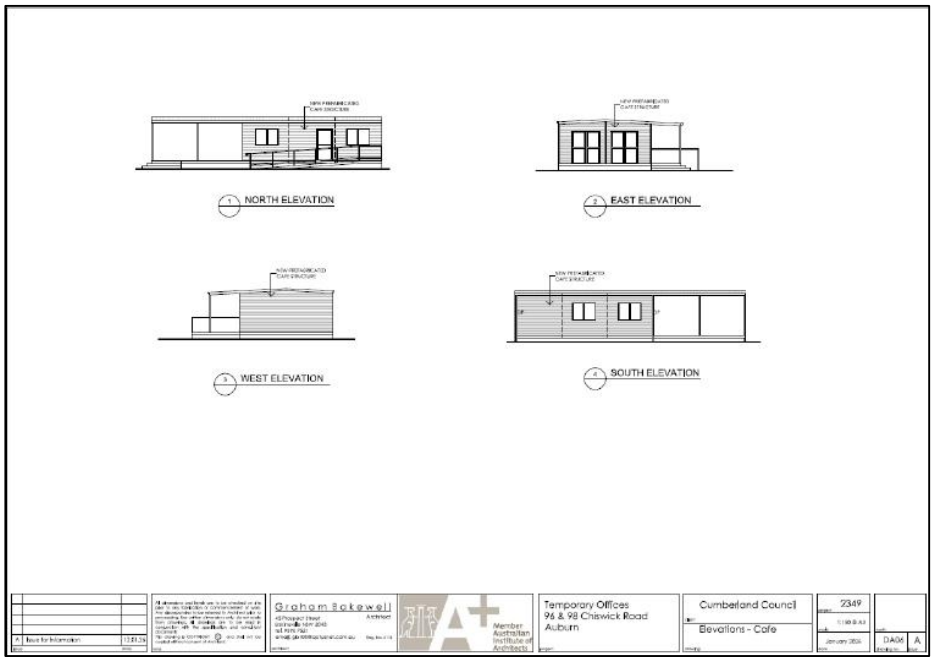

Figure 35: Proposed elevations plan for the café.
Graham Bakewell Architect, 2026

4.2 Method of Assessment

The following is a merit-based assessment. It does not consider compliance or otherwise with numerical controls unless non-compliance will result in an adverse heritage impact. Refer to the planning documents that accompany this application.

The proposal is assessed by consideration of:

- The relevant controls of the *Cumberland LEP 2021*.
- The relevant controls of the *Cumberland DCP 2021.*
- With an understanding of the requirements for Heritage Impact Statements provided by the Heritage NSW publication Statements of Heritage Impact (2023 update).

5 EFFECT OF WORK

5.1 Effect of Work on Auburn Botanic Gardens

The proposed works will have an acceptable impact on the 'Auburn Botanic Gardens', of which the site forms part, for the following reasons:

- The proposed works retain the existing Peacock Gallery and Floral Clock which both date from the earliest establishment of the 'Auburn Botanic Gardens' in 1977. They will continue to contribute to the significance of the heritage item, as will all other elements that make up the Gardens.
- The part removal of the walkway roof to Peacock Gallery will retain the main section of roof and will not impact on the ability to read and understand the otherwise retained main roof form.
- The proposed buildings will comprise lightweight prefabricated metal structures on concrete pad footings with minimal excavation. They can be easily removed if required and the site made good with no permanent impact to the heritage item.
- The proposed buildings will be single-storey and are consistent in height and scale with other buildings that comprise the heritage item. They will be set well into the site where will not have any undue prominence in the wider setting of the heritage item.
- The proposed cafe building will be located in an open grassed area and will not require the removal of any significant vegetation and can be removed and turf replanted with no permanent impact to the heritage item.
- The proposed office and amenities buildings will lie within the footprint of the recently removed Glasshouse and will not require the removal of any significant built or landscape elements.
- The elevations of the new buildings will be simple and painted in a neutral colour scheme with minimal signage and will present, where visible, as a contemporary but otherwise visually recessive element that easily blends into the background.
- The removal of the brick enclosure is a later element that postdates the original design of the 'Auburn Botanic Gardens'.
- The new brick enclosure will be slightly larger than the existing and will require the removal of the existing garden edging and low garden wall, which are both minor, later features with little or no heritage significance.
- The proposed works will, overall, have an acceptable impact on the ability of the public to understand and appreciate the significance of this item.

5.2 Assessment against the *Cumberland DCP 2021*

The following table assesses the proposed works under the relevant numerical controls as provided by Part G2 Heritage of the *DCP 2021*.

Table 3: Assessment against controls of the *Cumberland DCP 2021*.

2.2 Conservation and development works on heritage items	
Control	**Response**
C1. New development should be consistent with the guidelines and policies of any relevant conservation plan adopted by Council, and where appropriate, with State government requirements.	The proposal complies with the relevant controls provided by the *Cumberland DCP 2021.*
C4. Additions and/or extensions to heritage items: • Are to be located and designed to complement the existing scale, character and amenity of the streetscape; • Are not to dominate the appearance of the heritage item from the street; • Are to be consistent with the style of the heritage item.	The new works comprise lightweight prefabricated structures which will be single-storey and consistent in massing, height and scale with other built structures that comprise the heritage item.
C5. All new development within the curtilage of a heritage item is to be suitably located and retains the visual dominance of the heritage item, with minimal impact upon the fabric and significant landscaping associated with the item.	The new development will be sensitively sited on land that is not already built on and will require minimal removal of vegetation. What vegetation is removed comprises small plantings.
C8. When undertaking any form of development, conservation, maintenance or construction works on a heritage item, the materials, colours, maintenance and construction techniques used shall be appropriate to the heritage item.	The proposed structures will comprise contemporary prefabricated structures painted in a neutral colour scheme that will be unobtrusive, where viewed in relation to significant vegetation or built structures that comprise the heritage items.
C23. The siting of buildings should retain any significant trees and gardens identified on the site.	Significant trees and gardens will be retained.
C24. Where proposing development within the curtilage of a heritage item, the new development should be designed so that the heritage item retains its visual prominence.	The proposed works are located away from significant built structures and landscape elements, which will continue to remain visually prominent.
C25. The colours and materials used within the new development shall be recessive and complement the colours and materials of the heritage item.	The new buildings comprise prefabricated structures in a neutral colour scheme. Where visible from the built structures that comprise the heritage item, they will present as lightweight structures that are visually subordinate to the heavy masonry used in the structures that make up the heritage item.

C26. Where new development is proposed within the curtilage of a heritage item, a reasonable 'buffer' space should be provided between the original building and the new development.	The proposed office and amenities buildings will be separated from Peacock Gallery by a setback of at least 2.3m, such that its three-dimensional envelope can continue to be appreciated and understood.
C27. Significant gardens should be retained as part of any works within a curtilage, where possible.	All significant established gardens will be retained.
C28. New development within the curtilage should not adversely impact upon the significant fabric of a heritage item.	All original historic elements to this part of the Gardens will be retained. The brick/timber enclosure will be removed and replaced with a new wall. The existing wall is a much later addition to the site.
C29. The height of new buildings shall not exceed that of the original heritage building.	The new buildings will be single-storey and of a comparable height to other buildings that form the heritage item.
C30. The new development shall be massed so that lower-scale buildings act as a transition between the new and the old.	The new buildings will be of similar scale to existing.
C31. New development within the curtilage of a heritage item should not block the sight lines from public areas to the original building.	The proposed office and amenities building are located to the south of the Peacock Gallery and will not block sight lines towards it. The proposed café is located to the southeast of the Peacock Gallery and will not block sight lines towards it, particularly given it is a comparatively small structure.
C34. Development should be compatible with the existing height, scale, massing and detailing and setbacks and orientation of existing development within the streetscape. New extensions should be recessive to the original building.	The new structures comprise lightweight prefabricated buildings which are consistent in height and scale with existing development within the streetscape. They will be simply detailed with minimal signage and presented in a neutral colour scheme. The structures will be set back from the road and clearly recessive to original buildings.
C35. Colours and materials should be carefully selected so that they do not visually dominate, or overly contrast with, that of the existing heritage item. New development shall utilise compatible colour schemes and materials with the original building.	The colour scheme is neutral and will be visually recessive within the setting of the heritage item.
C37. New development should be located to the side or rear of the heritage item and the original building should visually dominate.	The new development is located to the side and rear of original buildings.

C38. Development should not impact upon the sight lines from public areas to the original building.	The new development is located well outside any significant view corridors towards the original buildings from public areas.
C39. Development should minimize any changes to the significant fabric of the building and, in particular, to the streetscape appearance of the heritage item.	It is not proposed to make any changes to the existing heritage buildings, or to remove any significant trees that make up the heritage items.
C40. Signage, lighting, materials and colours used should be unobtrusive and compatible with the overall style and design of the building.	The proposal will utilise minimal signage and lighting, with the new works comprising lightweight prefabricated structures with a neutral colour scheme.

5.3 Assessment against the Statements of Heritage Impact Guidelines

The table below assesses the proposed works against the relevant guidelines for Statements of Heritage Impact (2023) as provided by the Department of Planning and Environment.

Table 4: Assessment against guidelines.

Major additions	Response
1. How is the impact of the addition on the heritage significance of the item to be minimised?	The new works have been sensitively sited in an area that is located away from the significant elements that contribute to the heritage items which form part of the study area. The works are of a low scale and will retain existing established vegetation.
2. Can the additional area be located within an existing structure? If not, why not?	The existing structures already have established uses and are, in any case, not fit for the proposed purposes.
3. Will the additions tend to visually dominate the heritage item?	As set out above, the additions are of a low scale and are also separated from any significant elements that make up the heritage items and, where visible, will present as visually subordinate.
4. Are the additions sited on any known, or potentially significant archaeological deposits? If so, have alternative positions for the additions been considered?	The European archaeological potential for the site has not been ascertained due to the nature of the proposed works which do not include excavation. It is noted that, based on the available evidence, there were no structures on the site before 1977. It is possible that 'unexpected heritage finds' will be discovered on the site. An 'unexpected heritage find' can be defined as an unanticipated archaeological discovery that has not been identified during a previous assessment, or is not covered by an existing permit under relevant legislation such as the NSW Heritage Act 1977. The find may have potential cultural heritage value and may include but is not

	limited to remnants of earlier buildings; artefacts including glass and ceramics; and human skeletal remains. Should any 'unexpected heritage items' be. found on the site, work should cease immediately. The item should be protected and retained in situ, Heritage NSW notified of its location and an archaeological engaged, before any work resumes.
5. Are the additions sympathetic to the heritage item? In what way (e.g. form, proportions, design)?	The new structures comprise lightweight prefabricated buildings, which will present as contemporary, however, are of a scale and proportion consistent with existing built elements.
New landscape works and features	**Response**
1. How has the impact of the new work on the heritage significance of the existing landscape been minimised?	The new works have been sensitively sited to allow for the retention of existing established trees. More recently planted immature species will be removed to allow for the installation of structures. Significant landscape features will otherwise be retained.
2. Has evidence (archival and physical) of previous landscape work been investigated? Are previous works being reinstated?	This Statement of Heritage Impact has recorded the history of the site and its uses. The first structures were built c. 1977 as part of the development of the 'Auburn Botanic Gardens'. The area of the proposed works remains essentially unchanged since this date, except with regards to the construction of the brick/timber fence around the now removed 'Glasshouse' and the planting/replanting of trees. It is not propose to reinstate any previous works.
3. Has the advice of a consultant skilled in the conservation of heritage landscapes been sought? If so, have their recommendations been implemented?	No.
4. Are any known or potential archaeological deposits affected by the landscape works? If so, what alternatives have been considered?	Refer to our earlier statement regarding unexpected finds.
5. How does the work impact on views to, and from, adjacent heritage items?	There are no adjacent heritage items, however, the new works are of a low scale and sensitively sited within the park where they will be screened by retained vegetation. It is unlikely that views to and from any heritage items in the area will be impacted on by the works.

6 SUMMARY

This Statement of Heritage Impact (SoHI) has been prepared to accompany a Development Application (DA) for the site at No. 96 Chiswick Road, Auburn, New South Wales. This DA seeks consent for new prefabricated amenities and office buildings and a cafe.

The proposed works will have an acceptable impact on the 'Auburn Botanic Gardens' as all significant original built and landscape elements will be retained. The proposed works comprise lightweight prefabricated structures which can be easily removed at a later date if required with no permanent impact or damge to the hertiag item.. The structures are set into the site, are single-storey and will not have undue prominence in relation to the significant components of the heritage item.

The proposed works fulfil the aims and objectives of the *Cumberland LEP 2021* and the *Cumberland DCP 2021*.

7 REFERENCES AND DEFINITIONS

7.1 Definitions

Term	Meaning
Consent authority	The person or body with whose approval that act, matter or thing may be done or without whose approval that act, matter or thing may not be done.
Conservation	Conservation means all the processes of looking after a place so as to retain its cultural significance (as defined in *The Burra Charter*).
Development	The erection of a building, carrying out work, use of or subdivision of land.
Heritage significance	Term used in the assessment and understanding of heritage items that have significance in relation to their historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value.
Moveable heritage	A moveable object that is not a relic.
National Construction Code	A code that sets minimum requirements for design, construction and performance of buildings, as well as plumbing and drainage systems throughout Australia.
Relic	Any deposit, artefact, object or material evidence that is of state or local heritage significance.
Setting	The area around an item, which may include the visual catchment.
State Heritage Inventory	An online database containing heritage items and conservation areas on statutory lists in NSW. This includes the State Heritage Register and local government items.
State Heritage Register	The NSW State Heritage Register. A list of places and items of importance to the people of NSW. Only places of state heritage significance are listed on the State Heritage Register. The State Heritage Register protects these items and their significance.
State Heritage Register item	A term to describe a heritage item that is of state heritage significance and is listed on the State Heritage Register.

7.2 Documentary Evidence

7.2.1 General References

7.2.1.1 Guidelines

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7.2.1.2 General References

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7.2.1.3 Maps, Plans and Photographs

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Chisholm Estate (1883). State Library of New South Wales.

Parish Map of Liberty Plains (n.d.). NSW LPI.

Sketch Plan of the Auburn Botanic Gardens (1974). Cumberland City Council.

7.2.1.4 NSW LPI

Certificate of Title, Volume 2063-Folio 35.

Certificate of Title, Volume 2081-Folio 192.

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7.2.1.5 Planning Documents

Cumberland Development Control Plan 2021.

Cumberland Local Environmental Plan 2021.

DOCUMENTS ASSOCIATED WITH REPORT ELPP020/26

Attachment 4

Plan of Management for Auburn Botanic Gardens Precinct

Table of Contents

			Page
PREAMBLE			**4**
PART 1			**5**
1.1	Background and purpose of the Plan of Management 5		
1.2	Council's Land Management Goals		5
PART 2			**7**
2.1	Site Location and General Description		7
	Table 1-	Legal Description	7
	Map 1-	Land Inventory	
	Map 2-	Auburn Botanic Gardens Precinct and Themes	
2.2	Land Ownership and Restrictions to the Use of the Land		9
	Table 2-	Land Ownership	9
2.3	History of the Auburn Botanic Gardens		11
2.4	Physical Characteristics		13
	2.4.1 Geomophology		13
	2.4.2 Soils		13
	2.4.3 Climate		13
	2.4.4 Vegetation		14
	2.4.5 What is a Recovery Plan		15
	2.4.6 Fauna		16

Table of Contents

		Page
2.5	Built Form	17
2.6	Authorised Activities within the Auburn Gardens Precinct	17
2.7	Current Activities within the Botanic Gardens	21
2.8	Categorisation	21
	Map 3- Natural Area/Bushland	
2.8.1	Guidelines for Categorisation	23
PART 3		**25**
3.1	Background	25
3.2	Landscape Character	25
3.3	Access and Circulation	26
3.4	Structures and Services	26
3.5	Recreational Opportunities	27
3.6	Management	27
3.7	Maintenance	28
3.8	Environmental Controls	28
PART 4		**30**
4.1	Basis for Management	30
4.2	Management Objectives	31

Table of Contents

			Page
4.3	Policy, Implementation and Performance		34
	Table 3-	Landscape Character	36
		Access and Circulation	40
		Structure and Service	42
		Recreational Opportunities and Constraints	44
		Management	47
		Maintenance	50
		Environment	52
	Indicative Works Program		

APPENDIX A (Flora)

APPENDIX B (Fauna Survey)

APPENDIX C

- Auburn Botanic Gardens – Buildings /Structures

APPENDIX D

- Enhancement List

PREAMBLE

The production of a plan of management for the Botanic Gardens is an attempt to consolidate and clarify the immense range of issues associated with such a high profile area of public space. The plan explores the current character of the Gardens in terms of both past and present influences, and establishes clear direction for the future development and management of the Gardens in order to preserve and enhance its unique qualities.

This plan is divided into 6 parts:

Part 1 examines what a plan of management is, outlines the purpose and scope of this plan, explains the linkage between the plan of management and Council's land management goals and details the importance of community consultation in the planning process.

Part 2 indicates the location and extent of the Botanic Gardens, and examines the Garden's characteristics and resources.

Part 3 identifies and examines the major planning issues essential to an understanding of the overall directions of the plan of management. Current management policies and practices are also discussed.

Part 4 explores the philosophical basis for the plan of management. It details the significance of the Gardens and establishes objectives of management that guide policy development and formulation of a works program.

Part 5 is the implementation and performance component of the plan of management. A matrix sets out the objectives, proposed actions and performance indicators for each issue, with each issue being given a priority rating. An indicative works program further details the staging of all works and actions.

Part 6 contains the appendices as well as supporting material and background information that provides an important resource base.

PART 1

1.1 BACKGROUND AND PURPOSE OF THE PLAN OF MANAGEMENT

Plans of Management are important documents that provide clear guidelines for the effective short and long term management of all land owned by Council or under Council's control.

The rationale for the preparation of a plan of management for Auburn City Council comes from a desire to produce a consistent and useful set of guidelines for the management of public open space. Open space is an important component of the urban environment, for recreation and leisure, providing visual relief from urban form, whilst also functioning as a refuge for flora and fauna. Plans of management provide a framework within which managers of open space can develop a balanced response to current and future opportunities and pressures.

A plan of management identifies clear objectives and establishes directions for planning, resource management and maintenance. It establishes and clarifies Council policy and direction, both to Council staff and the general public. The plan of management provides a basis for assigning priorities in works programming and budgeting.

Auburn City Council previously adopted a Plan of Management for the Auburn Botanic Gardens. That Plan of Management was instigated by the Auburn Botanic Gardens Plan of Management working party, a group of Councillors and relevant Council Officers.

That Plan of Management required an annual review to assess implementation and performance, and a review after five years to allow policy and planning issues to be updated. This Plan of Management is a review of the original plan. This Plan also introduces requirements relating to threatened/vulnerable species/population and community identified under the Threatened Species Conservation Act, 1995.

1.2 COUNCIL'S LAND MANAGEMENT GOALS

The production of this plan of management is closely linked with Auburn City Council Management Plan, being the means by which a number of these objectives are achieved. Council's land management objectives as they apply to Auburn Botanic Gardens are as follows:

- To provide a network of public open space that:
  - meets, in the most cost-effective manner, the outdoor passive recreation/leisure needs of the local and wider community;
  - that positively contributes to the enhancement of landscape character;

- that is adequately maintained, safe and functional;

- To improve the natural environment where appropriate through the regeneration of remnant native bushland and the use of environmentally-friendly maintenance procedures;
- To maximise community benefits from limited financial resources.

PART 2

2.1 SITE LOCATION & GENERAL DESCRIPTION

The Auburn Botanic Gardens is an extensive area of public open space that is located 2.5 kilometres south west of Auburn GPO and 20 kilometres west of the city of Sydney. The Botanic Gardens encompasses an area of 13.1 Hectares and is bounded by Chisholm Road, residential properties in West Street, Duck River, Auburn City Council's Works Depot and Killeen Street.

This Plan of Management applies to land identified in Table 1.

Table 1 - Legal Description

Land Description	**Theme**	
• Lot 1 DP 222366 • Lot 12 & 36 Section 8 DP 7079	• Botanic Gardens • Botanic Gardens on west street	• Chiswick Road, Auburn
• Lot 7016 DP 93911	• Closed road	• Chiswick Road, Auburn
• Part Lots 1 DP 235351	• Aviary	• Chiswick Road, Auburn
• Part Lot 1 DP 938994 • Lots 26-29 DP 6713	• Community Picnic Area and Killen Street Carpark	• Killen Street, • Chiswick Road, Auburn
• Lot 2 DP 669013	• Council Works Depot	• Chiswick Road, Auburn
• Lot 2 DP 235351	• Kiosk, floral clock, toilets, Bonsai Garden, Fernery	• Chiswick Road, Auburn

The Botanic Gardens consists of nine (9) separate themes;

1. Japanese Lake & Hill
2. Central formal area containing the reflection pool and pergola, sunken rose garden and scented garden.
3. Woodlands Theatre
4. Australian Native Garden
5. Australian Rainforest
6. Aviary
7. Fauna Reserve
8. Bonsai Garden
9. Community Picnic Area & Barbecue Area adjacent to Duck River.

Four at grade carparks, parking for 300 vehicles which are located within the Botanic Gardens precinct. Vehicle access outside the existing road network is restricted within the Botanic Gardens, exceptions to these restrictions are Council's maintenance vehicles, emergency vehicles and vehicles transporting people with disabilities.

The location of the Auburn Botanic Gardens, and the separate themes is shown on maps 1 and 2.

2.2 Land Ownership and Restrictions to the Use of the Land.

The Local Government Act, 1993 requires Plans of Management for Community Land that is not owned by Council to:

a) identify the owner of the land, and

b) must state whether the land is subject to any trust, estate, interest, dedication, condition, restriction or covenant, and

c) must state whether the use or management of the land is subject to any condition or restriction imposed by the owner, and

d) must not contain any provisions inconsistent with any thing required to be stated by paragraph (a), (b), or (c).

Table 2 shows the ownership details of the Auburn Botanic Gardens Precinct.

Table 2 - Land Ownership

Land Description	Ownership
• Lot 1 DP 222366	• Minister administering the Environmental Planning and Assessment Act, 1979
• Lots 12 & 36 Section 8 DP 7079	• Auburn City Council
• Lot 7016 DP 93911	• Crown Land Government Gazette 2nd October, 1987
• Part Lots 1 DP 235351	• Auburn City Council
• Lot 1 DP 938994	• Auburn City Council
• Lots 26-29 DP 6713	• Auburn City Council
• Lot 2 DP 669013	• Auburn City Council
• Lot 2 DP 235351	• Auburn City Council

Auburn City Council does not own some of the land within the Auburn Botanic Gardens Precinct for example there are some Crown Land within the precinct.

Under the Local Government Act, 1993, Auburn City Council is not obliged to prepare Plans of Management for land to which the Crown Lands Act, 1989 applies.

Certain Crown Lands and private land not owned by a public authority are included in this Plan of Management for Council's management purposes. The provisions of Chapter 6 in regard to Community Land, of the Local Government Act, 1993 do not apply to these lands.

Some of the land not owned by Council are subject to trusts, estates, interest, conditions, dedications, restrictions or covenants imposed by the owner. This Plan of Management does not contain any provisions inconsistent with these trusts, estate, interest, dedication, condition, restrictions, conditions or covenant. Further, the Plan of Management does not contain any provisions that override any provisions, trusts, estate, interest, dedication, condition, restrictions, conditions or covenant imposed by the owner.

2.3 HISTORY OF THE AUBURN BOTANIC GARDENS

At a Council Meeting held on February 28, 1968, and in conjunction with a report by Mr E. W. Black, Engineer/Town Planner, concerning the need to use an area in the Duck River Open Space Zone for passive recreation and for intense landscaping activities, rather than for waste disposal purposes, Auburn City Council allocated the 9.5 hectares tract of land bounded by Chisholm Road, Chiswick Road and Duck River for the development of a botanic garden as a long term project. Mr E. W. Black was responsible for the concept and design of the gardens.

The area of land allocated contained a north-south easement, 6 metres wide, under the control of the Metropolitan Water Sewerage and Drainage Board. The easement, which divided the area into approximately two equal portions, became the main working access to the site, and was later to be designated the Avenue of Remembrance. The portion of land east of the 6 metre Water Board easement was traversed by a watercourse flowing westerly from Chisholm Road and also by a marshy type of watercourse flowing north from Chiswick Road. The latter watercourse crossed the western portion of the Japanese Garden Lake. A further area to the extent of 2 hectares, previously used for garbage disposal purposes and lying north of the main area was included in the project, to later become the site of the Woodland Theatre.

Initial construction work on the Botanic Gardens site commenced in 1969 and involved the excavation of the Japanese Gardens Lake.

On September 9, 1973, several hundred trees were planted in the Avenue of Remembrance, Garden of Trees and Woodland area during a Tree Planting Ceremony.

Further construction work and planting completed the eight main divisions of the complex - the Japanese Hill and Lake Garden, the central formal area containing the reflection pool and pergola, the sunken rose garden, the garden of trees, the scented garden, the air woodland theatre. Other features comprising plant nursery, glasshouse, fernhouse, administration room, kiosk, public toilets, ranger's cottage and floral clock were also completed.

His Excellency the Governor of New South Wales, Sir Roden Cutler, V.C., K.C.M.G., K.C.V.O., C.B.E., officially opened the Gardens on Sunday, September 11, 1977, at 3 p.m., watched by a huge crowd including local and visiting dignitaries.

Since the official opening, many couples have chosen the Japanese Garden as the venue for their marriage. The Woodland Theatre has been used for "Carols by Candlelight" at Christmas time and by local school children for various functions.

During 1978 trachyte setts and ornamental iron gates were used to make an attractive formal entrance to the Gardens. Electric barbeques were erected in the proposed picnic area to cater for the increasing patronage.

Recent years have seen:

A community picnic area at the southern end of the grounds and this covered facility enjoys maximum usage.

The introduction of the walk through Bonsai Garden which was established with the assistance of the Ryde School of Bonsai.

Installation of an aviary in conjunction with the Taronga Zoo Park Trust.

Construction of the Avenue of Remembrance.

Extended barbecue and picnic facilities, riverside walk and extensive landscaping.

2.4 PHYSICAL CHARACTERISTICS

2.4.1 GEOMORPHOLOGY

Auburn Botanic Gardens is located within the Sydney Basin a geological province characterised by sedimentary rocks, with some localised igneous activity. Metamorphic rocks are generally rare, with minor occurrences towards the edges of the basin. Overlying the deep Permia rock strata are the Triassic sediments. These dominate the geology of the basin and include the Wianamatta rock grouping.

The majority of the original Botanic Gardens precinct was mined for clay tile production early this century. The area was then used as a waste landfill site. The waste landfill site was subsequently filled with an area of soils from other areas. In turn these soils were excavated to form the hills and lake systems that now exist in the Auburn Botanic Gardens.

2.4.2 SOILS

The site occurs in the undulating, low hilly, wide valley; landscape known as the Cumberland Basin. The soil is of the Villawood series of the yellow podsoloic soil group which has developed under poorly drained conditioned in the shale landscape in past geological times. Also the yellow podsolic soil group has a poorly drained profile, an extremely highly clay and salt content and a very low coarse sand content. The soil is acid, has a pH below 5.5 and soluble salt content above 250 parts per million.

Extensive treatment of the soil profile was undertaken in order to reach the desired soil standard for growing a wide variety of native and exotic plants.

As mentioned above the site has been changed considerably over the years because of the nature of the soils on the site now (fill) it is difficult to give an accurate description. However, erosion has taken place on the mounded areas of the gardens.

2.4.3 CLIMATE

Westerly and north-westerly winds have a strong influence on the climate of Auburn. In particular westerly winds are dominant in the mornings during late autumn, winter and early spring. In summer, coastal north easterly winds are more likely to influence the climate.

The area receives an expected average rainfall of 930 mm with an average maximum of 23ºC and a minimum of 12.3ºC.

2.4.4 VEGETATION

The current vegetation of the Auburn Botanic Gardens precinct consists of a mix of indigenous native flora, ornamental flora, weed infestations, introduced lawn grasses and maintained garden areas of both native and exotic plants.

In the western boundary of the gardens there is a small pocket of indigenous plants *Melaleuca nodosa*, that have survived the mass earthworks that occurred when the gardens were constructed. This section has and will continue to be used for seed collection for future revegetation along Duck River.

All the natives have been chosen for their horticultural and educational value to the gardens, and the community.

Ornamental flora has been selected and sited to be in keeping with the different themes that are used through the Botanic Gardens.

Weed intensity varies throughout the site, with the majority being along the Duck River corridor, as they are carried down stream or blown across from the open space on the other side of Duck River.

A list of vegetation for the Auburn Botanic Gardens is partially complete (75%). It was prepared for the original Plan of Management and is attached and marked Appendix A.

Draft Recovery Plans have been prepared by National Parks and Wildlife Service which identifies *Acacia pubescens* (Vent.) R. Br. Fabaceae (Mimosoideae) (Downy Wattle) and Cooks River Clay Plain Scrub Forest and *Wahlenbergia multicaulis* (Tadgell's Bluebell) within the Auburn Botanic Gardens. The draft Recovery Plans also specifies actions to be undertaken by Council.

Acacia pubescens (Vent.) R. Br. Fabaceae (Mimosoideae) (Downy Wattle) is a spreading shrub 1-4m high with brilliant yellow flowers and bipinnate leaves and conspicuously hairy branchlets. It is mainly restricted to the Cumberland Plain, with recordings from Bardwell Valley to the Blue Mountains.

Acacia pubescens is listed as a vulnerable species on Schedule 2 of the New South Wales Threatened Species Conservation Act, 1995 and is also listed as a vulnerable species on Schedule 1 Part 2 of the Commonwealth Endangered Species Protection Act, 1992.

Cooks River Clay Plain Scrub Forest is listed as an endangered ecological community under Schedule 1 Part 3 of the Threatened Species Conservation Act, 1995. Cooks River Clay Plain Scrub Forest is an ecological community dominated by paperbarks such as *Melaleuca nodosa and M. decora*. It has a

structural form of open-forest to low woodland, generally with characteristics shrubby or scrubby understorey.

A population of *Wahlenbergia multicaulis* (Tadgell's Bluebell) is listed under Schedule 1 Part 2 of the Threatened Species Conservation Act, 1995. *Wahlenbergia multicaulis (*Tadgell's Bluebell) is a perrenial, tufted herb 10-75cm high, with blue flowers forming a tube 0.5-1.5mm long.

2.4.5 WHAT IS A RECOVERY PLAN

The Threatened Species Conservation Act, 1995 is New South Wales's legislative framework to protect and encourage the recovery of vulnerable/threatened species, populations and communities. The Threatened Species Conservation Act, 1995 requires the Director – General of National Parks and Wildlife to prepare Recovery Plans for Species populations and ecological communities listed as endangered or vulnerable on the Threatened Species Conservation Act schedules.

Further, under the Local Government Act, 1993, land is directly affected by a recovery plan only if the plan concerned requires measures specified in the plan to be undertaken by Council on or in respect of the land.

Draft Recovery Plans being prepared by National Parks and Wildlife Service has identified *Acacia pubescens* (Vent.) R. Br. Fabaceae (Mimosoideae) (Downy Wattle) and Cooks River Clay Plain Scrub Forest and *Wahlenbergia multicaulis* (Tadgell's Bluebell) within the Auburn Botanic Gardens. The draft Recovery Plans also specify actions to be undertaken by Council.

The Threatened Species Conservation Act, 1995 also requires government agencies not to undertake actions inconsistent with a Recovery Plan.

Auburn City Council is supportive of the draft Recovery Plans (although draft documents) and has included all relevant objectives and actions specified in the draft Plan in this Plan of Management.

Auburn City Council will also continue to consult with the National Parks and Wildlife Service to manage threatening processes so as to agate, ameliorate or eliminate adverse effects and support and promote the recovery of the endangered species, population, community to a position of viability in nature.

2.4.6 FAUNA

To complement the aesthetic and educational components of the selected vegetation, within the Botanic Gardens, a number of species were introduced in the fauna area;

1. Fauna Reserve
2. Aviary
3. Uninhibited fauna that roam the Botanic Gardens
4. Migrating bird life

The Fauna Reserve is a built structure that allow the public to walk through and view native animals within their own environment. The fauna reserve was opened in 1994 and is an excellent educational tool for the Auburn Community and regional visitors.

The Aviary is a built structure that displays bird life from asian regions. It is widely visited and provides both aesthetic and educational value.

A number of fauna species roam the Botanic Gardens environment, which adds to the different themes of the Botanic Gardens. The two main congregation areas occur at the Japanese Lake and the Billabong.

It has been noted that migrating birds also frequent the Botanic Gardens.

A fauna survey has been conducted and is attached marked Appendix B.

2.5 BUILT FORM

There are a number of buildings within the Auburn Botanic Gardens precinct. A comprehensive list is attached marked Appendix C. The more significant buildings include;

- Fauna Reserve
- Aviary
- Kiosk
- Bonsai Garden
- Community Picnic Area
- Amenities
- Woodland Theatre

The architectural features of the built environment, although varied in style are generally of a high quality and consistent with the surrounding themes of the area.

2.6 AUTHORISED ACTIVITIES WITHIN THE BOTANIC GARDENS PRECINCT

In accordance with the Local Government Act 1993, the following are authorised by this Plan of Management:

a) Leases, and licences or granting of estates.

The Local Government Act, 1993 requires any leases and licences or granting of estates of Community Land to be authorised by a Plan of Management.

This Plan of Management expressly authorise Council to enter into a lease or licence with any person or organisation or entity for the use or occupation of part of or the whole of the subject land affected by this Plan of Management. The lease or licence or estate may be granted for any purpose that is consistent or ancillary to the objectives of the Plan of Management and in compliance with Chapter 6 of the Local Government Act, 1993.

Leases and licences or granting of estates, are to be granted in accordance with the requirements of the Local Government Act 1993 as amended, as prescribed in the Local Government Regulations and in accordance with any leasing, licensing and or hire policy or plan adopted by Auburn City Council.

Community Land cannot be leased or licenced or any other estate granted over the land for more than twenty-one (21) years. Leases and Licences for more than five (5) years are allowed after community consultation.

b) Use or hire of the site with the consent of Council.

Council may grant consent to use or hire of the site in accordance with the objectives of this Plan of Management, the requirements of the Local Government Act 1993 as amended, as prescribed in the Local Government General Regulations and in accordance with any leasing, Licensing and or hire policy or plan adopted by Auburn City Council.

Use of the site should also be consistent with the provisions of any environmental planning instrument, deemed environmental planning instrument or development control plan or policy adopted by Auburn City Council and the Environmental Planning and Assessment Act, 1979 as amended.

c) Development of Community Land with the consent of Council.

The Threatened species Conservation Act, 1995 amendments to the Environmental Planning and Assessment Act, 1979, requires that consent and determining authorities consider relevant recovery plans when assessing applications under Parts 4 & 5 of the Environmental Planning and Assessment Act, 1979. Consent and determining authorities when considering any development or activity which may threatened species/population/community must consider the conservation strategy outlined in a Recovery Plan.

Development of Community Land and construction of buildings, structures and facilities are to be consistent with the objectives of this Plan of Management and the provisions of any environmental planning instrument, deemed environmental planning instrument or development control plan adopted by Auburn City Council. Development of Community Land should also be consistent with the requirements of the Environmental Planning and Assessment Act, 1979 as amended.

Section 47E of Chapter 6 the Local Government Act, 1993, as amended, makes provisions relating to development of Community Land.

Council will consider the preparation of a Plan of Management to address development proposals that have the potential to significantly affect the environment and or cause interference to the existing and future amenity of adjoining occupations, surrounding areas and or the neighbourhood in general.

d) Use of Land for drainage purposes.

Provision of drainage easements in favour of upstream properties, subject to the following conditions:

- the easement is situated to the park's boundaries;
- appropriate compensation is sought for the easement burdening the park;
- the drainage easement shall not interfere with the use of the park;
- the stormwater pipe within the easement shall have a 1 in 100 year capacity;
- the stormwater pipe within the easement shall be constructed to Council's standards and specifications;
- all costs associated with the creation of the drainage easement shall be borne by the applicant; and
- the drainage easement shall be granted at the discretion of Council.

e) Construction and or dedication as public road in accordance with the objectives of this Plan of Management and with Council consent.

The Local Government Act, 1993 requires that community land may not be dedicated as a public road under the Roads Act, 1993 unless :

i) the road is necessary to facilitate enjoyment of the area of community land on which the road is to be constructed or any facility on that land, and

ii) Council has considered means of access other than public road access to facilitate that enjoyment, and

iii) there is a Plan of Management applying to the land concerned and provision of a public road is expressly authorised by the Plan of Management.

The following are exempt from the above provision:

i) dedication of land for the purpose of widening an existing public road, or

ii) dedication of land for the purpose of other road works of minor character authorised by the Plan of Management applying to the land, in respect of existing roads or roads, or

iii) dedication of land for the purpose of a road that is subject to an order under Division 1 of Part 5 of the Roads Act, 1993.

f) Fees and Charges for use of the Auburn Botanic Gardens.

Fees and charges shall be in accordance with the fees and charges specified in Council's annual Management Plan. Net proceeds should be used towards the general purpose and management of the Auburn Botanic Gardens.

g) Any activity or purpose which is consistent with the objectives of this Plan of Management, the Local Government Act, 1993, Environmental Planning and Assessment Act, 1979, deemed environmental planning instrument, environmental planning instrument and development control plan adopted by Auburn City Council.

2.7 CURRENT ACTIVITIES WITHIN THE BOTANIC GARDENS

The Auburn Botanic Gardens accommodates a range of recreational experiences. These include:

- Access pathways used for activities such as walking and jogging.
- The gardens being are used as a backdrop for wedding photographs and other filming.
- Family and social gatherings at the Community Picnic Area and barbecue facilities that are provided.
- School exercises for educational purposes.
- Many visitors to the gardens come to enjoy the surrounds of the well-kept gardens.

2.8 CATEGORISATION

All land owned by or under the control of Council (known as Public Land) is classified as either "Community" Land or "Operational" Land. This is a requirement of the Local Government Act 1993.

The essential difference between the two classifications is that Community Land is subject to restrictions as to how Council may lease or sell the land. Operational land is not subject to such restrictions. Community Land is primarily made up of Council's open space areas.

The Local Government Act 1993 require Community Land to be categorised as one or more of the following:

(a) a natural area;

(b) a sportsground;

(c) a park;

(d) an area of cultural significance;

(e) general community use.

The Auburn Botanic Gardens is categorised as a "Natural Area" and a "Park".

The Local Government Act 1993 requires natural areas to be further categorised as one or more of the following:

(a) bushland;

(b) wetland;

(c) escarpment;

(d) watercourse

(e) foreshore; and/or

(f) a category prescribed by the regulations to the Act.

The Auburn Botanic Gardens is further categorised as "Bushland" and "Foreshore".

Other lands covered by this Plan of Management within the precinct are separately categorised under the Plans of Management for Parks, General Community Use and Sportsgrounds.

Map 3 shows the Natural Area/Bushland.

2.8.1 GUIDELINES FOR CATEGORISATION

The following are explanations and guidelines for categorisation.

a) "Natural Area" and "Bushland".

Section 36B of the Local Government Act, 1993 provides that community land, all or part of which is directly affected by a recovery plan or a threat abatement plan under the Threathened Species Conservation Act, 1995 must be categorised as a natural area.

The Auburn Botanic Gardens contain Acacia pubescens (Vent.) R. Br. Fabaceae (Mimosoideae) (Downy Wattle), Cooks River Clay Plain Scrub Forest and Wahlenbergia multicaulis (Tadgell's Bluebell).

Draft Recovery Plans have been prepared by the National Parks and Wildlife Service for *Acacia pubescens* (Vent.) R. Br. Fabaceae (Mimosoideae) (Downy Wattle), Cooks River Clay Plain Scrub Forest and *Wahlenbergia multicaulis* (Tadgell's Bluebell). The recovery objectives and issues are included in this Plan of Management.

Acacia pubescens (Vent.) R. Br. Fabaceae (Mimosoideae) (Downy Wattle) is listed on Schedule 2 of the New South Wales Threatened Species Conservation Act, 1995 and listed on Schedule 1 Part 2 of the Commonwealth Endangered Species Protection Act, 1992.

Cooks River Clay Plain Scrub Forest is listed as an endangered ecological community under Schedule 1 Part 3 of the Threatened Species Conservation Act, 1995.

A population of Wahlenbergia multicaulis (Tadgell's Bluebell) present in the Auburn Botanic Gardens, is also listed under Schedule 1 Part 2 of the Threatened Species Conservation Act, 1995.

Further, Section 36A of the Local Government Act, 1993 also provides that Community Land that is a site of a known natural, scenic or contains other feature that is considered by Council to warrant protection or special management considerations, or that is a site of a wildlife corridor, must be categorised as a natural area.

In addition, the vegetation of the Auburn Botanic Gardens consists of a mix of indeginous native flora and exotic plants. The flora is representative of the structure or floristics of the natural vegetation of the locality.

b) a "Park", because the Auburn Botanic Gardens is used for passive, social, educational and cultural pursuits that do not unduly intrude on the peaceful

enjoyment of the land by others and is proposed to be improved by landscaping.

c) a “Foreshore” because it is a natural area which is situated on the edge of Duck River and forms a transition zone between the aquatic and terrestrial environment.

PART 3

3.1 BACKGROUND

A usage survey has revealed that the Auburn Botanic Gardens receives between 200,000 to 250,000 visitors per year, with over 70% of visitors coming from outside the Auburn Local Government area. These figures confirmed Council's belief that the Auburn Botanic Gardens is a regional facility and as such should be managed as a regional facility.

3.2 LANDSCAPE CHARACTER

The existing landscape character of the Auburn Botanic Gardens has evolved since its conception in 1968. It is important to monitor and manage the physical and social influences, so as those contributing to desirable landscape characteristics may be retained and enhanced and those negatively influencing landscaping quality may be identified and removed.

A review of the landscape character has identified that in recent years the original intent of the Botanic Gardens and in particular the Japanese Gardens has been overlooked. It is important to retain the original intent of the gardens and plans will be introduced to achieve this objective. A search of Council's files uncovered systematic drawings that represent the original intent.

The original intent of the Japanese Gardens was a more open arrangement, in which the vegetation was sparse and more reflective of a Japanese setting.

Vegetation is a major variable influencing landscape character. It is recognised that the Botanic Gardens is a regional educational facility which requires careful selection of fauna that compliment the theme of the individual sections.

3.3 ACCESS & CIRCULATION

The provision of adequate access, as well as design and arrangement of an appropriate circulation system is an important issue affecting the way the Auburn Botanic Gardens precinct is utilised. Nearly 80% of the visitors travel by private vehicles with over 1,500 vehicles per week seeking parking spaces. Council has four dedicated carparking areas which cater for 300 vehicles. It is clear that with further marketing of the gardens there will be excess vehicles during the peak times, which will inevitably overspill into the residential areas.

An integrated transport system needs to be adopted which encourages and incorporates rail and bus links, private tourist coaches and residential parking zones which deter overflow parking.

The current level of access provisions for disabled persons is considered good. Council conducted an Access Audit of the Botanic Gardens in 1997 which identified a number of accessibility issues which needed to be upgraded. The principles of the Access Audit are taken into serious consideration when undertaking access and circulation works, thus ensuring the Botanic Gardens is accessible to all sections of the community.

3.4 STRUCTURES & SERVICES

Unless adequately designed and sited, structures within open space areas can be significantly intrusive. Whilst existing buildings within the Auburn Botanic Gardens precinct are generally architecturally sound, any further building works or improvements to these structures should aim to maintain compatibility with the surrounding landscape character.

Safety considerations are paramount when dealing with the upkeep of children's play facilities. The playground structure at the Botanic Gardens is generally well utilised and is in good condition. It is important that these facilities be managed in such a way that it continues to be a safe, functional and an attractive facility.

Effective directional and interpretation signage within an open space area can assist user circulation and enrich the general recreational experience. User surveys and the Access Audit stated in the original Plan of Management identified a degree of dissatisfaction with the extent and nature of signage present. Existing signage has been developed in an adhoc fashion and whilst, generally they are in good condition, lacks consistency and functionality. The extensive nature of the Botanic Gardens precinct warrants a comprehensive signage system both internal and external to the gardens. Directional/interpretive signage has been partially installed. This system is informative, unobtrusive and sympathetic to the landscape character of the Botanic Gardens and rationalise the existing signage. Nevertheless, user surveys will further ensure that the level of community satisfaction with the signage.

Given the regional significance of the Botanic Gardens the original Plan of Management required an investigation into the feasibility of erecting an Information Centre. The Information Centre would service residents, regional communities and educational institutions. An information centre has been erected at the entrance to the Japanese Gardens.

3.5 RECREATIONAL OPPORTUNITIES & CONSTRAINTS

The popularity and quality of the Auburn Botanic Gardens can lead to competition between the various user groups for available open space and prime features. In keeping with the Gardens regional status as a significant open space facility, it is important that a range of recreational opportunities are catered for.

Funding is both an opportunity and constraint to the management and objectives of the Botanic Gardens. Opportunities such as maximising grant funding sponsorship user pay schemes, hire fees, leasing, admission fees need to be pursued to ensure the Botanic Gardens have adequate funding to grasp the opportunities and achieve the objectives of this plan of management.

Marketing and promotion of the Botanic Gardens is seen as a key component to ensure the area remains a regional facility. Given the current levels of expenditure by Council it is important that greater levels of the local community are aware and visit the Botanic Gardens. Regional promotion and sensible pricing policies can see the costs burden spread more evenly.

Major constraints to the viability of the Botanic Gardens are the funding levels, the retention of adequate staffing levels and expertise, Council's Works Depot, vandals that harass staff and the public and damage to the environment, competition from Millennium Park and transport routes. The challenge for management is to adequately address and ensure these constraints revert to opportunities for the Botanic Gardens.

3.6 MANAGEMENT

Current management has focused on achieving an acceptable standard of maintenance for the various sections of the Auburn Botanic Gardens precinct. This plan of management seeks to achieve a holistic approach to the long term care of the Botanic Gardens. The incorporation of community participation in the planning process is also an important management tool. Whilst some surveys of the Botanic Gardens have been carried out these have tended to be limited in scope.

Education is considered an essential element of the Botanic Gardens and as such shall form an integrated part of the management structure and philosophy.

Management need to develop programs for local schools and provide the educational components of the Botanic Gardens on a regular basis.

Monitoring of management systems is important to ensure their effectiveness in both the short and long term. This plan of management will assist the implementation of monitoring programs (refer indicative work program) to review issues such as environmental parameters, management of vulnerable endangered species populations/communities, recreation usage levels and quality of maintenance.

3.7 MAINTENANCE

The need for ongoing maintenance is an important issue which influences not only landscape character but also affects general safety levels. The effectiveness of maintenance is a function of a number of factors including the type and extent of machinery available, the level of experience and expertise of personnel, and the frequency of each operation. Efficient maintenance practices allow cost savings to be made, permitting funds to be redirected to other important areas. Whilst a full analysis of maintenance activities is outside the scope of this study, Section 5 seeks to address the key issues.

3.8 ENVIRONMENTAL CONTROLS

Pollution in any form is detrimental to the quality of life. In the context of an open space area, the presence of pollution detracts from the overall recreational experience, affecting landscape character, restricting freedom of movement and sometimes endangering health.

Urban run-off and fertilisers are the most prevalent pollutants at the Botanic Gardens. Urban run-off is a particular problem as the Botanic Gardens precinct flow-paths are channelled to Duck River, and Council then uses the water from Duck River for irrigation and water supply. A sedimentation pond has been installed in this loop to assist in reducing the cycle of pollutants.

Water quality and usage are major issues that need to be addressed through management systems, testing and monitoring. Water quality assists the liveability of the fauna and improve the appearance of the Botanic Gardens water features. Measures such as provision of a solid base in the water ponds would improve the water quality and need to be investigated.

Given that, the Botanic Gardens is considered a wildlife haven, the current guidelines of no domestic animals being permitted within the Auburn Botanic Gardens precinct should be maintained.

PART 4

4.1 BASIS FOR MANAGEMENT

The primary aim of the Auburn Botanic Gardens Plan of Management is to provide guidelines for future use, development, management and maintenance of the Botanic Gardens. Auburn Botanic Gardens is a valuable resource, serving the recreational needs of both local residents and the regional community; providing refuge for a variety of flora and fauna; whilst contributing to the educational needs of the local school network.

This Plan of Management also aims to ensure that the management decisions made which affect any vulnerable, threatened and or endangered populations/communities are consistent with the objectives of this Plan of Management and any Recovery Plan and or Threat Abatement Plan.

It is the responsibility of management to maximise the potential of this important area of open space, ensuring the gardens are adequately maintained, that it continues to cater for a range of activities, conflicts between user groups are kept to a minimum, and that any future enhancements of the gardens be compatible with the desired landscape character in each section.

Management should carefully consider the relationship of the Botanic Gardens to other regional facilities, and attempt to minimise any adverse inter-relationships between these areas. Management must also be responsive to the changing needs of the community and users, and the plan of management must have the scope and flexibility to incorporate and take advantage of future requirements and changing needs as they arise.

4.2 MANAGEMENT OBJECTIVES

Based on a review of legislative requirements, community needs and expectations, and the values and assets of Auburn Botanic Gardens the following broad objectives have been identified:

- To manage the Botanic Gardens in accordance with the overall objectives of the Auburn City Council Management Plan.
- To define, promote and maintain an appropriate landscape character for defined parts of the Botanic Gardens.
- To provide for a range of recreational activities commensurate with the gardens capacity as a significant open space resource.
- To facilitate an understanding and awareness of the educational and environmental values of the Botanic Gardens.
- To manage and promote the Botanic Gardens as a regional facility.
- To ensure the long term financial viability of the Botanic Gardens.
- To manage the playground area in accordance with the service levels outlined in the Auburn City Council Management Plan.
- To manage stormwater in accordance with the principles of Total Catchment Management.
- To ensure a standard of maintenance is achieved in order to maintain the natural state and setting and preserve a desirable landscape character over the range of different areas within the Botanic Gardens.
- To provide for public safety.
- To actively encourage community participation in the ongoing management of the Botanic Gardens.
- To provide for community use of and access to the land in such a manner as will minimise and mitigate any disturbance caused by human intrusion.
- To ensure the plan of management is flexible and able to evolve with changing community attitudes.
- To control and restrict the spread of feral plant and animal populations within the Botanic Gardens.
- To provide the means for a safe and efficient access and circulation network to and within the Botanic gardens.
- To reduce the extent of existing and potential pollution in the Botanic Gardens.
- To assist in and facilitate the implementation of any provisions restricting the use and management of the land that are set out in a

recovery plan or threat abatement plan prepared under the Threatened Species Conservation Act 1995.

- To conserve biodiversity and maintain ecosystem function in respect of the Auburn Botanic Gardens including it as the habitat of *Acacia pubescens* (Vent.) R. Br. Fabaceae (Mimosoideae) (Downy Wattle), Cooks River Clay Plain Scrub Forest and *Wahlenbergia multicaulis* (Tadgell's Bluebell).

- To provide for the restoration and regeneration of the bushland and Auburn Botanic Gardens.

- To encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities.

- To provide for passive recreational activities or pastimes and for the casual playing of games.

- To retain and enhance the cultural significance of the Auburn Botanic Gardens (namely its historical, aesthetic, technical, research and social significance) for past, present and future generations by the active use of conservation methods; such as :

  (i) continuous protective care and maintenance of the physical material of the Auburn Botanic Gardens and any buildings;

  (ii) the adaptive reuse of the land and any buildings. That is the enhancement or reinforcement of the cultural significance of the land by the introduction of sympathetic alterations or additions to allow compatible uses (that is uses that involve no changes to the cultural significance of the physical material of the area, or uses that involve changes that are substantially reversible or changes that require a minimum impact);

  (iii) the preservation of the land or any buildings. That is the maintenance of the physical material of the land in its existing state and retardation of deterioration of the land and any buildings.

- To ensure the ongoing ecological viability of the Auburn Botanic Gardens by protecting the ecological biodiversity and habitat values, the flora and fauna (including invertebrates, fungi and micro-organisms) and other ecological values.

- To protect the aesthetic, heritage, recreational, educational and scientific values of the Auburn Botanic Gardens.

- To promote the management of the Auburn Botanic Gardens in a manner that protects and enhances the values and quality of the land and facilitates public enjoyment, and to implement measures directed to minimising or mitigating any disturbance caused by human intrusion.

- To protect existing landforms such as natural drainage lines, watercourses and foreshores.

- To retain bushland in parcels of a size and configuration that will enable the existing plant and animal communities to survive in the long term.

- To protect bushland as a natural stabiliser of the soil surface.

- To maintain the foreshore as a transition area between the aquatic and the terrestrial environment and to protect and enhance all functions associated with the foreshore's role as a transition area.

- To facilitate the ecologically sustainable use of the foreshore and to mitigate impact on the foreshore by community use.

- To enhance the use of this community asset for the active/passive recreational, aesthetic, environmental and cultural benefit of the community, including non-residents.

These objectives have been used in the subsequent management issues to guide policy development and formulation of the action plan.

4.3 POLICY, IMPLEMENTATION AND PERFORMANCE

The means by which Council proposes to achieve the objectives and performance targets and the manner of assessing its performance in respect to the objectives and performance targets, are detailed in Table 3 of this Plan of Management.
The policies established in this plan provide the framework for management consistent with anticipated availability of resources and anticipated community trends.

A list of issues to manage Cooks River Clay Plain Scrub Forest Community including the relevant issues identified in the Endangered Cooks River Clay Plain Scrub Forest & *W. maulticaulis* draft Recovery Plan are listed against the objectives.

These issues identified in the draft Endangered Cooks River Clay Plain Scrub Forest Community & Endangered *W. maulticaulis* population Recovery Plan include:

- Level of understanding. For example, the ecosystem function and the relative importance of the ecological processes are not well understood. There is no baseline from which to determine the characteristic structural or floristic components.

- Threatening processes:

  - habitat loss (eg. through clearing and fragmentation. Fragmentation increases the abundance of defoliating insects, genetically isolate populations of species which may result in the loss of genetic diversity and fitness and reduces seed set by reducing abundance of pollinating agents).

  - habitat degradation (eg. through weed invasion, seed collection, unsuitable fire management regimes, dumping of rubbish and other material, mechanical damage, recreational use, effects from adjacent land use, inappropriate bush regeneration practices and lack of awareness).

The priority ratings outlined on the following pages are subject to the availability of necessary staff and funds, and may require modification if special circumstances arise.

Codes used to define priorities in the following matrix:

ST	(Short Term)	-	Action completed within 2 years
MT	(Medium Term)	-	Action completed within 2-4 years
LT	(Long Term)	-	Action commenced after 4 years *
O	(Ongoing)	-	Action is carried out on a regular basis for the life of this plan of management
C	(Commenced)	-	Action has commenced
CP	(Completed)	-	Action has been carried out

*** Note:**

This plan of management is designed to be relevant for a 5 year period, and to be extensively reviewed and updated at the end of this time. As defined by this document, long-term projects are those which are scheduled for commencement but not completion within the life of this plan.

Review of the management strategies will ensure their relevance and consistency with the recovery of Cooks River Clay Plain Scrub Forest Community, changing community expectations and budgetary constraints.

Implementation of on ground works will assist in slowing down habitat degradation and lead to the enhancement of the Cooks River Clay Plain Scrub Forest Community. It is important that National Parks and Wildlife Service be consulted on relevant matters relating to conservation and management of the ecological community.

Table 3
LANDSCAPE CHARACTER

Management Issue	Objectives & Performance Targets	Means of Achievement	Comments	Priority	Manner of Assessment	References
• Vegetation.	• To preserve & enhance appropriate existing vegetation. • To conserve biodiversity and maintain ecosystem function in respect of the Auburn Botanic Gardens.	• Preserve, maintain & enhance habitat for native flora, ornamental flora, lawns, revegetation sites, etc.	• Appendix A has list of fauna.	O	• Annual flora and fauna survey.	
	• To control noxious & environmental weeds in the Botanic Gardens. • To provide for the restoration of degraded bushland and regeneration of the Auburn Botanic Gardens.	• Develop & implement programs of weed control & removal using methods such as spot spraying, hand pruning & cutting.		C/O	• Reduction in level of weeds.	
• Aesthetics.	• All new plantings to enhance the existing landscape character & aesthetic of the Botanic Gardens. • To continuously protect, care and maintain the physical material of the land and buildings. • To protect the aesthetic, heritage, recreational, educational and scientific values of the land.	• To plant & establish the appropriate flora that is in keeping with the individual themes areas of the Botanic Gardens.		O	• User surveys.	

Table 3
LANDSCAPE CHARACTER

Management Issue	Objectives & Performance Targets	Means of Achievement	Comments	Priority	Manner of Assessment	References
• Threatened Species Management.	• To assist in and facilitate the implementation of any provisions restricting the use and management of the land that are set out in a recovery plan or threat abatement plan prepared under the Threatened Species Conservation Act, 1995. • To ensure that any planning and management decisions that are made which affect any threatened species are made in accordance with the objectives of the Recovery Plan for that species. • To ensure that the threatened species / population / community occurring in the Auburn Botanic Gardens are protected from habitat loss and managed for conservation. • Conservation of species is facilitated through appropriate planning and management decisions.	• Investigate a research program into currently unknown aspects of the species / population / community and a threat and habitat management program. (eg. population dynamics, breeding system, fire ecology, distribution, biology, ecology and health). • Maintain data base on species and seed collection. Identify and reduce existing and potential threats (eg. weed invasion, hybridisation and reducing access to sites). • Monitor populations on a regular basis to assess effectiveness of threat and habitat programs. • Develop awareness and involvement of the broader community in the species and its conservation. • Development consents in the vicinity of populations is sensitive to the species.	• Draft Recovery Plans for *Acacia pubescens* (Vent.) R. Br. Fabaceae (Mimosoideae) (Downy Wattle), Cooks River Clay Plain Scrub Forest and *Wahlenbergia multicaulis* (Tadgell's Bluebell).	LT	• Staff Training. • Investigations and surveys carried out. • Number of species/ ecological community.	• National Parks and Wildlife.

Table 3
LANDSCAPE CHARACTER

Management Issue	Objectives & Performance Targets	Means of Achievement	Comments	Priority	Manner of Assessment	References
• Threathened Species Management.	• To reverse the degrading processes and trends of loss and fragmentation. • To regenerate and revegetate bushland areas.	• Develop best management guidelines for ecological restoration in consultation with National Parks and Wildlife and other relevant public authorities. • Investigate and monitor distribution of threatened species/populations/community. • Prepare, where necessary, environmental planning instruments which avoid and minimise impacts on species.		LT		
• Intent.	• To achieve the original intent of the Botanic Gardens. • To maintain the Auburn Botanic Gardens in its natural state and setting. • To retain and enhance the cultural significance of the Auburn Botanic Gardens for past, present and future generations by active use of conservation methods.	• To implement measures that ensure the original intent of the Botanic Gardens is achieved.	• Schematic drawings of the Japanese Gardens have been sourced.	ST	• Original intent of Botanic Gardens is achieved.	

Table 3
LANDSCAPE CHARACTER

Management Issue	Objectives & Performance Targets	Means of Achievement	Comments	Priority	Manner of Assessment	References
• Fauna Management.	• To preserve, maintain & enhance the range of fauna within the Botanic Gardens. • To conserve biodiversity and maintain the ecosystem function in respect of the Auburn Botanic Gardens. • To retain the bushland in parcels of a size and configuration that will enable the existing plant and animal communities to survive in the long term. • To ensure ongoing ecological viability of the Auburn Botanic Gardens by protecting the ecological biodiversity and habitat values of the land the fauna of the land.	• Maintain & preserve fauna habitats within the Botanic Gardens.		O	• Number of species at Botanic Gardens.	
		• Maintain & enhance fauna exhibits.	• Include Koala & Wombat enclosures in Fauna Park. Investigate feasibility of Australian Bird display in Aviary.	ST/O	• User satisfaction.	

Table 3
ACCESS & CIRCULATION

Management Issue	Objectives & Performance Targets	Action	Comments	Priority	Manner of Assessment	References
• Access to & within the Botanic Gardens.	• Provide a safe & secure access & circulation to & within the Botanic Gardens. • To provide for the community use of and access to the land / buildings in such a manner as will minimise and mitigate any disturbance to vulnerable threatened species / population / community, caused by human intrusion.	• Identify unsafe & non-secure pathways. • Manage access and rationalise tracks using barriers, fences for areas containing vulnerable, threatened species / population / communities.		ST/O	• Monthly inspections.	
		• Plan & prioritise corrective pathway works.		ST	• Pathway works strategy.	
	• Ensure the principles & recommendations of the Access Audit 1997 are addressed.	• Implement the recommendations of the Access Audit 1997.		MT	• Review of Access Audit implementation plan.	

Table 3
ACCESS & CIRCULATION

Management Issue	Objectives & Performance Targets	Action	Comments	Priority	Manner of Assessment	References
• Transportation.	• To provide an integrated transport system for the community to access the Botanic Gardens.	• Establish frequent bus links from railway stations to the Botanic Gardens.	• Seek support from State Transit Authority & private bus companies.	ST	• Commence discussions with State Transit Authority and private bus companies.	
		• Encourage tourist coaches to include the Botanic Gardens on their itinerary.	• Investigate incentives for the coach operators & visitors.	O	• Commence discussions with tourist coach operators.	
	• To maintain the amenity of the local community.	• Provide vehicle, coach and bicycle parking at the Botanic Gardens and not in residential streets.	• Ensure all carspaces are available at peak times. Investigate coaches parking in Depot. Install additional bicycle racks.	ST	• Provision of available vehicles spaces.	
		• Investigate the feasibility of a residential parking scheme.	• Seek comments from the effected residents.	O	• Surveys undertaken.	

Table 3
STRUCTURE & SERVICE

Management Issue	Objectives & Performance Targets	Action	Comments	Priority	Manner of Assessment	References
• Signage.	• Provide effective and consistent signage for the Botanic Gardens.	• Co-ordinate all signage in Botanic Gardens.		ST	• Investigation complete. Feasibility assessed.	
		• Identify signage which needs upgrading, and identify areas where additional signage is required.		ST	• Areas requiring additional signage identified & listed.	
	• Provide effective and consistent signage for transport routes to the Botanic Gardens.	• Identify and install the appropriate transport route signage.	• Seek approval from the relevant authorities.	ST		
		• Update community information boards.		O		

Table 3
STRUCTURE & SERVICE

Management Issue	Objectives & Performance Targets	Action	Comments	Priority	Manner of Assessment	References
• Enhancements.	• To provide necessary enhancements that are well sited and visually compatible with the landscape character of the Botanic Gardens. • To adaptively reuse the land and any buildings by enhancing the land and any buildings of the land by the introduction of sympathetic alterations or additions to allow compatible uses.	• Compile an inventory of existing built structures and park furniture located within the Botanic Gardens precinct.		ST	• Inventory complete.	
	• To provide the necessary park furniture to meet the needs of the users.	• Develop a works program of the enhancements outlined by the Botanic Gardens Plan of Management Working Party.	• Botanic Gardens Working Party enhancement list is outlined in Appendix.	ST	• Works Program complete.	
		• Identify community needs.	• Recreation surveys of Botanic Gardens users.	O	• Surveys completed and list of users requirements produced.	

Table 3
RECREATIONAL OPPORTUNITIES & CONSTRAINTS

Issue	Objectives & Performance Targets	Means of Achievement	Comments	Priority	Manner of Assessment	References
• Service.	• Determine the feasibility of a Community Information Centre.	• Investigate customer response & costings of an Information Centre at the Botanic Gardens.		LT	• Report feasibility to Council.	
• Sponsorship.	• To provide a sponsorship program for the Botanic Gardens area.	• Develop a strategy for sponsorship of animals in the fauna park and the remainder of the Botanic Gardens.	• Provide fact sheets, plaques & determine costs of sponsorship strategies.	ST-MT	• Provision of integrated sponsorship strategy.	
• Pricing.	• To ensure a pricing structure is adequate to cater for the maintenance and capital requirements of the Botanic Gardens.	• Formulate a pricing structure for visitors, cars and buses.	• No charge shall be applied to Auburn residents and school groups	ST	• Pricing structure implemented.	
		• Establish an audit and monitoring process for the implementation of the pricing structure.		ST		
		• Investigate alternative payment options.	Use of smart cards or pre-paid tickets will reduce cash transactions.	ST		

Table 3
RECREATIONAL OPPORTUNITIES & CONSTRAINTS

Issue	Objectives & Performance Targets	Means of Achievement	Comments	Priority	Manner of Assessment	References
• Marketing and Promotion.	• To market and promote the Botanic Gardens as a regional facility.	• Utilise the most suitable and cost effective medium to market and promote the Botanic Gardens.	• Eg. Advertising at cinemas, radio stations, newspapers, tourist journals, community notice boards, etc.	ST	• Usage rates at the Botanic Gardens. • Advertising at Reading Cinema.	
		• Identify activities within the Botanic Gardens that promote the gardens.	• Eg. Noodle markets, jazz bands, herb markets, etc.	MT		
• Grants.	• To maximise funding opportunities for the Botanic Gardens.	• To actively seek and apply for grants for the Botanic Gardens.		O		

Table 3
RECREATIONAL OPPORTUNITIES & CONSTRAINTS

Issue	Objectives & Performance Targets	Means of Achievement	Comments	Priority	Manner of Assessment	References
• Use of the Botanic Gardens.	• Manage the Botanic Gardens to provide a range of recreation opportunities for a variety of users & to facilitate a high level of use. • To encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities. • To facilitate the ecologically sustainable use of the foreshore and to mitigate impact on the foreshore by community use.	• Ensure all activities occurring within the Botanic Gardens are appropriate & lie within the 'carrying capacity' of the Botanic Gardens.		O	• Level of usage for recreation & user satisfaction.	
	• Generate revenue to support the maintenance of the Botanic Gardens.	• Take bookings & charge the appropriate fees as set out in Council's Fees and Charges document.		O	• Revenue collected.	
		• Provide leases or licences for areas of the Botanic Gardens precinct in accordance with the Local Government Act.	• The Kiosk is currently under a lease arrangement.	O	• Revenue collected.	

Table 3
MANAGEMENT

Management Issue	Objectives & Performance Targets	Means of Achievement	Comments	Priority	Manner of Assessment	References
• Community Consultation.	• To achieve higher levels of community and user awareness and participation in the management of the Botanic Gardens.	• Determine user requirements or encourage users to provide feedback on the quality of facilities and service.	• Recreation surveys of current users.	ST	• Surveys undertaken.	
		• Actively promote the Botanic Gardens area as focal points for local and regional activities and places for all the community.	• Stage events such as Environmental Expo. Bushwalk tours, Fauna Shows.	O	• Promotion activities commenced.	
		• Encourage schools to use the Botanic Gardens as an educational tool.	• Commence school programs, such as Junior Ranger.	ST	• Commence-ment of educational programs.	
		• Ensure the appropriate signage and displays are installed that promote the educational components of the Botanic Gardens.	• Rainforest walks, Australian birds in the Aviary, etc.	ST	• Installation of appropriate signage and displays.	

Table 3
MANAGEMENT

Management Issue	Objectives & Performance Targets	Means of Achievement	Comments	Priority	Manner of Assessment	References
• Education.	• To provide an educational facility for the school community. • To encourage, promote and facilitate educational pastimes and activities.	• Develop programs for local schools that promote the educational components of the Botanic Gardens.	• Programs such as the Junior Waste Ranger, Automated presentations and visits to and from schools, etc.	ST	• Implementation of educational programs.	
• Security.	• To ensure the Botanic Gardens has the appropriate level of security for the community and staff.	• Provide infrastructure such as secure fencing, surveillance cameras, security lighting.	• Adequate funding is required.	ST	• Security incidents reports.	
		• Ensure staff have security licences and implement roving patrols from Council's Rangers.	• Staff to report and monitor all occurrences of vandalism.	ST	• Staff training.	
		• Graffiti to be removed as soon as practicable.	• People are less likely to deface surfaces which are in undefaced or undamaged condition.	O	• Speed of removal or repair work.	

Table 3
MANAGEMENT

Management Issue	Objectives & Performance Targets	Means of Achievement	Comments	Priority	Manner of Assessment	References
• Safety & Risk Management.	• The timely identification, measurement & management of potential hazards to minimise Council's exposure to criticism, compensation claims & litigations.	• Formulate an inspection program to identify all potential hazards.	• Refer all potential hazards to maintenance program. Include in Council's Risk Management Manual.	ST-MT	• Inspection program formulated & implemented.	
• Monitoring of Management Systems.	• Plan of Management is reviewed & updated as required to preserve, maintain & enhance the values & the landscape character of the Botanic Gardens.	• Review Plan of Management regularly. Review & update policy & planning issues after 5 years.		O	• Achievements of Plan objectives within the stated time frame.	

Table 3
MAINTENANCE

Management Issue	Objectives & Performance Targets	Means of Achievement	Comments	Priority	Manner of Assessment	References
• Maintenance of Botanic Gardens.	• Standard of maintenance to be commensurate with the Botanic Gardens high profile as a regional facility & to respond to the needs & expectations of users & the general community.	• Prepare maintenance schedules for all components for maintenance.		ST	• Development of maintenance schedules.	
	• To promote the management of the land in a manner that protects and enhances the values and quality of the land and facilitates public enjoyment of the land, and to implement measures directed to minimising or mitigating any disturbance caused by human intrusion. • To preserve the land and or any buildings by maintaining the physical material of the land and building in its existing state and retardation of deterioration of the land and buildings. • To maintain the foreshore as a transition area between the aquatic and the terrestrial environment and protect and enhance all its functions.	• Carry out regular maintenance of the Botanic Gardens to appropriate standards & within budgetary constraints.		O	• Maintenance program implemented on time & within budget.	

Table 3
MAINTENANCE

Management Issue	Objectives & Performance Targets	Means of Achievement	Comments	Priority	Manner of Assessment	References
• Maintenance of Botanic Gardens.		• To prevent future problems, ensure appropriate allocation of funds & delivery of cost-effective solutions.	• Need user-pay schemes & fees that over costs & are channelled into botanic Gardens.	ST - MT		
		• Undertaken emergency repairs as required.	• Council staff need to be pro-active.	O		
• Waste Management.	• To provide bins for users. • To prohibit rubbish dumping and littering. • To encourage and promote recycling.	• Regulatory signage at suitable locations. • Community education. • Provide garbage and recycling bins for glass, aluminium, and plastics.		O	• No. of incidents of illegal dumping. • Cost of clean-up and litter collection per year.	
• Pollution.	• Minimise the level of pollution within the Botanic Gardens. • To protect bushland as a natural stabiliser of soil surface.	• Develop a soil monitoring program. • Develop a waste minimisation strategy	• Provide colour coded recycling system.	ST	• Annual monitoring of problem sites. • Community acceptance of waste minimisation.	

Table 3
ENVIRONMENT

Management Issue	Objectives & Performance Targets	Means of Achievement	Comments	Priority	Manner of Assessment	References
• Urban Run-Off • Drainage	• To adopt a Total Catchment Management approach to stormwater. • To protect existing landforms such as natural drainage lines, watercourses and the foreshore.	• Identify pipe network & discharge points. • Plan & prioritise appropriate mitigation & drainage works.	 • Eg. Sedimentation basins, trash racks, etc.	ST ST - MT	• Preparation of drainage plans. • Preparation of mitigation & drainage plans.	
• Water Quality	• To provide satisfactory water quality to the Botanic Gardens.	• Undertake a water quality testing & monitoring program.		O	• Implementation of water quality testing & monitoring program.	
		• Identify & implement measures that will improve the water quality.	• A concrete base in the Japanese Pond will improve the water quality.	ST	• Water quality of ponds within the Botanic Gardens.	

Table 3
ENVIRONMENT

Management Issue	Objectives & Performance Targets	Means of Achievement	Comments	Priority	Manner of Assessment	References
• Fauna Safety	• To provide a safe environment for the Fauna.	• To prohibit domestic animals for the Botanic Gardens	• Signage & infrastructure will be required	O		
• Fertilisers	• To minimise the use of fertilisers used in the Botanic Gardens	• To develop a fertiliser reduction program	• Identify fertilisers currently being used in the gardens.	ST	• Implementation of fertiliser reduction program.	

DOCUMENTS ASSOCIATED WITH REPORT ELPP020/26

Attachment 5

Appendix A - Cumberland LEP 2021 Assessment

Appendix A - Cumberland Local Environmental Plan 2021

Clause	Provision	Discussion
1.2	**Aims of Plan** (1) This Plan aims to make local environmental planning provisions for land in Cumberland in accordance with the relevant standard environmental planning instrument under section 3.20 of the Act.	The proposed development is consistent with the relevant aims of the Cumberland Local Environmental Plan 2021.
2.3	**Zone Objectives and Land Use Table** The objectives of the RE1 Public Recreation zone are: • *To enable land to be used for public open space or recreational purposes.* • *To provide a range of recreational settings and activities and compatible land uses.* • *To protect and enhance the natural environment for recreational purposes.*	While the site is within the RE1 Public Recreation zone, the development is occurring within Council owned land. The surrounding public recreation land and heritage listed Botanic Gardens are not impacted by the development works sought and recreation land is preserved. On this account, the proposal aligns with the objectives.
2.7	**Demolition requires development consent** The demolition of a building or work may be carried out only with development consent.	This application does not involve the demolition of an entire building, except for an attached awning and wall structures.
4.3	**Height of Buildings** (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.	There is no maximum building height limit provided for the site. The building(s) has a maximum height of one (1) storey or 3.6 metres.
4.4	**Floor Space Ratio** (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.	There is no maximum floor space ratio provided for the site.
4.6	**Exceptions to development standards** (3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating: (a) that compliance with the	A Clause 4.6 Variation is not required in this instance.

	development standard is unreasonable or unnecessary in the circumstances of the case, and (b) that there are sufficient environmental planning grounds to justify contravening the development standard.	
5.10	**Heritage Conservation** (5) Heritage assessment. The consent authority may, before granting consent to any development: (a) on land on which a heritage item is located, or (b) on land that is within a heritage conservation area, or (c) on land that is within the vicinity of land referred to in paragraph (a) or (b), require a heritage management document 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.	The Auburn Botanic Gardens is listed as a heritage item within the Cumberland Local Environmental Plan 2021 and is listed as Item I5 for Landscape heritage. The development site does not interfere with the heritage listed gardens. A Heritage Impact Statement prepared by Weir Phillips Heritage, dated February 2026, was provided and concluded that the proposed development *'will not have undue prominence in relation to the significant components of the heritage item'.* Council agrees to this statement because the effect of the proposed development on heritage significance is unlikely. It is also satisfied that this clause of the LEP has been completely assessed and claims that the proposal is situated on part of the Precinct that is of much lesser significance than the main grounds associated with the Auburn Botanic Gardens (i.e. Japanese Gardens). **Re-location of 2 commemorative plaques - for the former 'Auburn Bonsai Garden'** The 2 current commemorative plaques for the former 'Auburn Bonsai Garden', that are both currently located on the northern elevation wall (approved for demolition under this development consent) of the now-defunct Auburn Bonsai Garden (or Glasshouse), are to be carefully removed and placed on the new brick perimeter wall in a similar location, facing the public car park.
5.21	**Flood planning** (2) Development consent must not be granted to development on land the	Council's flood maps do not show the parts of the site that face Chiswick

	consent authority considers to be within the flood planning area unless the consent authority is satisfied the development— (a) is compatible with the flood function and behaviour on the land, and (b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and (c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and (d) incorporates appropriate measures to manage risk to life in the event of a flood, and (e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of riverbanks or watercourses. (3) In deciding whether to grant development consent on land to which this clause applies, the consent authority must consider the following matters— (a) the impact of the development on projected changes to flood behaviour as a result of climate change, (b) the intended design and scale of buildings resulting from the development, (c) whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood, (d) the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion.	Road to be directly impacted by flooding or overland flow. The development is acceptable under Clause 5.21.
6.1	**Acid Sulphate Soils** Development must not impact on acid	The land is rated 5 for acid sulphate

	sulphate soils.	soils. Deep excavation work is not proposed. Minor surface based excavation work will be occurring for foundations, and plumbing. It is considered that acid sulphate soils are not an issue for the site.
6.2	**Earthworks** (3) Before granting development consent for earthworks, the consent authority must consider the following matters: (a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality, (b) the effect of the proposed development on the likely future use or redevelopment of the land, (c) the quality of the fill or of the soil to be excavated, or both, (d) the effect of the proposed development on the existing and likely amenity of adjoining properties, (e) the source of any fill material and the destination of any excavated material, (f) the likelihood of disturbing relics, (g) the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area. (h) appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.	Minor surface-based excavation work will be occurring for foundations and plumbing. There are no significant issues arising for the works that are proposed.
6.4	**Essential Services** (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 make to make them available when required: a) the supply of water, b) the supply of electricity, c) the disposal and management of sewage, d) stormwater drainage or on-site conservation,	The site is serviced with water and sewer services. Vehicle access to the site is from Chiswick Road.

	e) suitable vehicular access.	
6.5	**Biodiversity** (4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that— (a) the development is designed, sited and will be managed to avoid an adverse environmental impact, or (b) if an adverse environmental impact cannot be avoided—the development is designed, sited and will be managed to minimise the impact, or (c) if an adverse environmental impact cannot be minimised—the development will be managed to mitigate the impact.	Although the site is situated within the vicinity of Duck River, no concerns are raised regarding the protection of Biodiversity; especially since part of Progress Park forms a buffer between Duck River and the Depot site. Further, there is no clearing of vegetation within the ecosystem of Duck River being proposed.
6.6	**Riparian land and watercourses** (4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that— (a) the development is designed, sited and will be managed to avoid a significant adverse environmental impact, or (b) if a significant adverse environmental impact cannot be avoided—the development is designed, sited and will be managed to minimise the impact, or (c) if a significant adverse environmental impact cannot be minimised—the development will be managed to mitigate the impact.	Although the site is situated within the vicinity of Duck River, no concerns are raised regarding any riparian land and watercourses; especially since there are no forms of pollutants or waste from the proposed buildings that will directly impact on the ecosystem of Duck River. Stormwater from the site will discharge directly to the existing drainage system and will not flow into the ecosystem.
6.7	**Stormwater management** (2) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development— (a) is designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics affecting on-site infiltration of water, and (b) includes, if practicable, on-site	The development application was referred to Council's Development Engineer for comment. Following the submission of amended stormwater plans, it has been advised that the development proposal is satisfactory subject to conditions of development consent; to ensure that the stormwater drainage system of the

	stormwater retention for use as an alternative supply to mains water, groundwater or river water, and (c) avoids significant adverse impacts of stormwater runoff on adjoining properties, native bushland and receiving waters, or if the impact cannot be reasonably avoided, minimises and mitigates the impact.	site is not affected by the proposed development.
6.12	**Urban Heat** In deciding whether to grant development consent for the purposes of commercial premises, industries or residential accommodation, the consent authority must consider whether— (a) the facade and roof of the proposed building and paved surfaces are designed to reduce adverse effects of solar heat on the surrounding land, including private open space and the public domain, and (b) the awnings and eaves of the building are designed to provide shelter from the sun and improve public comfort at street level, and (c) the heating, ventilation and air conditioning systems of the building are designed to minimise the release of heat in the direction of private open space and the public domain, and (d) the development maximises the use of green infrastructure that is strategically designed and managed to support a good quality of life in an urban environment, and (e) the development accommodates sufficient tree canopy, open space and deep soil zones to achieve urban cooling benefits, and (f) the building is designed to achieve high passive thermal performance.	The development comprises a bathroom amenity building and an office building under the 1 roof. The café also includes a veranda area under the 1 roof. The building will be finished in a shale grey colourbond steel roofing and cladding (external walls), which is appropriate for a site that adjoins the depot. The roof structures will provide shade.

DOCUMENTS ASSOCIATED WITH REPORT ELPP020/26

Attachment 6

Appendix B - Cumberland DCP 2021 Assessment

Appendix B - CDCP 2021 Compliance Table

Relevant Control		Compliance with Requirements	Consistency with Objectives
Part D – Development in Industrial Zones			
2.12 Operational management	*Hours of operation*		
	C1. Where an industrial site is located adjoining or adjacent to, or within 200m of residential development, 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 7am to 6pm Monday to Saturday with no work on Sundays.	Yes – Although the depot site is considered an industrial premises, this control does not apply as the proposed development (specifically being office space and a café) is not within in industrial zone. Also, the proposed development is not intended to substantially increase the volume of trucks that enter and leave the depot site. A condition of development consent will be imposed to ensure that deliveries to the café are carried out within the intended hours of operation from Monday to Saturday only (not including Public Holidays).	Yes, subject to conditions of development consent
	C2. Retail trade in industrial zones are to be undertaken within the hours of 7am to 6pm, Monday to Saturday and 7am to 2pm on Sunday	Yes – Since the site is in a recreational land-use zoning, this DCP control does not specifically apply in terms of hours of permissible retail trade (for the café). A condition of development consent will be imposed to ensure that the café is open to the public and Council staff between the hours of 7am to 5pm, Monday to Sunday (including Public Holidays). Although the applicant is requesting the opening time to be 6am, Council will impose a 7am start due to the café being within 200 metres of a residential neighbourhood. Furthermore, is to be noted that the café is to have 10 outdoor tables with a total of 20 seats.	Yes, subject to conditions of development consent

	C3. Where an extension to the above 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 to support the proposed extended hours of operation inclusive of an acoustic report and operation management plan	N/A – The proposed café is within 200 metres of a residential area. An acoustic report is not required as the café is located within an existing non-commercial precinct; where it is not anticipated that the café will increase the volume of traffic in the precinct. It is expected that the café patronage will be mostly Council staff and the public that frequent the precinct. In saying this, a condition of development consent will be imposed to ensure that the café will not be allowed to be used for private functions. A further condition will also ensure that the maximum capacity of 20 outdoor seats is also imposed.	N/A
Part G2 – Heritage			
2.4 Specific controls for development in the vicinity of a heritage item	C1. New dwellings on sites adjoining or in the vicinity of an item of environmental heritage shall be designed and constructed in a manner that does not detract from the historic significance of that item.	N/A – This proposal is not for any residential dwelling or any other residential building.	N/A
	Context		
	C2. The development shall be designed having regard to its environmental and built context, to the existing streetscape character and to any heritage items or conservation areas that may be located nearby.	Yes – A Heritage Impact Statement prepared by Weir Phillips Heritage, dated the 16 February 2026 was submitted in support of the application. The proposed development involves the partial demolition of the existing structures of the Formal Peacock Gallery, specifically being the removal of an awning that is situated on the southern elevation. The proposed development also involves the demolition	Yes, subject to conditions of development consent

		of existing external surrounding permitter walls that are currently situated along the east, north and west elevations of the proposed office and amenities building that were originally part of the now-defunct Auburn Bonsai Garden (or Glasshouse). The proposed development involves a replacement awning in between the southern elevation and the new northern elevation of the office and amenities building. It also includes a new permitter wall along the north and east elevations, also adjacent to the office and amenities building. There are no direct impacts on any other significant buildings/structures on the site, such as the Auburn Aviary. The proposal has regard to its environmental and built context, given that it is located behind the rear building line of the Peacock Gallery building and that it is located further away from the main features of the heritage listed item (i.e. Auburn Botanic Gardens). **Re-location of 2 commemorative plaques - for the former 'Auburn Bonsai Garden'** The 2 current commemorative plaques for the former 'Auburn Bonsai Garden' (or Glasshouse), that are both currently located on the current northern elevation wall are to be carefully removed and placed on the new brick perimeter wall in a similar	

		location, facing the public car park.	
	Streetscape character		
	C3. New development should make reference to, and be sympathetic to the predominant: • height; • scale; • roof form, line and pitch; • proportion; • setbacks; • design details (including parapets, verandahs, awnings and string courses); and, • features of adjoining development and of any adjacent heritage items.	Yes – There is no change to the existing front setback area of the Peacock Gallery building, in which the buildings are still sympathetic to the subject site.	Yes
	C4. New development should be compatible with heritage items in terms of its scale and massing, overall bulk and composition. New buildings should not dominate their surroundings.	Yes – The proposal is situated within the Auburn Botanic Gardens Precinct; however, the proposed buildings do not interfere with the streetscape of Chiswick Road. Also, the proposed office and amenities building will not alter the land management goals for the Auburn Botanic Gardens Precinct as specified under the Plan of Management for Auburn Botanic Gardens Precinct 2001.	Yes
	C5. Where a residential flat building is proposed adjoining or adjacent to a heritage item, any height and scale differences between a heritage item and new development should be minimised by stepping the height or locating the bulk of the new development away from the heritage item.	N/A – This proposal is not for any residential flat building.	N/A
	C6. Window and door openings, building lines and building massing of new development	Yes – The proposed buildings are consistent with the building massing and	Yes

	should also be designed in the context of its adjoining development.	context of the existing buildings on the site.	
	C7. Where a particular heritage character predominates within a street, the design of new development should be compatible with this heritage character.	Yes - The buildings will not dominate the visual setting and entrance to the Auburn Botanic Gardens.	Yes
	Setbacks and orientation		
	C8. New development shall be carefully sited so that it is consistent with the predominant street and boundary setbacks. This may be varied where an increased or decreased front or side setback will assist in ensuring that a new development does not visually dominate any adjoining heritage items.	Yes – There is no change to any building setback from the street frontage to the existing front building, as all structures are behind the primary building line of the site.	Yes
	C9. New buildings within an existing streetscape should not be oriented across sites contrary to the established pattern.	Yes – As detailed above, there is no change to any building setback from the street frontage to the existing front building, meaning that the new buildings will not compromise the existing street pattern.	Yes
	C10. Where a new development is proposed adjoining a significant heritage feature, new development should continue the primary orientation and should provide an appropriate entry design and setback treatment along that frontage.	Yes – The new buildings will not interfere with the existing entry design along the Chiswick Road frontage.	Yes
	Siting and location		
	C11. The siting of new development should not affect the structure of, or otherwise cause physical damage to, any heritage item.	Yes – The entrance to the amenities building does not directly face the entrance of the Auburn Botanic Gardens.	Yes

	C12. New development should be located so that it does not adversely impact upon the identified curtilage, setting or landscaping, solar access or any significant views to or from a heritage item.	N/A – As per above.	N/A
	Visual impact		
	C13. The design of the street elevation should be relatively uncomplicated and consist of simple forms that do not visually compete with the heritage item.	Yes – The proposed works will have an acceptable impact on the 'Auburn Botanic Gardens', as all significant original built and landscape elements within the main site (opposite side of Chiswick Road) will be retained.	Yes
	C14. New development adjoining/adjacent to a heritage item should avoid incorporating large unbroken wall areas.	Yes – The buildings will have adequate fenestration to avoid visibility of large unbroken walls.	Yes
	C15. Where new development is necessarily larger than its surrounding development, the bulk can be reduced by breaking long walls into bays or by arranging the openings in the wall so that their size and shape reflect the structure and the openings of its neighbours.	Yes – The bulk of the structures has been reduced by roofing with a low pitch design.	Yes
	C16. Landscaping should be used to minimise the visual appearance of large wall areas in new development adjoining a heritage item.	Yes – Although some trees are to be removed to make way for the proposed buildings, suitable conditions of development consent by Council's Tree Management Officer have been provided to ensure that tree replacement along the southern landscape strip of the site is provided; specifically involving the removal of 3 'Platanus x acerifolius' and the new	Yes

		plantings of 3 Ulmus glabra 'Lutescens'. These new trees are to be planted within the subject site.	
	C17. Where new development is proposed adjoining a heritage item or conservation area, the development should incorporate the use of colours and materials that are recessive so that they do not visually dominate the heritage item. Darker colours and simple facade treatments can assist in minimising the visual impact of new development on adjoining heritage items.	Yes – Although the site forms part of the heritage listed item, the proposed colours and finishes are similar to structures on the site and on adjoining depot site.	Yes
	C18. Buildings in the vicinity of heritage items or conservation areas should use a style and material of fencing (and gates) that are appropriate to the age and style of the heritage item and/or to the character of the conservation area.	N/A – No new fences/gates for the site are proposed.	N/A
Part G3 – Traffic, Parking, Transport & Access (Vehicle)			
3. Parking rate	Development is to provide on-site parking in accordance with the following minimum rates in Table 1. Where a parking rate has not been specified in the table, the Guide to Traffic Generating Developments shall be used to calculate the parking requirements for the proposed development. Alternatively, a parking study may be used to determine the parking,	Yes – The following car parking rates apply to the proposed development:- A minimum of 15 parking spaces is required for the office building, calculated at the rate of 1 space per 40m^2 of GFA (using the business & office general rate). A minimum of 8 parking spaces is required for the café, calculated at the rate of 1 space per 7m^2 of GFA (using the food & drink premises rate). 12 car spaces are currently existing within the confines	Yes

	subject to prior approval by Council. Additional parking objectives and controls are provided in Section 4 of this DCP.	of 96 Chiswick Road. However, these spaces are public parking that are to be utilised for the Peacock Gallery, the Aviary and for the Botanic Gardens. The initial plans did not accommodate any additional staff parking specifically for the proposed Council staff office and café. This shortfall was raised and has been addressed in the submission of amended plans where an existing 74 staff parking spaces is shown on 98 Chiswick Road. Access to the new building will be provided through the partial removal of a boundary wall, that will be an opening to provide access to the new building directly from the existing staff car park.	
Part G4 – Stormwater & Drainage			
2.2 Method of stormwater disposal from the site	C1. All stormwater collecting as a result of the carrying out of development under this DCP must be directed by a gravity fed or charged system to: (a) a public drainage system, or (b) an inter-allotment drainage system, or (c) an on-site disposal system.	Yes – The development application was referred to Council's Development Engineer for comment. Following the submission of amended stormwater plans (Revision F), it has been advised that the development proposal is satisfactory subject to conditions of development consent; to ensure that the stormwater drainage system of the site is not affected by the proposed development.	Yes, subject to conditions of development consent
2.6 Flood Risk Management	C1. The proposed development does not result in any increased risk to human life and does not increase the potential flood affectation on other development or properties.	N/A – The part of the site is not flood affected.	N/A
	C7. The filling of flood prone land, where	N/A - No filling is occurring within any flood prone land.	N/A

	acceptable and permitted by this Part, must involve the extraction of the practical maximum quantity of fill material from that part of the site adjoining the waterway.		
	C8. The proposed development shall comply with Council's Flood Risk Management Policy.	N/A – As per above.	N/A
Part G5 – Sustainability, Biodiversity & Environmental Management			
2.3 Land contamination	C1. Prior to the submission of a development application, an assessment is to be made by the applicant under Clause 7 of SEPP No. 55 as to whether the subject land is contaminated prepared in accordance with the relevant Department of Planning, Industry and Environment Guidelines and the Guideline to Asbestos Management in Cumberland Council 2018.	Yes – A preliminary site investigation report was not required because the proposed buildings are prefabricated temporary structures; where deep excavation works are not required. As such, it is considered that the development application is satisfactory under Part 4.6 of Chapter 4 of the State Policy. A condition of development consent will be imposed to ensure that any new information which comes to light during site preparation, remediation or construction works which has the potential to alter previous conclusions about site suitability and contamination must be notified to the Principal Certifier and Council. Council may require an NSW accredited site auditor to be engaged to review the contamination assessment and remediation/validation process should the need arise.	Yes, subject to conditions of development consent
	C2. In accordance with Clause 7 (1) of SEPP No. 55 Council will not consent to development	N/A – As detailed above.	N/A

	unless it has considered whether land is contaminated, and if the land is contaminated is suitable for the proposed purpose or is satisfied that the land will be appropriately remediated. Where land is proposed to be subject to remediation, adequate documentation is to be submitted to Council supporting the categorisation.		
2.5 Biodiversity	C1. Development is to be sited and designed to minimise the impact on indigenous flora and fauna, including canopy trees and understorey vegetation, and on remnant native ground cover species.	Yes – Although the site is situated within the vicinity of Duck River, no concerns are raised regarding the protection of Biodiversity; especially since there are no forms of pollutants or waste from the proposed buildings that will directly impact on the ecosystem of Duck River.	Yes
2.6 Energy efficiency and renewables	C1. New development shall implement energy efficient design and promote renewable energy sources through the inclusion of solar panels, skylights, cross ventilation and other such measures.	Yes – This is provided through the covered patio area in front of the main entrance to the office building and café building; which aims to alleviate excessive solar access from the western orientation and ensures that cross-ventilation is provided though all elevation windows.	Yes
Part G7 – Tree Management & Landscaping			
2.2 Tree management and proposed development	C1. Development shall be designed to incorporate existing trees that are identified as being suitable for retention, with adequate setbacks to any works and protection measures stipulated in accordance with AS 4970-2009 to ensure their long-term survival.	Yes – The provided landscape plan indicates that a total of 3 trees are to be removed. These existing 3 trees are known as '***Platanus x acerifolius***' and are currently located at the area of the site of the proposed café. 3 new trees will be required to be planted, species name	Yes, subject to conditions of development consent

		known as '***Ulmus glabra 'Lutescens***', that will be required to be planted within the confines of the site.	
	C2. Development proposals must consider existing trees situated on adjacent properties with adequate setbacks to any works and protection measures stipulated in accordance with AS4970-2009 to ensure their long-term survival.	Yes – There are no other trees located within the vicinity of the site other than these that are located opposite in the Auburn Botanic Gardens.	Yes
	C7. Council may require an Arborist Report and/or Tree Protection Plan, to be prepared in accordance with Council's Submission Requirements for Consulting Arborists' Impact Assessment Report document, and submitted with development applications when any existing trees are to be retained.	N/A – An Arborist Report was not required because the nature of the tree removal is not perceived to be significant; as the specific features are not indicated in the Plan of Management.	N/A
2.3 Landscaping	C1. Where a landscape plan is required, it shall be prepared by an appropriately qualified person such as an experienced Landscape Architect/Landscape Designer. The landscape plan shall be prepared at a minimum scale of 1:100, be fully documented with the inclusion of a plant schedule and show sufficient detail to enable construction.	Yes – There are no other trees located within the vicinity of the site other than these that are located opposite in the Auburn Botanic Gardens. Also, the existing garden bed that is to be located within the front setback area is to be retained; in which there are overall minimal concerns raised in relation to the removal of existing trees. The provided landscape plan is consistent with the recommended conditions provided by the Tree Management Team, in which a total of 3 trees are to be removed and are to be replaced with 3 trees within the confines of the site.	Yes
Part G8 – Waste Management			

3.5 Bin transfer requirements	C1. Waste and recycling bins shall be positioned in locations that permit easy, direct and convenient access for users of the facility and permit easy transfer of bins to the collection point.	Yes – Council will engage in external contractors to ensure that waste from the site is safely disposed of.	Yes

Item No: ELPP021/26

DEVELOPMENT APPLICATION - 16 BERNARD STREET, LIDCOMBE

Directorate: Environment and Planning
Responsible Officer: Acting Executive Manager City Planning and Development

Application lodged	12 December 2025.
Applicant	Mr Dennis Zhang (ACE Property Development Group).
Owner	ACE Lidcombe Pty Ltd.
Application No.	DA2025/0790.
Description of Land	16 Bernard Street, Lidcombe, NSW 2141. Lots 10 and 11, Sec 1 in DP 3424.
Proposed Development	Demolition of existing structures, construction of a six (6) storey building for the purpose of co-living housing comprising of 52 single-occupancy rooms with ground level and roof top communal open spaces and basement car parking for 11 vehicles.
Site Area	741.2 square metres.
Zoning	R4 High Density Residential Zone.
Disclosure of political donations and gifts	Nil disclosure.
Cost of works	$12,311,500.00 (excluding GST)
Heritage	No.
Principal Development Standards	Minimum Lot Size Permissible: 800 square metres. Proposed: 741.2 square metres. Communal Living Areas Permissible: 122 square metres. Proposed: 100.2 square metres. Floor Space Ratio (FSR) Permissible: 2:1 + 10% SEPP (Housing) 2021 bonus = 2.2:1 Proposed: 2.19:1 Height of Building Permissible: 20 metres. Proposed: 22.3 metres (including lift overrun).
Issues	Minimum Lot Size. Communal Living Areas. Building Height. Building Separation. Submissions.

SUMMARY:

1. Development Application DA2025/0790 was lodged on the 12 December 2025 for the demolition of existing structures, construction of a six (6) storey building for the purpose of co-living housing comprising of 52 single-occupancy rooms with ground level and roof top communal open spaces and basement car parking for 11 vehicles pursuant to State Environmental Planning Policy (Housing) 2021.

2. The application was publicly notified to occupants and owners of the adjoining properties for a period of 14 days between 15 January 2026 and 29 January 2026. In response, two (2) unique submissions were received.

3. The variations are as follows:

Control	Required	Provided	% variation
Cl. 4.3 Height of Building Cumberland Local Environmental Plan 2021.	20 metres.	22.3 metres (including lift overrun).	11.5%
S.68(2)(c) Communal living area. SEPP (Housing) 2021.	122 square metres with minimum dimensions of 3 metres for each communal living area.	100.2 square metres.	17.86% (21.8 square metres)
S.69(2)(b) Minimum building separation distances. SEPP (Housing) 2021.	6 metres up to 12 metres / 4 storeys (habitable rooms) of Part 3F of the Apartment Design Guide. 9 metres up to 25 metres (5-8 storeys) (habitable rooms) of Part 3F of the Apartment Design Guide.	Levels 1-3 (up to 4 storeys). 3 metres. Levels 4-6 (includes communal rooftop level 7).	50% 66.66%
S.69(1)(b)(ii) Minimum lot size for co-living housing. SEPP (Housing) 2021.	800 square metres.	741.2 square metres.	7.35% (58.8 square metres)

4. The application is referred to the Panel as the proposal contravenes a development standard by more than 10%.

5. The application is recommended approval subject to the conditions as recommended in the Council's assessment report.

REPORT:

Subject Site and Surrounding Area

The subject site is legally known as Lots 10 and 11, Section 1 in DP 3424, and is commonly known as 16 Bernard Street, Lidcombe. The site is an irregular rectangular shaped allotment with 3 street frontages located on the western side of Bernard Street at the corners of Raymond Street East / Bernard Street and Raymond Street East / Rebecca Street, near the head of the Raymond Street cul-de-sac.

The site has the following approximate dimensions:

- Eastern (Bernard Street) street frontage boundary 24.38 metres.
- Southern (Raymond Street East) street frontage boundary 30.48 metres.
- Western (Rebecca Street) street frontage boundary 24.25 metres.
- Northern side boundary 30.48 metres.

The site has an area of 741.2 square metres and the site has a fall of approximately 910mm or 3.7% from the southern-western boundary corner to the north-western boundary corner.

The subject site is zoned R4 High Density Residential under the Cumberland Local Environmental Plan 2021.

The site is occupied by a single-storey fibro dwelling house with metal roof and detached metal roof sheds and brick garage. To the south and south-east, are single to two-storeys detached dwelling houses. To the east, are detached single to two-storeys detached dwelling houses and dual occupancies. To the north, at 14 Bernard Street is a single-storey dwelling house with vehicular access from Rebecca Street. Further to the north, at 8, 10 and 12 Bernard Street are single to two-storeys detached dwellings houses. Further to the north-east, at 8-12 Kerrs Road is a multi-storey shop-top housing development within the Lidcombe Town Centre precinct comprising of commercial tenancies on the ground floor and residential apartments above. To the west, at 46A Raymond Street East is a single-storey detached dwelling with vehicular access from Rebecca Street.

The site is approximately 600 metres walking distance from the Lidcombe Railway Station and within proximity to the Lidcombe Town Centre precinct.

The location of the site is shown in red on the map below.



Figure 1 - Aerial base map of the site (highlighted in red) and locale. Source: Council's IntraMaps



Figure 2 - Aerial view of the site (highlighted) and locale. Source: Nearmap dated 17 March 2026



Figures 3 to 6 – Existing site conditions and adjoining public domain with images taken during a site inspection on 16 January 2026.

Description of The Development

Council has received a development application for demolition of the existing structures and construction of a 6 storey building for the purpose of co-living housing comprising of 52 rooms over 2 basement car parking levels with a communal rooftop terrace on land at 16 Bernard Street, Lidcombe.

The detailed breakdown of the proposal is shown below:

Basement level

- Vehicular access ramp to the ground level.
- Eleven (11) car parking spaces including 1 accessible car parking space.
- A 3.4 metre wide turning bay.
- Eight (8) vertical bicycle racks.
- Two (2) motorcycle parking spaces.
- Communal service room with laundry area, storage, cupboard, cleaners room and 2 bicycle storage spaces.
- Fire pump room with fire hose reel.
- Single lift core and 2 fire stairs to the upper levels.

Ground floor

- Vehicular access via Rebecca Street to the basement level with passing bay.
- Main pedestrian entry/lobby from Raymond Street with mailboxes.
- Single lift core and 2 fire stairs.
- Communal living room.
- Communal open space fronting Bernard and Raymond Streets with 2 bicycle racks facing Raymond Street and clothes drying yard within the northern deep soil area.
- Bulky waste room and adjoining bin storage room with fire hose reel.
- Manager's wash basin/toilet.
- Manager's office with communications cupboard.
- Two (2) single-occupancy co-living rooms (type B).
- Fire boosters and water meter fronting Raymond Street frontage.

Level 1 to Level 3

- Ten (10) single-occupancy co-living rooms including 1 accessible room.
- North-facing resident lounge (with 1.8m high obscured glass window) accessed off corridor between co-living rooms.
- Single lift core, fire stairs, electrical cupboard and communication cupboard.

Level 4 and Level 5

- Ten (10) single-occupancy co-living rooms.
- North-facing resident lounge (with 1.8m high obscured glass window) accessed off corridor between co-living rooms.
- Single lift core, fire stairs, electrical cupboard and communication cupboard.

Level 6 rooftop

- Communal open space within the rooftop terrace approximately 100 square metres with accessible bathroom and outdoor seating and dining furniture.
- Hot water plant room, mechanical plant room and photovoltaic panels.
- Single lift core and fire stairs.

History

- On 17 July 2025, Council held a pre-lodgement application (PL2025/0041) meeting with the applicant and their representatives for demolition of existing structures and construction of a 6 storey co-living housing development comprising of 52 rooms over 2 basement car parking levels with a communal rooftop terrace.
- On 12 December 2025, the development application was lodged for Council assessment and determination.

Applicants Supporting Statement

The applicant has provided a Statement of Environmental Effects prepared by Think Planners Pty Ltd dated 13 November 2025 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

Development Engineering

The development application was referred to Council's Senior Development Engineer for comment who has advised that the development proposal is satisfactory and therefore can be supported subject to recommended conditions of consent.

Environmental Health

The development application was referred to Council's Environmental Health team for comment who has advised that the proposal is satisfactory and therefore can be supported subject to recommended conditions of consent.

Tree Management

The development application was referred to Council's Tree Management Officer for comment who has advised that the proposal is satisfactory and therefore can be supported subject to recommended conditions of consent.

Waste Management

The development application was referred to Council's Senior Resource Recovery Officer for comment who has advised that the proposal is satisfactory subject to conditions.

External Referrals

Ausgrid

The development application was referred to Ausgrid pursuant to section 2.48 of the SEPP (Transport and Infrastructure) 2021 for comment who has advised that the proposal is satisfactory and therefore can be supported subject to recommended conditions of consent.

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:

State Environmental Planning Policies (SEPPs)	Relevant Clause(s)	Compliance with Requirements
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Chapter 2 - Vegetation in non Rural Areas.	The development application does not seek the removal of any trees. Council's Senior Tree Management Officer reviewed the proposal and raised no objections subject to conditions. As such, an assessment under Chapter 2 is not required in this instance.
	Chapter 6 - Water Catchments.	It is determined that given the location of the site, a detailed assessment is not required given

	Sydney Harbour Catchment.	that there is no direct impact upon the catchment and no direct impact upon watercourses. As such, the development is acceptable under the provisions that came into effect on Monday 21 November 2022.
State Environmental Planning Policy (Resilience and Hazards) 2021	Chapter 2 - Coastal Management.	The subject site is not identified as a coastal wetland or 'land identified as "proximity area for coastal wetlands" or coastal management area.
	Chapter 4 - Remediation of Land. Part 4.6.	The applicant has submitted a Detailed Site Investigation (DSI) prepared by 4 Pillars Environmental Consulting ref: 20250729ACE_DSI_1-1 and dated 7 November 2025. The DSI concluded the site is considered suitable for the proposed development. The application was referred to Council's Environmental Health Officer who supports the development subject to conditions. As such, it is considered that the development application is satisfactory under Part 4.6 of Chapter 4 of the SEPP.
State Environmental Planning Policy (Sustainable Buildings) 2022	Chapter 2 Standards for residential Development - BASIX	Schedule 7 of the Environmental Planning and Assessment Regulation 2021 (EP&A Reg 2021), co-living development is not defined as a BASIX building as below: ***BASIX building*** *means a building that contains at least 1 dwelling, but does not include the following-* *(a) Hotel or motel accommodation* *(b) A boarding house, hostel or co-living housing that-* *(i) Accommodates more than 12 residents, or* *(ii) Has a gross floor area exceeding 300 square metres.* In this regard, Chapter 2 is not applicable to this development.

State Environmental Planning Policy (Transport and Infrastructure) 2021.	Chapter 2 - Infrastructure.	State Environmental Planning Policy (Transport and Infrastructure) 2021 is relevant to the development application as follows.
	Clause 2.48	The development is proposed within 5m of an overhead electricity power line and accordingly, written notice of the application was given to Ausgrid under s.2.48(1)(b)(iii) and s.2.48(2). Comments were received from Ausgrid on the 14 January 2026. Conditions of consent as recommended by Ausgrid are imposed on the draft Notice of Determination.
State Environmental Planning Policy (Housing) 2021 **(SEPP (Housing) 2021)**	Chapter 3 – Diverse housing. Part 3 Co-living Housing	The subject site is located within the R4 High Density Residential zone. This section permits co-living housing in a zone where residential flat buildings or shop top housing is permitted under another environmental planning instrument. In this case, both of these uses are permitted within the zone under the Cumberland Local Environmental Plan 2021 and therefore the SEPP (Housing) 2021 permits co-living housing on this site with consent. Apart from the minimum lot size, minimum building separation and communal living areas, the proposal achieve compliance with most of the relevant provisions of SEPP (Housing) 2021. A comprehensive assessment against SEPP (Housing) 2021 is provided at Attachment 10 of this report.

(a) State Environmental Planning Policy (Housing) 2021 (SEPP (Housing) 2021)

As mentioned above, the SEPP (Housing) 2021applies to the development and a comprehensive assessment of the SEPP (Housing) 2021 is provided at Attachment

10. An assessment has been undertaken against the relevant provisions identified in Chapter 3, Part 3 Co-living housing and the following numerical variations have been identified:

- Communal living area

Section 68(2)(c) - For the 52-room co-living housing development, the proposal shall provide a communal living area of 122 square metres with minimum dimensions of 3 metres for each communal living area.

Planner's comments: The proposed ground floor communal living area of 100.2 square metres, which is a shortfall of 21.8 square metres of the minimum 122 square metres with minimum dimensions of 3 metres for each communal living area. This presents a 17.86% variation to the numerical standard. The clause 4.6 variation submitted with the development application demonstrates an acceptable co-living housing design that is compatible with the locality and satisfies the future desire character of the area. The clause 4.6 is further addressed in detail later in the report. Accordingly, Council is satisfied that the variation request to the communal living area may be supported.

- Minimum lot size

Section 69(1)(b)(ii) - Development consent must not be granted for development for the purposes of co-living housing unless the consent authority is satisfied that the minimum lot size for the co-living housing is not less than 800 square metres.

Planner's comments: The site has an area of 741.2 square metres which is a shortfall of 58.8 square metres of the minimum 800 square metres. This presents a 7.35% variation to the numerical standard. The clause 4.6 variation submitted with the development application demonstrates an acceptable co-living housing design that is compatible with the locality and satisfies the future desire character of the area. The clause 4.6 is further addressed in detail later in the report. Accordingly, Council is satisfied that the variation request to the minimum lot size be supported.

- Building separation

Section 69(2)(b) - Development consent must not be granted for development for the purposes of co-living housing unless the consent authority considers whether the building will comply with the minimum building separation distances specified in the Apartment Design Guide (ADG) if the co-living housing has at least 3 storeys.

Planner's comments: The design criteria of Part 3F of the Apartment Design Guide requires a 6-metre setback for habitable rooms (up to 12 metres, 4 storeys) from the site's northern boundary. Further, the design criteria of Part 3F of the Apartment Design Guide requires the fifth storey (and above) to have a 9-metre setback for habitable rooms (up to 18 metres, 8 storeys) from the site's northern boundary.

The proposed 6 storey co-living development is setback 3 metres from the northern side boundary representing a shortfall of:

- 3 metres and a variation of 50% up to level 3; and

- 6 metres and a variation of 66.66% is proposed on levels 4 and 5.

The non-compliance is considered acceptable in this instance. The neighbouring development to the north provides an existing setback of approximately 1 metre from the northern boundary. The proposed northern façade is essentially a blank wall broken by a north-facing window to the lobby/corridor of each level. The north-facing window of each floor is situated 1.8 metres above the finished floor level of each floor which in turn raises minimal privacy concerns A clause 4.6 variation request is addressed in detail later in the report. Accordingly, Council is satisfied that the variation request to the building separation be supported.

Local Environmental Plans

Cumberland Local Environmental Plan 2021

The provision of the Cumberland Local Environmental Plan 2021 is applicable to the development proposal. It is noted that the development achieves compliance with the key statutory requirements of the Cumberland Local Environmental Plan 2021 and the objectives of the R4 High Density Residential zone.

(a) Permissibility

The provision of the Cumberland Local Environmental Plan 2021 is applicable to the development proposal.

The proposed development is defined as 'co-living housing'.

> ***co-living housing*** means a building or place that—
>
> *(a) has at least 6 private rooms, some or all of which may have private kitchen and bathroom facilities, and*
>
> *(b) provides occupants with a principal place of residence for at least 3 months, and*
>
> *(c) has shared facilities, such as a communal living room, bathroom, kitchen or laundry, maintained by a managing agent, who provides management services 24 hours a day, but does not include backpackers' accommodation, a boarding house, a group home, hotel or motel accommodation, seniors housing or a serviced apartment.*
>
> **Note—**
> i) Co-living housing is a type of ***residential accommodation***—see the definition of that term in this Dictionary.

Pursuant to section 67 of the SEPP (Housing) 2021, co-living housing development may be carried out with consent on land in a zone which development for the purposes of co-living housing, residential flat buildings and shop top housing is permitted under Chapter 5 or another environmental planning instrument.

In this regard, 'residential flat buildings' and 'shop-top housing' are permitted with consent in an R4 High Density Residential zone under the Cumberland LEP 2021, and

therefore the proposed development is permissible pursuant to section 67 of the SEPP (Housing) 2021.

The relevant matters to be considered under Cumberland LEP 2021 and the applicable clauses for the proposed development are summarised below. A comprehensive Cumberland LEP 2021 assessment is contained at Attachment 11.

Development Standard	Compliance	Discussion
Clause 4.3 Height of Buildings Maximum 20m	No	The proposed maximum building height to the development is **22.3 metres** (including lift overrun structure) which does not comply with Clause 4.3 of Cumberland LEP 2021. Refer to detailed assessment below.
Clause 4.4 Floor Space Ratio Max. 2:1 + 10% SEPP (Housing) 2021 bonus = 2.2:1	Yes	The development provides a total gross floor area (GFA) of **1,630.5 square metres** which equates to a total FSR of **2.199:1**, which complies with Clause 4.4 of Cumberland LEP 2021.
Clause 4.6 Exceptions to Development Standards	Yes	Four clause 4.6 written justifications to vary the minimum lot size, communal open space, building separation and the height of building are provided and the discussions to justify the development standard are acceptable and can be supported by Council.

(b) Clause 4.6 - Exceptions to development standards

Clause 4.6 aims to achieve better design outcomes for and from development by allowing an appropriate degree of flexibility to development standards if particular circumstances are satisfied.

The application seeks to vary the development standard for height of building under clause 4.3 of the Cumberland LEP 2021.

Consent may only be granted upon the consent authority being satisfied that the applicant has demonstrated in a document submitted with the application that (a) compliance with the development standard is unreasonable or unnecessary in the circumstances and (b) there are sufficient environmental planning grounds to justify the contravention of the development standard.

Location of height breach	Proposed	Standard	Variation
Roof of rooftop areas	22.04m	20m	ii) 10.2%
Lift overrun	22.3m	20m	11.5%

(a) compliance with the development standard is unreasonable or unnecessary in the circumstances.

The decision of *Wehbe v Pittwater Council* (2007) 156 LGERA 446; [2007] NSWLEC 827, affirmed in *Initial Action Pty Ltd v Woollahra Municipal Council* [2018] NSWLEC 118 set out five common and non-exhaustive ways in which an applicant might demonstrate that compliance with a development standard is unreasonable or unnecessary. They were that:

(i) the objectives of the development standard are achieved notwithstanding non-compliance with the standard.

(ii) the underlying objective or purpose is not relevant to the development with the consequence that compliance is unnecessary.

(iii) the underlying objective or purpose would be defeated or thwarted if compliance was required with the consequence that compliance is unreasonable.

(iv) the development standard has been virtually abandoned or destroyed by the Council's decisions in granting development consents that depart from the standard and hence compliance with the standard is unnecessary and unreasonable.

(v) the zoning of the particular land on which the development is proposed to be carried out was unreasonable or inappropriate so that the development standard, which was appropriate for that zoning, was also unreasonable or unnecessary as it applied to that land and that compliance with the standard in the circumstances of the case would also be unreasonable or unnecessary.

Applicant's justification:

The applicant relies on the first way in Wehbe, claiming that:

In accordance with the provisions of this clause it is considered that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case as the underlying objectives of the control are achieved. The objectives of the building height development standard are stated as:

- The overall building height is compatible with the evolving high-density residential character of the locality, where recent approvals and developments reflect a transition toward six-storey and higher residential forms. The limited elements exceeding the height control, namely the rooftop communal open space structures and lift overrun, are set back and recessed behind the main building façade, effectively reducing their visual prominence and ensuring the development presents a well-proportioned and cohesive built form when viewed from the public domain.

- The portion of the building that exceeds the 20-metre height standard does not contain any habitable floor space and is limited to rooftop communal areas and building services. The development therefore presents as a well-proportioned six-storey form, with the minor height variation having no perceivable bulk or scale impact. The exceedance does not constitute an overdevelopment of the site but instead reflects a measured and contextually appropriate design response to the site's corner position and surrounding high-density character.

- The proposed development incorporates a complying floor space ratio as per the provisions of the CLEP 2021 and the Housing SEPP, which will ensure that the scale of the proposed development will be appropriate and will be visually consistent with the permitted building height with the rooftop building components recessed, screened by rooftop landscape planters, and designed using a lighter design style to ensure a positive streetscape presentation.

- The additional height does not generate any additional amenity impacts given the location of the site and the surrounding site context.

- The proposal has been carefully designed to ensure that no adverse visual or acoustic amenity impacts will be created by the proposed building height along site boundaries as the upper levels are substantially recessed behind the building perimeter and buffered by rooftop landscaping.

- The proposed articulation of the built form will ensure that the additional building height will not be noticeable from street level and that the proposed development will provide a strong and identifiable building line that will pronounce the site's prominent location at the edge of the Lidcombe Town Centre.

- The proposed built form achieves a superior planning and urban design outcome compared to a fully compliant alternative. While a similar residential density could theoretically be accommodated within a bulkier five-storey building, such an outcome would necessitate a larger floor plate with reduced articulation and setbacks, resulting in a more visually dominant and less contextually sensitive form. In contrast, the proposed design distributes the building mass more efficiently across six storeys, allowing for increased separation to boundaries, improved façade modulation, enhanced natural light penetration, and greater internal and external amenity for future residents.

- The proposal has been designed to ensure that privacy impacts are mitigated against and that the proposal will not obstruct existing view corridors.

Planner's comments:

The clause 4.6 submission adequately justifies that compliance with the development standards for the additional building height, are unreasonable or unnecessary in the circumstances and that there are sufficient environmental planning grounds to justify the contravention.

(b) there are sufficient environmental planning grounds to justify the contravention of the development standard.

In respect of there being sufficient environmental planning grounds to justify the contravention of the development standard, Initial Action found that although the phrase 'environmental planning' is not defined, it would refer to grounds that relate to the subject matter, scope and purpose of the *Environmental Planning and Assessment Act 1979*, including the objects in s.1.3. To be sufficient, the environmental planning grounds advanced in the written request must justify the contravention of the

development standard, not simply promote the benefits of carrying out the development as a whole *Four2Five Pty Ltd v Ashfield Council* [2015] NSWCA 248.

Applicant's justification:

The variation has a number of distinct environmental planning benefits including that:

- The proposal provides residential accommodation opportunities, and will strongly contribute towards revitalising the subject area, as it will increase employment opportunities both during the construction phase and at the completion of the proposal. The 52 co-living suites will provide increased patronage in the locality thus both components will contribute towards boosting the local economy of Lidcombe.

- The 52 co-living suites will provide diverse housing for a range of residents that may not otherwise be able to live in this location including students, key workers and employees with low incomes.

- Australia is experiencing a housing crisis and the provision of co-living development will increase the supply of compact rental accommodation for a range of occupants in a very accessible location.

- The development proposes a modest development that has been designed to minimise impacts on adjoining properties. The revised development will not have an unacceptable impact on surrounding properties.

- The proposal will provide affordable accommodation for key workers and university students in an accessible location that has ready access to the Lidcombe Town Centre.

- The development is consistent with the Cumberland Council Affordable Housing Strategy 2020 as it will marginally reduce the level of rental housing stress experienced by residents across Cumberland Council so that they can thrive socially and economically by increasing the provision of affordable rental housing. More affordable rental housing will allow more residents to live closer to work, or close to good public transport links that make the journey to work cheaper, faster and easier.

- The proposal will provide for a number of distinct public benefits:

  - Delivery of additional housing within close proximity to the employment precinct of the Lidcombe Town Centre.

  - Creation of jobs during the construction stage and the ongoing use of the premises.

  - Activation of the street level.

  - Provision of appropriate solar access to residents of the development.

- Amenity impacts to adjoining properties are mitigated and the distribution of additional floor space across the site will not be discernibly different to a built form that is compliant with the height control.

- The scale and intensity of the development is appropriate noting that the proposal complies with the maximum FSR, which demonstrates an appropriate development outcome.

Planner's comments:

There are sufficient planning grounds in that:

- Floor-to-ceiling heights of 2.7 metres are provided which provides for satisfactory occupant amenity and facilitates the provision of services in addition to floor slabs.

- Floor-to-floor levels of 3.2 metres are provided which is consistent with the Building Code of Australia and with Figure 4C.5 of the Apartment Design Guide.

- Satisfactory rooftop amenities are provided which provides adequate occupant amenity and facilitates a portion of the communal open space development standard.

- The proposal is consistent with the objectives of the R4 High Density Residential zone as it delivers a high-quality co-living development that increases housing supply and diversity within an accessible, high-density setting close to Lidcombe Town Centre.

- The proposal remains consistent with the underlying objectives of the control and as such compliance is considered unnecessary or unreasonable in the circumstances.

- The development provides diverse housing that broaden housing choice.

- The built form is well-articulated and sensitively scaled to its three-street frontages.

- It is designed to maintain residential amenity through appropriate setbacks, deep soil planting, and basement parking, ensuring a design that enhances both the site and the surrounding neighbourhood.

Conclusion

As the applicant's justification has satisfied the test under clause 4.6 and having considered the application on its merits, the exception to the height development standard is considered acceptable in this instance.

- Minimum lot size

Clause 4.6 aims to achieve better design outcomes for and from development by allowing an appropriate degree of flexibility to development standards if particular circumstances are satisfied.

The application seeks to vary the development standard for the minimum 800 square metres lot size for the co-living housing under section 69(1)(b)(ii) of the SEPP (Housing) 2021.

Consent may only be granted upon the consent authority being satisfied that the applicant has demonstrated in a document submitted with the application that (a) compliance with the development standard is unreasonable or unnecessary in the circumstances and (b) there are sufficient environmental planning grounds to justify the contravention of the development standard.

Extent of breach	Proposed	Standard	Variation
Minimum lot size for the co-living housing	741.2 square metres	800 square metres	7.35%

(a) compliance with the development standard is unreasonable or unnecessary in the circumstances.

The decision of *Wehbe v Pittwater Council* (2007) 156 LGERA 446; [2007] NSWLEC 827, affirmed in *Initial Action Pty Ltd v Woollahra Municipal Council* [2018] NSWLEC 118 set out five common and non-exhaustive ways in which an applicant might demonstrate that compliance with a development standard is unreasonable or unnecessary. They were that:

(i) The objectives of the development standard are achieved notwithstanding non-compliance with the standard

(ii) the underlying objective or purpose is not relevant to the development with the consequence that compliance is unnecessary.

(iii) the underlying objective or purpose would be defeated or thwarted if compliance was required with the consequence that compliance is unreasonable.

(iv) the development standard has been virtually abandoned or destroyed by the Council's decisions in granting development consents that depart from the standard and hence compliance with the standard is unnecessary and unreasonable.

(v) the zoning of the particular land on which the development is proposed to be carried out was unreasonable or inappropriate so that the development standard, which was appropriate for that zoning, was also unreasonable or unnecessary as it applied to that land and that compliance with the standard in the circumstances of the case would also be unreasonable or unnecessary.

Applicant's justification:

The applicant relies on the first way in Wehbe, claiming that:

In accordance with the provisions of this clause it is considered that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case as the underlying objectives of the control are achieved.

- The non-compliance is not the result of an arbitrary subdivision pattern or a deliberate attempt to avoid the application of the standard. Rather, it arises because the subject site is physically constrained by its existing allotment boundaries and is unable to achieve the prescribed minimum lot size without amalgamation of adjoining land.

- The shortfall is modest in numerical terms.

- The variation arises in circumstances where the site functions as an isolated allotment.

- Genuine attempts have been made to acquire and amalgamate the adjoining land to achieve compliance with the standard.

- Those attempts have not been successful despite valuation advice, a formal written offer and follow-up correspondence.

- The site remains capable of accommodating an orderly and appropriate form of co-living housing development.

- The proposal is consistent with the planning framework applying to the land and does not undermine the intent of the minimum lot size control.

Planner's comments:

The clause 4.6 submission adequately justifies that compliance with the minimum 800 square metres for co-living housing development standard, are unreasonable or unnecessary in the circumstances and that there are sufficient environmental planning grounds to justify the contravention.

Attempts have been made by the applicant to acquire 14 Bernard Street which have been unsuccessful. The subject site must be assessed on the basis of the land presently available to the applicant, rather than on the assumption that amalgamation is reasonably available or likely to occur. The site as it presently exists, is capable of accommodating an orderly and appropriate form of development notwithstanding the modest shortfall in lot size.

(b) there are sufficient environmental planning grounds to justify the contravention of the development standard.

In respect of there being sufficient environmental planning grounds to justify the contravention of the development standard, Initial Action found that although the phrase 'environmental planning' is not defined, it would refer to grounds that relate to the subject matter, scope and purpose of the *Environmental Planning and Assessment Act 1979*, including the objects in s.1.3. To be sufficient, the environmental planning grounds advanced in the written request must justify the contravention of the

development standard, not simply promote the benefits of carrying out the development as a whole *Four2Five Pty Ltd v Ashfield Council* [2015] NSWCA 248.

Applicant's justification:

The applicant submits that there are sufficient environmental planning grounds to justify the contravention of the minimum lot size development standard in this instance. Those grounds are not generic to co-living housing development or to redevelopment of residential land generally. Rather, they arise from the particular circumstances of the site, the modest extent of the variation, the genuine but unsuccessful attempts to achieve amalgamation, and the fact that the proposal is capable of delivering an orderly and appropriate development outcome notwithstanding the shortfall in site area.

- The first environmental planning ground is the isolated nature of the subject site. As set out above, the site cannot achieve compliance with the minimum lot size standard without acquisition of adjoining land. The applicant has taken genuine steps to pursue that outcome, including obtaining valuation advice, issuing a formal written offer and undertaking follow-up negotiations. Despite those efforts, amalgamation has not been achieved. In those circumstances, the site must be assessed on its present merits. This is a site-specific planning circumstance which directly informs the justification for the variation.

- The second environmental planning ground is the modest extent of the contravention. The variation is limited to 59m², or approximately 7.4% below the prescribed minimum. This is not a substantial or transformative departure from the standard. The shortfall does not alter the essential development capacity of the site or prevent it from accommodating an appropriate co-living housing outcome.

- The third environmental planning ground is that the site remains physically capable of supporting an orderly and suitable development outcome notwithstanding the variation. The site is a substantial urban allotment with three street frontages and sufficient dimensions to accommodate a coherent built form response. The amended proposal demonstrates that the development can achieve the relevant planning outcomes for the land, including an appropriate built form, residential amenity, serviceability and environmental performance, despite the site area shortfall.

- The fourth environmental planning ground is that the variation does not compromise the orderly and economic development of surrounding land. The amended proposal does not sterilise adjoining sites or unreasonably constrain their future development potential. The accompanying plans demonstrate that an orderly future development outcome remains achievable on adjoining land, including to the north. This is a relevant and important site-specific planning consideration in circumstances where the variation arises in the context of an isolated allotment.

- The fifth environmental planning ground is that strict compliance with the minimum lot size requirement in this particular case would produce an unnecessary planning inefficiency without delivering a corresponding planning benefit. The result of insisting on strict compliance would be to prevent

redevelopment of a site that is otherwise suitable for the proposed form of development, despite the fact that the site is capable of accommodating an orderly and appropriate outcome and despite the applicant having made genuine attempts to secure compliance through amalgamation.

Planner's comments:

Taken together, these matters provide sufficient environmental planning grounds to justify the contravention of the development standard. The site has 3 street frontages which in itself restricts site amalgamation or site acquisition with only one option to its north remains. The proposed development is a preferred outcome from an environmental planning perspective and there is merit in varying the lot size control to achieve a better design response on the site.

Conclusion

The applicant has been unsuccessful in acquiring the adjoining property to achieve the minimum 800 square metres for co-living housing development. Land valuation reports / statements from the applicant and the adjoining property have been provided for Council's consideration.

As the applicant's justification has satisfied the test under clause 4.6 and having considered the application on its merits, the exception to the minimum lot size for co-living housing development standard is considered acceptable in this instance.

- Communal living area

Clause 4.6 aims to achieve better design outcomes for and from development by allowing an appropriate degree of flexibility to development standards if particular circumstances are satisfied.

The application seeks to vary the development standard for communal living areas under section 68(2)(c) of the SEPP (Housing) 2021.

Consent may only be granted upon the consent authority being satisfied that the applicant has demonstrated in a document submitted with the application that (a) compliance with the development standard is unreasonable or unnecessary in the circumstances and (b) there are sufficient environmental planning grounds to justify the contravention of the development standard.

Extent of breach	Proposed	Standard	Variation
Minimum communal living area for 52 co-living rooms	100.2 square metres	122 square metres	17.86%

(a) compliance with the development standard is unreasonable or unnecessary in the circumstances.

The decision of *Wehbe v Pittwater Council* (2007) 156 LGERA 446; [2007] NSWLEC 827, affirmed in *Initial Action Pty Ltd v Woollahra Municipal Council* [2018] NSWLEC 118 set out five common and non-exhaustive ways in which an applicant might demonstrate that compliance with a development standard is unreasonable or unnecessary. They were that:

(i) The objectives of the development standard are achieved notwithstanding non-compliance with the standard

(ii) the underlying objective or purpose is not relevant to the development with the consequence that compliance is unnecessary.

(iii) the underlying objective or purpose would be defeated or thwarted if compliance was required with the consequence that compliance is unreasonable.

(iv) the development standard has been virtually abandoned or destroyed by the Council's decisions in granting development consents that depart from the standard and hence compliance with the standard is unnecessary and unreasonable.

(v) the zoning of the particular land on which the development is proposed to be carried out was unreasonable or inappropriate so that the development standard, which was appropriate for that zoning, was also unreasonable or unnecessary as it applied to that land and that compliance with the standard in the circumstances of the case would also be unreasonable or unnecessary.

Applicant's justification:

The applicant relies on the first way in Wehbe, claiming that:

In accordance with the provisions of this clause it is considered that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case as the underlying objectives of the control are achieved.

- The applicant submits that compliance with the communal living area dimension requirement is unreasonable or unnecessary in the circumstances of this case.
- The communal living area requirement is intended to ensure that co-living housing provides residents with sufficient, accessible and functional shared internal spaces that support resident amenity, social interaction and day-to-day communal living.
- It is confined to the minimum dimension requirement for communal living areas, noting that the proposal exceeds the required total quantum of communal living area.
- The numerical issue does not arise from a shortfall in the overall amount of communal living area. Rather, the variation arises because the communal living areas on Levels 1 to 5 include 3m x 3m functional areas, but portions of those areas also accommodate circulation, including access points to residential rooms and electrical / communications cupboard doors.
- The variation is technical and dimensional in nature, rather than a shortfall in the overall quantum of communal living area.
- The communal living areas remain usable, legible and capable of supporting resident interaction- that would be uninterrupted by users given the location is

tucked in a discreet location at the end of the corridor with only 2 rooms (per level) in proximity.

Planner's comments:

The clause 4.6 submission adequately justifies that compliance with the minimum 122 square metres of communal living area for co-living housing development standard, are unreasonable or unnecessary in the circumstances and that there are sufficient environmental planning grounds to justify the contravention.

The proposal provides smaller-format rental accommodation in a co-living model, supporting housing choice for a range of household types and income levels. Accessible rooms are also provided within the development.

Whilst Council excludes the 5 x 10.7 square metre space of communal residential lounge/study nook spaces on levels 1 to 5 from the communal living area calculation given they do not provide a clear 3 metre dimensions, the variation does not undermine the delivery of this housing form.

The 10.7 square metre space on each of the upper levels 1 to 5 are provided as additional distributed resident amenity spaces, rather than being relied upon as the sole communal living area for the development. The spaces remain usable, legible and capable of supporting resident interaction notwithstanding the circulation and access interfaces.

(b) there are sufficient environmental planning grounds to justify the contravention of the development standard.

In respect of there being sufficient environmental planning grounds to justify the contravention of the development standard, Initial Action found that although the phrase 'environmental planning' is not defined, it would refer to grounds that relate to the subject matter, scope and purpose of the *Environmental Planning and Assessment Act 1979*, including the objects in s.1.3. To be sufficient, the environmental planning grounds advanced in the written request must justify the contravention of the development standard, not simply promote the benefits of carrying out the development as a whole *Four2Five Pty Ltd v Ashfield Council* [2015] NSWCA 248.

Applicant's justification:

There are sufficient environmental planning grounds to justify the contravention of the communal living area dimension requirement in this instance. Those grounds are not generic to co-living housing development or to residential redevelopment generally. Rather, they arise from the particular circumstances of the proposal, including the fact that the development exceeds the total communal living area requirement, the dimensional non-compliance is confined to the smaller communal areas on Levels 1 to 5, and the proposal provides a broader package of communal amenity including compliant communal open space.

- The principal ground floor communal area provides 100.2m² and is not subject to the dimensional non-compliance.

- The variation is confined to the communal living areas on Levels 1 to 5, which are supplementary distributed communal spaces within the overall development.

- Each Level 1 to 5 communal living area has been designed with a 3m x 3m functional area, with the variation arising because parts of those spaces also accommodate circulation and access functions, including access to residential rooms and electrical / communications cupboard doors.

- The non-compliance is technical and dimensional in nature and does not represent

- a shortfall in the total quantum of communal living area or a failure to provide usable resident amenity.

- The distribution of communal living areas across multiple levels improves convenience and accessibility for residents by providing shared spaces close to residential rooms.

- The proposal provides substantial ground-level and rooftop communal open space, reinforcing the overall adequacy of shared resident amenity.

Planner's comments:

The upper-level communal areas remain usable and functional and are supplemented by compliant communal living area at the ground level. Further, the ground floor level communal living area is complemented by an adjoining communal open space which is satisfactory. Strict compliance with the 3 metres dimension would not materially improve the functionality or amenity of the development as the proposal already provides satisfactory, accessible and well-distributed communal spaces for residents.

Conclusion

As the applicant's justification has satisfied the test under clause 4.6 and having considered the application on its merits, the exception to the communal living area for co-living housing development standard is considered acceptable in this instance.

- Building separation

Clause 4.6 aims to achieve better design outcomes for and from development by allowing an appropriate degree of flexibility to development standards if particular circumstances are satisfied.

The application seeks to vary the development standard for building separation under section 69(2)(b) of the SEPP (Housing) 2021. Section 69(2)(b) requires the consent authority, in considering development for the purposes of co-living housing of at least three storeys, to consider whether the building will comply with the minimum building separation distances specified in Part 3F of the Apartment Design Guide.

Consent may only be granted upon the consent authority being satisfied that the applicant has demonstrated in a document submitted with the application that (a)

compliance with the development standard is unreasonable or unnecessary in the circumstances and (b) there are sufficient environmental planning grounds to justify the contravention of the development standard.

Extent of breach	Proposed	Standard	Variation
Up to 12m (4 storeys)	3m (levels 1-3)	6m	50%
Up to 25m (5-8 storeys)	3m (levels 4-5 and communal rooftop)	9m	66.66%

(a) compliance with the development standard is unreasonable or unnecessary in the circumstances.

The decision of *Wehbe v Pittwater Council* (2007) 156 LGERA 446; [2007] NSWLEC 827, affirmed in *Initial Action Pty Ltd v Woollahra Municipal Council* [2018] NSWLEC 118 set out five common and non-exhaustive ways in which an applicant might demonstrate that compliance with a development standard is unreasonable or unnecessary. They were that:

(i) the objectives of the development standard are achieved notwithstanding non-compliance with the standard

(ii) the underlying objective or purpose is not relevant to the development with the consequence that compliance is unnecessary.

(iii) the underlying objective or purpose would be defeated or thwarted if compliance was required with the consequence that compliance is unreasonable.

(iv) the development standard has been virtually abandoned or destroyed by the Council's decisions in granting development consents that depart from the standard and hence compliance with the standard is unnecessary and unreasonable.

(v) the zoning of the particular land on which the development is proposed to be carried out was unreasonable or inappropriate so that the development standard, which was appropriate for that zoning, was also unreasonable or unnecessary as it applied to that land and that compliance with the standard in the circumstances of the case would also be unreasonable or unnecessary.

Applicant's justification:

The applicant relies on the first way in Wehbe, claiming that:

The applicant submits that compliance with the building separation requirement is unreasonable or unnecessary in the circumstances of this case.

- The numerical non-compliance is confined to the upper two residential levels, where a 3 metre separation is provided in lieu of the 4.5 metre ADG separation distance, resulting in a 1.5 metre variation, or 33.3%.

- The variation is limited to the northern interface with 14 Bernard Street and does not affect the site's three street frontages.

- The adjoining northern property is presently occupied by a single-storey dwelling, which limits the practical privacy impacts of the departure because there are no upper-level habitable windows or balconies directly opposite the proposed northern elevation.

- The amended design also includes obscured glazing to 1.8 metres, clear glazing above and vertical battens to the relevant northern-facing window, thereby restricting direct overlooking while maintaining daylight and outlook for future residents.

Planner's comments:

The proposal achieves the underlying planning purpose of the building separation requirement by maintaining an acceptable amenity relationship between the subject site and adjoining land. It does not result in unreasonable overlooking, excessive bulk, or a compromised relationship with adjoining development, and does not prevent the orderly redevelopment of 14 Bernard Street in the future. Further, the plans incorporate specific privacy mitigation measures, including obscured glazing up to 1.8 metres across each floor level where relevant, clear glazing above and vertical battens.

(b) there are sufficient environmental planning grounds to justify the contravention of the development standard.

In respect of there being sufficient environmental planning grounds to justify the contravention of the development standard, Initial Action found that although the phrase 'environmental planning' is not defined, it would refer to grounds that relate to the subject matter, scope and purpose of the *Environmental Planning and Assessment Act 1979,* including the objects in s.1.3. To be sufficient, the environmental planning grounds advanced in the written request must justify the contravention of the development standard, not simply promote the benefits of carrying out the development as a whole *Four2Five Pty Ltd v Ashfield Council* [2015] NSWCA 248.

Applicant's justification:

The applicant submits that there are sufficient environmental planning grounds to justify the contravention of the building separation requirement in this instance.

- The development proposal is compliant with the 3m setback control contained in the Cumberland DCP 2021.

- The variation is confined to the upper two residential levels of the northern interface with 14 Bernard Street. The lower four storeys achieve the applicable 3 metre ADG separation distance for non-habitable / privacy-treated openings, meaning the numerical non-compliance is not a whole-building separation departure.

- The numerical variation is limited to 1.5 metres from the 4.5 metre ADG separation distance applicable to the upper two residential levels, representing a 33.3% variation. This is a confined and clearly identifiable departure, rather than a broad or unresolved building separation issue.

- The subject site benefits from three street frontages to Bernard Street, Raymond Street East and Rebecca Street, meaning the building separation issue is limited to one adjoining boundary condition rather than being a broader site-wide separation concern.

- The adjoining northern property is presently occupied by a single-storey dwelling and does not contain upper-level habitable windows, balconies or elevated private open space directly opposite the proposed northern elevation. This substantially limits the practical privacy impacts of the numerical departure in the current context.

- The amended design incorporates specific and effective privacy mitigation measures.

- Obscured glazing is provided up to 1.8 metres to the relevant northern facing window associated with the communal open space, with clear glazing above and vertical battens provided as an additional screening element. These measures respond directly to the planning purpose of the building separation control and ensure potential overlooking impacts are appropriately managed.

- The variation allows the proposal to maintain resident amenity while also managing neighbour amenity. Strict compliance would likely require a more constrained internal planning outcome and may reduce the functionality, daylight access and usability of communal areas. The amended design achieves an appropriate balance by maintaining usable communal space and outlook while incorporating physical privacy measures to protect adjoining land.

Planner's comments:

The numerical variation does not compromise the orderly and economic development of adjoining land. Any future redevelopment of 14 Bernard Street would be capable of responding to the established built form on the subject site through its own building separation, orientation, window placement, screening and privacy measures. The proposal therefore does not sterilise or unreasonably constrain adjoining land.

The variation does not result in excessive bulk, unreasonable overlooking or an unacceptable amenity relationship but forms part of a considered design response to an urban infill site. The planning purpose of the building separation requirement is achieved through the combination of site context, design response and privacy mitigation measures such that insistence on strict numerical compliance would impose unnecessary design constraints without a corresponding amenity benefit.

Conclusion

As the applicant's justification has satisfied the test under clause 4.6 and having considered the application on its merits, the exception to the building separation for co-living housing development standard is considered acceptable in this instance.

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

Council has received a Gateway Determination from the Department of Planning, Housing and Infrastructure for the Draft Woodville Road Corridor Planning Proposal. As part of this approval, public exhibition of the Draft Woodville Road Corridor Planning Proposal has commenced. The public exhibition was carried out between the 4 March 2025 to 17 April 2025.

The Draft Planning Proposal seeks to revitalise Woodville Road by amending planning controls in the Cumberland LEP 2021 for 31 sites located around the three (3) precincts of Woodville North, Merrylands East and Woodville South.

The subject application was received on 12 December 2025 and the site does not fall within the Draft Woodville Road Corridor. Therefore, no further consideration is required.

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

The Cumberland Development Control Plan 2021 is relevant to the development proposal.

The development has been assessed using the following chapters:

- Part B3 Residential Flat Building.
- Part G3 Traffic, Parking, Transport and Access (Vehicles).
- Part G4 Stormwater and Drainage.
- Part G5 Sustainability, Biodiversity and Environmental Management.
- Part G7 Tree Management and Landscaping.
- Part G8 Waste Management.

The proposed development complies with the provisions of Council's relevant parts A1, A3, B3, G3, G4, G5, G7 and G8 of the Cumberland Development Control Plan 2021 and is considered acceptable from an environmental planning viewpoint. A comprehensive Cumberland DCP 2021 assessment is contained in Attachment 12.

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)(iiia))

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 Regulation 2021 (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 (Website) ☒ Mail ☒ Sign ☒ Not Required ☐

In accordance with Council's Notification requirements contained within the Cumberland Development Control Plan 2021, the proposal was publicly notified for a period of 14 days between 15 January 2026 and 29 January 2026. The notification generated two (2) unique submissions in respect of the proposal with none disclosing a political donation or gift.

The issues raised in the public submissions are summarised and commented on as follows:

Issue	Planner's Comment
Excessive height.	The clause 4.6 submission to vary the building height development standard adequately justifies that compliance with the development standard for building height under clause 4.3 of the Cumberland LEP 2021, is unreasonable or unnecessary in the circumstances and that there are sufficient environmental planning grounds to justify the contravention. Given the area is undergoing transition to higher-density development, the proposal is consistent with both the planned and emerging character of the locality, in this context. On balance, the visual and bulk impacts are considered reasonable and consistent with the planning framework as discussed in the assessment report.
Out of character with streetscape and height of surrounding buildings.	The proposed development being a 6-storey development remains compliant with the floor space ratio development standard that applies to the site in accordance with the Cumberland LEP 2021 and the SEPP (Housing) 2021. The area surrounding Bernard Street / Raymond Street East / Rebecca Street will, in time, be redeveloped with buildings of a similar scale. The precinct is undergoing transition and the design of the development is compatible with the desired future character.

Inadequate notification period for the proposal.	The application was notified in accordance with the Cumberland DCP 2021. The issue raised does not warrant the refusal of the application.
Co-living housing will be a negative impact to the surrounding residents.	The proposal, assessed on merit, is generally satisfactory with the relevant planning provisions. The issue raised does not warrant the refusal of the application.
Inadequate parking within the site	The proposal provides 11 car parking spaces which complies with the car parking provisions under the State Environmental Planning Policy (Housing) 2021. Further, Council's Senior Development Engineer reviewed the proposal and raised no traffic and parking related matters. As such, this issue does not warrant the refusal of the application.
Waste management	The application was reviewed by Council's Senior Resource Recovery Officer who did not raise any objections to the waste management plan or the bulky/waste rooms. The waste management is satisfactory subject to conditions.
Overshadowing.	The applicant has provided shadow diagrams including 3D sun views and shadow impact to Raymond Street between 9:00am until 3:00pm mid-winter comparing the proposed shadows with the existing shadows to be cast by the proposed 6-storey building. The proposal is not considered to adversely impact the adjoining and surrounding properties and the majority of the shadows cast is concentrated along the public domain of Rebecca Street and Raymond Street East. The issue raised does not warrant the refusal of the application.
Subsequent depreciation of surrounding properties.	Property valuation is not a matter under the 'heads of consideration of the EP&A Act 1979.

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.

CUMBERLAND LOCAL INFRASTRUCTURE CONTRIBUTIONS PLANS 2020

The development would require the payment of contributions in accordance with Cumberland Local Infrastructure Contributions Plan 2020.

In accordance with the Contribution Plan a contribution is payable, pursuant to section 7.11 of the EP&A Act 1979, calculated on the cost of works. A total contribution of $391,676.00 would be payable prior to the issue of a Construction Certificate.

HOUSING AND PRODUCTIVITY OF CONTRIBUTION (HPC)

In accordance with s7.24, s7.26 and s7.28 of the Environmental Planning and Assessment Act, 1979, the proposed development (co-living housing) is defined as commercial development and is subject to the payment of the Housing and Productivity Contribution (HPC).

A condition of consent has been imposed on the development consent in accordance with s7.28 of the EP&A Act 1979 requiring $51,000.00 payment of the HPC.

DISCLOSURE OF POLITICAL DONATIONS AND GIFTS

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

CONCLUSION:

The development application has been assessed in accordance with the relevant requirements of the *Environmental Planning and Assessment Act 1979*, State Environmental Planning Policy (Housing) 2021, Cumberland LEP 2021 and the Cumberland DCP 2021. The proposed development is appropriately located within the R4 High Density Residential zone under the relevant provisions of the Cumberland LEP 2021, however variations in relation to the height of building under the Cumberland LEP 2021, communal living area/minimum lot size for co-living housing and building separation under the State Environmental Planning Policy (Housing) 2021 are sought.

Having regard to the assessment of the proposal from a merit perspective, Council may be satisfied that the development has been responsibly designed and provides for acceptable levels of amenity for future residents. It is considered that the proposal successfully minimises adverse impacts on the amenity of neighbouring properties. Hence the development, irrespective of the departures noted above, is consistent with the intentions of Council's planning controls and represents a form of development contemplated by the relevant statutory and non-statutory controls applying to the land.

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:

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

FINANCIAL IMPLICATIONS:

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

POLICY IMPLICATIONS:

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

COMMUNICATION / PUBLICATIONS:

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

REPORT RECOMMENDATION:

1. **That the Clause 4.6 variation request to contravene the communal living area development standard, pursuant to section 68(2)(c) of the State Environment Planning Policy (Housing) 2021 and the Cumberland LEP 2021, be supported.**

2. **The Clause 4.6 variation request to contravene the minimum lot size development standard, pursuant to section 69(1)(b)(ii) of the State Environment Planning Policy (Housing) 2021, be supported.**

3. **The Clause 4.6 variation request to contravene the minimum building separation distances development standard, pursuant to Part 3F of the Apartment Design Guide section 69(2)(b) of the State Environment Planning Policy (Housing) 2021 and the Cumberland LEP 2021, be supported.**

4. **The Clause 4.6 variation request to contravene the height of building development standard, pursuant to clause 4.3 of the Cumberland Local Environmental Plan 2021, be supported.**

5. **Development Application 2025/0790 for demolition of existing structures, construction of a six (6) storey building for the purpose of co-living housing comprising of 52 single-occupancy rooms with ground level and roof top communal open spaces and basement car parking for 11 vehicles on land at 16 Bernard Street, Lidcombe be approval subject to conditions listed in the attached schedule.**

6. **Persons whom have lodged a submission in respect to the application be notified of the determination of the application.**

ATTACHMENTS

1. Draft Notice of Determination ⇩
2. Architectural Plans ⇩
3. Landscape Plans ⇩
4. Stormwater Engineering Plans ⇩
5. Redacted submissions ⇩
6. Clause 4.6 Variation Request - Height of Building ⇩
7. Clause 4.6 Variation Request - Communal Living Areas ⇩
8. Clause 4.6 Variation Request - Building Separation ⇩
9. Clause 4.6 Variation Request - Minimum Lot Size ⇩
10. State Environmental Planning Policy (Housing) 2021 Assessment ⇩
11. Cumberland LEP 2021 Assessment ⇩
12. Cumberland DCP 2021 Assessment ⇩

DOCUMENTS ASSOCIATED WITH REPORT ELPP021/26

Attachment 1

Draft Notice of Determination

CUMBERLAND CITY COUNCIL

DEVELOPMENT APPLICATION
DRAFT CONDITIONS OF CONSENT

Under the *Environmental Planning and Assessment Act, 1979*

Application No:	DA2025/0790
Applicant:	Mr D Zhang 360-362 Park Road REGENTS PARK NSW 2143
Property Description:	16 Bernard Street, Lidcombe. Lots 10 and 11, Sec 1 in DP 3424.
Development:	Demolition of existing structures, construction of a six (6) storey building for the purpose of co-living housing comprising of 52 single-occupancy rooms with ground level and roof top communal open spaces and basement car parking for 11 vehicles.
Determined by:	Cumberland Local Planning Panel.

CONDITIONS OF CONSENT

General Conditions

1. **DAGCA01- General**
This consent shall lapse five years after the date from which it operates unless building, engineering or construction work has physically commenced.

(Reason: Advisory)

2. **DAGCA02 - Approved Plans and Supporting Documents**
The development must be carried out in accordance with the following endorsed plans and documents, except as otherwise provided by the conditions of this consent.

Reference/ Dwg No	*Title/Description*	*Prepared By*	*Revision*	*Date/s*
Architectural plans, Job: 25033				
DA1.06	Site Plan - Proposed	Marchese Partners International Pty Ltd	C	27 April 2026
DA1.12	Demolition Plan	Marchese Partners International Pty Ltd	J	27 April 2026
DA2.01	Ground Level	Marchese Partners International Pty Ltd	J	27 April 2026
DA2.02	Level 1-3	Marchese Partners International Pty Ltd	J	27 April 2026
DA2.05	Level 4-5	Marchese Partners International Pty Ltd	H	27 April 2026
DA2.07	Level 6	Marchese Partners International Pty Ltd	J	27 April 2026
DA2.08	Level Roof	Marchese Partners International Pty Ltd	J	27 April 2026
DA2.09	Basement 1	Marchese Partners International Pty Ltd	J	27 April 2026
DA3.01	Elevation - East	Marchese Partners International Pty Ltd	J	27 April 2026
DA3.02	Elevation - South	Marchese Partners International Pty Ltd	J	27 April 2026

DA3.03	Elevation - West	Marchese Partners International Pty Ltd	J	27 April 2026
DA3.04	Elevation - North	Marchese Partners International Pty Ltd	J	27 April 2026
DA4.01	Site section - Section A-A	Marchese Partners International Pty Ltd	J	27 April 2026
DA4.03	Section - Façade Typical	Marchese Partners International Pty Ltd	B	27 April 2026
DA5.01	Room Types - Sheet 01	Marchese Partners International Pty Ltd	J	27 April 2026
DA5.02	Room Types - Sheet 02	Marchese Partners International Pty Ltd	J	27 April 2026
DA6.01	Material Board	Marchese Partners International Pty Ltd	G	27 April 2026
Landscape Plans				
EBLA-LD-GA01	General Arrangement Plan	EBLA	D	30 April 2026
EBLA-LD-PP01	Ground Floor Planting Plan	EBLA	D	30 April 2026
EBLA-LD-RF01	Roof Garden General Arrangement Plan Planting Plan	EBLA	D	30 April 2026
EBLA-LD-DE01	Indicative Landscape Detail	EBLA	D	30 April 2026
EBLA-LD-DE02	Indicative Landscape Detail	EBLA	D	30 April 2026
Stormwater Plans, Job No: SSCE-25136				
SW1	Cover Page	Solution Structural & Civil Engineers (SSCE) Solution Engineers	D	20 March 2026
SW2	Basement Stormwater Drainage Plan	Solution Structural & Civil Engineers (SSCE) Solution Engineers	E	30 April 2026
SW3	Site Stormwater Drainage Plan	Solution Structural & Civil Engineers (SSCE) Solution Engineers	E	30 April 2026
SW4	Roof Stormwater Drainage Plan	Solution Structural & Civil Engineers (SSCE) Solution Engineers	E	30 April 2026
SW5	Stormwater Details	Solution Structural & Civil Engineers (SSCE) Solution Engineers	E	30 April 2026
SW6	Erosion and Sediment Control Plan	Solution Structural & Civil Engineers (SSCE) Solution Engineers	E	30 April 2026
SW7	Erosion and Sediment Control Details	Solution Structural & Civil Engineers (SSCE) Solution Engineers	E	30 April 2026
Other documents				
-	Plan of Management	ACE Property Development Group	-	11 November 2025
101	Traffic and Transport Impact Assessment	Turner Traffic	2.0	13 November 2025
20250987.1/1211A/R1/EM	DA Acoustic Assessment report	Acoustic Logic Pty Ltd	1	12 November 2025
NR294_GI_REV1	Geotechnical Investigation Report	NR Engineering Consultants	1	4 November 2025

251114_16 Bernard St Lidcombe_ Access Compliance Report for DA_Rev2	Disability Access Compliance Report	Urban Pathways Pty Ltd	2	14 November 2025
-	Operational Waste Management Plan	Waste Audit and Management Group Pty Ltd	-	November 2025
P060005	ESD Report	Aspire Sustainability Consulting Pty Ltd	1.0	14 November 2025

For comprehension of approved levels, reference has been made to 'Detail & Boundary Survey of Lot 10 & 11, section 1 in DP 3424, located at No.16 Bernard Street, Lidcombe', version 1, dated 9th April 2025, reference No. 35067-25 DET ID, sheet 1 of 1, prepared by C & A Surveyors Pty Ltd.

(Reason: To confirm and clarify the details of the approval)

3. **DAGCF01 - Surface Runoff**
Allowances shall be made for surface runoff from adjacent properties and to retain existing surface flow path systems through the site. Existing surface water flows from upstream properties shall not be diverted or treated in a manner that results in adverse effects for any other property.

(Reason: To prevent adjoining properties from being adversely affected by existing surface water flows

4. **DAGCF02 - Utility Services**
If the development causes damage to utility services or if it requires the adjustment or relocation of utility services, the applicant shall carry out works, at the applicant's expense, to the service/s to the satisfaction of the utility provider.

(Reason: To protect and ensure the ongoing integrity of utility infrastructure)

5. **DAGCZ01 - Ausgrid requirements**
The following must be adhered to:

Ausgrid Overhead Powerlines

- The developer should refer to SafeWork NSW Document – Work Near Overhead Powerlines: Code of Practice. This document outlines the minimum separation requirements between electrical mains (overhead wires) and structures within the development site throughout the construction process. It is a statutory requirement that these distances be maintained throughout the construction phase.

- Consideration should be given to the positioning and operating of cranes, scaffolding, and sufficient clearances from all types of vehicles that are expected be entering and leaving the site. The "as constructed" minimum clearances to the mains must also be maintained. These distances are outlined in the Ausgrid Network Standard, NS220 Overhead Design Manual. This document can be sourced from Ausgrid's website at www.ausgrid.com.au.

- It is the responsibility of the developer to verify and maintain minimum clearances onsite. In the event where minimum safe clearances are not able to be met due to the design of the development, the Ausgrid mains may need to be relocated in this instance. Any Ausgrid asset relocation works will be at the developer's cost.

New Driveways – proximity to existing poles

- The proposed driveway shall be located to maintain a minimum clearance of 1.5m from the nearest face of the pole to any part of the driveway, including the layback, this is to allow room for future pole replacements. Ausgrid should be further consulted for any deviation to this distance.

New or modified connection

- To apply to connect or modify a connection for a residential or commercial premises. Ausgrid recommends the proponent to engage an Accredited Service Provider and submit a connection application to Ausgrid as soon as practicable. Visit the Ausgrid website for further details; https://www.ausgrid.com.au/Connections/Get-connected

  Additional information can be found in the Ausgrid Quick Reference Guide for Safety Clearances "Working Near Ausgrid Assets - Clearances". This document can be found by visiting the following Ausgrid website: www.ausgrid.com.au/Your-safety/Working-Safe/Clearance-enquiries

(Reason: To comply with Ausgrid's recommendations)

Conditions Which Must be Satisfied Prior to the Commencement of Demolition

6. DAPDB02 - Notice of Demolition

At least five working days prior to the commencement of demolition work, notice must be given to adjoining residents of the following:

- The date when demolition will commence.
- Details of the name, address and business hours contact telephone number of the demolisher, contractor or developer; and
- The telephone number of the SafeWork NSW Hotline.

At least five working days prior to the commencement of demolition work, notice must be given to Council of the following:

- The date when demolition will commence.
- Details of the name, address and business hours contact telephone number of the demolisher, contractor or developer.
- A copy of the notification issued to adjoining residents including the date the notice was delivered.
- The licence number of the demolisher.
- If asbestos is to be demolished, the full name and licence number of the asbestos removalist/s;
- Relevant SafeWork licences, and
- Copies of the demolisher's current public liability/risk insurance policy indicating a minimum cover of $10,000,000.00.

Demolition work must not commence until Council has inspected the site and is satisfied that all pre-demolition conditions have been satisfied.

(Reason: To ensure compliance with the relevant legislation and to ensure public and work safety)

7. DAPDB07 - Site Safety Fencing - Demolition Only

The site must be fenced to a minimum height of 1.8m in accordance with SafeWork NSW guidelines to prevent public access throughout demolition. The fencing must be erected before the commencement of any demolition work and be maintained until works are completed.

(Reason: Public safety)

8. DAPDB08 - Demolition Inspections

Council (not a private certifier) must inspect the site prior to and after demolition works. Payment of the demolition inspection fee in accordance with Council's current fees and charges policy must be made. To arrange a Council inspection contact Council's Customer Service on 8757 9000.

After completion of demolition works, the applicant must notify Council within 7 days to assess the site and ensure compliance with Australian Standard 2601-2001 - Demolition of Structures.

(Reason: To ensure compliance with the relevant legislation)

9. DAPDB09 - Tree Preservation

All street trees and trees on private property that are protected under Council's Development Control Plan, shall be retained and protected in accordance with AS 4970 - 2009 'Protection of Trees on Development Sites' during demolition except where Council's prior written consent has been obtained.

(Reason: Tree Preservation and Protection)

10. DAPDB10 - Demolition, Excavation, Construction Noise and Vibration Management Plan

A site specific Noise Management Plan shall be developed and submitted to the Council or registered certifier prior to the commencement of any demolition, excavation and construction works on site. The Plan must be prepared by a suitably qualified Acoustic Consultant, being a consultant who holds a current member grade of the Australian Acoustical Society.

The Plan must include but not be limited to the following:

a) Identification of any noise sensitive receivers near to the site.
b) A prediction as to the level of noise and vibration impact, including the likely number of high noise intrusive appliances/equipment likely to affect the nearest noise sensitive receivers.
c) A statement outlining whether or not predicted noise levels will comply with the noise criteria stated in the NSW EPA Interim Construction Noise Guideline (2009). Where resultant site noise levels are likely to be in exceedance of noise criteria, then details of the following must be included in the plan:
    - Duration and frequency of respite periods that will be afforded to the occupiers of neighbouring properties; and
    - Details of any other noise mitigation measures that will be deployed on site to reduce noise impacts on the occupiers of neighbouring noise sensitive property to a minimum.
d) Confirmation of the level of community consultation that has or will be undertaken with the occupiers of the main adjoining noise sensitive properties likely to be most affected by site works and the operation of plant/machinery particularly during demolition and excavation phases.
e) Details of the noise and vibration monitoring that is to be undertaken during works.
f) The type of action will be undertaken following receipt of a complaint concerning offensive noise or vibration, including nomination of a site contact.

(Reason: Environmental and residential protection)

11. DAPDB11 - Hazardous Materials Survey Required

Prior to the commencement of any demolition works, a Hazardous Materials Survey Report must be prepared by a suitably qualified person (such as a certified Occupational Hygienist) and submitted to the satisfaction of the Council or registered certifier. The report must identify and record the type, location and extent of any hazardous materials on the site and make recommendations as to the safe management and/or removal to ensure the site is safe for demolition, construction and future use/occupation.

(Reason: To ensure controls are in place for hazardous materials)

12. DAPDB12 - Sediment and Erosion Control Measures

Prior to the commencement of works, including demolition, 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, shall be constructed upstream of 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 in suitable locations below the construction area to reduce impacts on waterways.
c) Vegetation and/or existing building structures will be cleared from the construction areas only with other areas to remain undisturbed.
d) Restricting vehicle access to one designated point and having the 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.

The above measures are to be maintained at all times to the satisfaction of Council and the Principal Certifier. Failure to do so may result in the issue of penalty notices.

(Reason: To minimise/prevent impacts on waterways by minimising soil erosion and sediment leaving the site)

13. **DAPDB13 - Sediment and Erosion Control Plan - Large Sites**
A Soil and Water Management Plan (also known as an Erosion and Sediment Control Plan) shall be prepared according to the Landcom's Managing Urban Stormwater: Soils and Construction - Volume 1, commonly known as the 'Blue Book'. A copy of the plan must be kept on-site at all times and made available to Council officers on request.

(Reason: To minimise/prevent impacts on waterways by minimising soil erosion and sediment leaving the site)

Conditions Which Must be Satisfied Prior to the Issue of a Construction Certificate

14. **DACCA02 - Application for a Construction Certificate**
Construction work must not commence until a Construction Certificate has been obtained from Council or a registered certifier.

(Reason: Statutory requirement)

15. **DACCA03 - Disabled Access & Facilities**
Access and facilities for people with disabilities must be provided in accordance with the relevant requirements of the National Construction Code (for all new building work) and in addition, with the relevant requirements of the 'Disability (Access to Premises - Building) Standards 2010'. Details of the proposed access, facilities and car parking for people with disabilities are to be included in the plans/specifications submitted with the Construction Certificate application.

(Reason: To ensure compliance with the requirements of the National Construction Code)

16. **DACCA04 - Works Within the Boundary**
No portion of the works are to encroach beyond the boundaries of the subject property. Alternatively, documentary evidence that the owner of the adjoining property has no objection to the required works or access, is to be submitted to the Council or registered certifier prior to the issue of a Construction Certificate.

(Reason: To ensure protection of adjoining properties)

17. **DACCB01 - Damage Deposit for Council Infrastructure**
A damage deposit of $14,940.00 shall be paid to Council prior to the issue of the Construction Certificate. Council may use part or all of the deposit to carry out rectification work to Council's infrastructure that was damaged as a result of carrying out development works. Unused portions of the damage deposit can be refunded following the completion the issue of an Occupation Certificate and a written request to release the deposit.

(Reason: To encourage protection of Council infrastructure and to fund rectification works for damaged Council infrastructure)

18. **DACCB02 - Payment of Bonds, Fees and Long Service Levy**
The Council or registered certifier is to ensure and obtain written proof prior to the issue of a Construction Certificate that all bonds, fees and contributions as required by this consent have been paid to the applicable authority. This includes payment of a long service levy as required under part 5 of the *Building and Construction Industry Long Service Payments Act 1986*.

(Reason: To ensure that the applicable bonds, fees and levies are paid)

19. **DACCB03 - Section 7.11 Contribution**
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 the *Cumberland Local Infrastructure Contributions Plan 2020* is to be paid to Council. The amount of contribution payable is **$391,676.00 + CPI** as at the date of this consent but is subject to change by the consumer price index to the date of payment. A copy of the *Cumberland Local Infrastructure Contributions Plan 2020* can be viewed on Council's website

(Reason: To ensure compliance with Cumberland Local Infrastructure Contributions Plan)

20. DACCB05 - Fees to be paid to Council

Types of fees	Amount	Payment timing
Demolition Inspection Fee	$752.00 (pre & post)	Prior to OC
Damage Bond	$14,940.00	Prior to CC
Section 7.11 Contributions	$391,676.00 + CPI	Prior to CC
Construction Traffic Management Plan	$409.00	Prior to CC
Kerb Crossing Bond	$6,970.00	Prior to CC
Driveways Inspections	$881.00	Prior to CC
TOTAL	**$415,628.00** + CPI where applicable	

Payment of the above fees shall be paid to Council in accordance with timing stipulated above. Please note that other fees and charges may be applicable to the proposal. Fees to be paid to Council will be determined at the time of payment in accordance with Council's adopted Fees and Charges Policy and may therefore exceed the fee amount quoted above.

Note: In the event that the applicant does not apply for a refund of bonds, Council will forfeit the bonds and it will be transferred to the Infrastructure Reserve seven years after the completion of works in accordance with Council's Construction Bonds Management Policy.

(Reason: Statutory requirement and information)

21. DACCB06 - Photographic Record of Council Property - Damage Deposit

Prior to demolition commencing and prior to the issue of a Construction Certificate, the applicant shall submit to Council a full photographic record of the condition of Council's assets (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 assets 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 arose during the course of demolition or construction work, Council may require either part or full re-instatement of its assets.

Failure to provide a full 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.

(Reason: To assist in the appropriate assignment of costs for any damage to Maintain Council public assets)

22. DACCC01 - Footpath and Driveway Design Levels

Detailed footpath levels shall be obtained from Council before finalisation of the footpath and driveway design with the Construction Certificate application by lodging an 'Application for Property Boundary Line Levels'. Any required adjustments shall be included in the Construction Certificate plans. Unless an alternative specific design is submitted and approved by Council, the footpath and driveway levels adjoining the site shall generally be as follows:

a) The internal driveway levels shall be designed to meet Council's footpath verge levels such that a maximum cross fall of 2.5% is achieved where the footpath crosses the driveway.
b) The levels of the driveway at the property boundary shall incorporate a cross fall equivalent to the general longitudinal grade of the street.
c) The approved boundary line levels are to be incorporated in plans and submitted for approval under section 138 of the *Roads Act 1993*.

(Reason: To ensure appropriate vehicular access that has regard to prevailing topography and that preserves safe pedestrian access)

23. DACCC02 - Protection or Management of Public Access

If the work involved in the demolition or construction of a building is likely to disrupt or obstruct pedestrian or vehicular traffic in a public place, or the building involves the closure of a public place, a

barrier, fence or hoarding shall be erected prior to the commencement of any work, subject to approval of a Road Occupancy Licence by Council.

(Reason: Public safety)

24. DACCC05 - Hoardings

A separate hoarding approval for the erection of a Class A (fence type) or Class B (overhead type) hoarding along the street frontage(s) must be obtained from Council. An erection of hoarding structure application form shall be submitted to Council along with payment of fees calculated under the Council's Schedule of Fees and Charges.

(Reason: Safety and information)

25. DACCC07 - Driveway Design

Detailed driveway plans prepared by a suitably qualified and practising engineer shall be submitted to and approved by the Council or registered certifier. The plans shall include a longitudinal section for each edge of the driveway / ramp from the centreline of the road to the parking spaces which demonstrates that grades and transitions comply with clauses 2.5.3 and 2.6 of AS2890.1:2004.

Levels at the property boundary shall accord to those obtained from Council via an *Application for Property Boundary Line Levels*.

(Reason: To ensure safe and suitable vehicular access)

26. DACCE02 - Construction Management Plan

Prior to the issue of any Construction Certificate, a Construction Management Plan shall be submitted to the Council or registered certifier providing details of the following:

a) Actions and works proposed to ensure safe access to and from the site, including how the road and footpath area will be protected from building activities, plant and materials delivery, or static loads from cranes, concrete pumps and the like.
b) The proposed method of loading and unloading excavation machines, building materials, formwork and the like.
c) The proposed areas within the site to be used for a builder's site office and amenities, the storage of excavated material, construction materials and waste containers during the construction period.
d) The proposed method of support designed by a qualified practising professional engineer with Engineers Australia membership for any excavation adjacent to adjoining properties or the road reserve.

(Reason: Safety, amenity and protection of public infrastructure and the environment)

27. DACCE03 - Construction Traffic Management Plan (CTMP)

Prior to the issue of any Construction Certificate, the applicant shall submit and have approved by Council, a detailed CTMP. The plan shall demonstrate how construction and delivery vehicles will access the development site during the demolition, excavation and construction phase of the development. The plan shall be certified by a suitably qualified and experienced traffic consultant and all traffic associated with the subject development shall comply with the terms of the approved CTMP.

The following matters must be addressed in the CTMP:

a) A detailed description and route map of the proposed truck/construction vehicle access routes.
b) The locations of any proposed Construction Works Zones along the site frontage.
c) Provide a construction schedule.
d) Tradesperson parking (parking shall be provided on-site where possible).
e) Provide relevant traffic control plans (must be certified by a suitably qualified RMS ticket holder).
f) Provide relevant pedestrian management plans.
g) A site plan which indicates site entrances and exits, turning areas within the site for construction and spoil removal vehicles allowing a forward ingress and egress for all construction vehicles on the site (superimposed truck swept path diagrams). Site entrances and exits shall be controlled by a certified traffic controller.

(Reason: Traffic safety and amenity during construction phase)

28. DACCF02 - Landscape Maintenance Strategy

To ensure the survival of landscaping following works, a landscape maintenance strategy for the owner/occupier to administer over a 12 month establishment period following the issue of the Occupation Certificate shall be prepared and provided to the satisfaction of Council or registered certifier. The strategy is to address maintenance issues such as, but not limited to plant survival, irrigation, soil testing, weeding, staking, fertilizing, remedial pruning and plant replacement.

(Reason: Ensure landscape survival)

29. DACCF04 - On Slab Landscaping

The on slab landscaping shown on the approved landscaping plan is to be designed to include a minimum soil depth of 650mm for shrubs and trees and 300mm for grass and ground covers. Adequate drainage and a permanent, automatic irrigation system shall be provided conforming to Sydney Water's requirements. Details shall be submitted with the Construction Certificate application to demonstrate compliance with this condition.

(Reason: To ensure the site landscaping thrives)

30. DACCF08 - Tree Planting

At least one tree with a mature height of 5m is to be provided within the front setback area and at least one tree with a mature height of 8m is to be provided within the rear yard. Minimum standards for soil areas and depths are to be in accordance with the following table:

Tree Size	Height	Spread	Min Soil Area	Min Soil depth
Large trees	>12 metres	>8 metres	10 metres x 10 metres	1.2 metres
Medium trees	8-12 metres	4-8 metres	6 metres x 6 metres	1.0 metres

(Reason: Preservation of the landscape character of the area)

31. DACCG02 - Bicycle Storage Provision

Provision for bicycles parking / storage shall be in accordance with the provisions of the Cumberland Development Control Plan. Details shall be submitted with the Construction Certificate application.

(Reason: To ensure that bicycle parking is provided on site in accordance with the Cumberland Development Control Plan)

32. DACCG05 - Off Street Car Parking - General

A minimum of eleven (11) off-street car parking spaces suitably line marked in accordance with the approved plans shall be provided. Each space shall have minimum dimensions in accordance with Australian/New Zealand Standard AS/NZS 2890.1:2004.

Details are to be submitted to the Council or registered certifier prior to the issue of a Construction Certificate showing compliance with this condition.

(Reason: Parking and access)

33. DACCG07 - Maintaining Sight Lines

All new walls adjacent to vehicular crossings must not exceed a height of 600mm above the internal driveway level for a distance of 1.5m within the site, or within a splay 1.5m by 1.5m to provide satisfactory sight lines. Details showing compliance are to be submitted to the Council or registered certifier prior to the issue of a Construction Certificate.

(Reason: Safety)

34. DACCG08 - Passing Bay at the Driveway

The internal driveway must have a clear width of at least 5.5m for the first 6m inside the property to allow entering and exiting vehicles to pass within the site. Should the driveway narrow after this point, there is to be a splay to the narrower portion in accordance with Australian Standard 2890.1:2004.

(Reason: To ensure convenient driveway passage that caters for the safe passing of vehicles comply with relevant standards)

35. DACCG09 - Speed Hump and Stop Sign on Exit
The applicant shall install a stop sign and a speed hump at the exit from the site. The stop sign must be accompanied by the associated line marking and the speed hump shall be setback 1.5m from the property boundary. The devices shall be designed and constructed in accordance with the provision of Australian Standard 2890.1:2004. The building plans shall indicate compliance with this requirement prior to the issue of a Construction certificate.

(Reason: Traffic safety and management)

36. DACCG11 - Stop Signs
Appropriate sign(s) shall be provided and maintained within the site at the point(s) of vehicular egress to signal that drivers must stop before proceeding onto any public road.

(Reason: Adequate access and egress)

37. DACCI03 - Substation /Fire Hydrant Boosters
No approval is granted or implied for any encasing structures (i.e. blast walls or radiant heat shields) associated with the installation of any substations or fire hydrant booster pumps. Separate development consent is required for such structures.

(Reason: To avoid unplanned and potentially adverse effects on the Streetscape)

38. DACCI04 - Site Cranes
Site crane/s and hoist/s must comply with all relevant parts of Australian Standards 1418, 2549 and 2550. Cranes must not swing or hoist over any public place unless approval has been obtained for such under section 68 of the *Local Government Act 1993*.

(Reason: Safety and statutory compliance)

39. DACCJ03 - Certification of the Stormwater Drainage System Design
Prior to the issue of a Construction Certificate, the proposed stormwater design shall be certified by a qualified practising civil engineer as complying with Council's Development Control Plan and AS/NZS3500.3.

(Reason: Adequate stormwater management)

40. DACCJ10 - Engineering Design - Basement Excavation
The following engineering details and design documentation shall be submitted to the Council or registered certifier prior to the issuing of a Construction Certificate:-

a) Documentary evidence prepared by a suitably qualified professional geotechnical engineer that confirms the suitability and stability of the site for the proposed excavation and building as well as certifying the suitably and adequacy of the proposed design and construction of the building for the site.
b) A report shall be prepared by a professional engineer detailing the proposed methods of excavation, shoring or pile construction. This report must include details of vibration emissions and any possible damage which may occur to adjoining or nearby premises from 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.
c) Driven type piles/shoring must not be provided unless a geotechnical engineer's report is submitted which states that damage will not occur to any adjoining premises and public place as a result of the works.
d) The installation of ground or rock anchors (including underneath a public roadway or public place) are subject to separate approval. Works associated with proposed anchors must not be carried out without the specific written consent of the owners of the affected adjoining premises. Details of any approved anchors are to be provided to the Principal Certifier prior to the commencement of any excavation or building works.

(Reason: Ensure the method of excavation is suitable and to prevent damage occurring to adjoining premises)

41. DACCJ11 - 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 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 support for neighbouring buildings)

42. DACCK01 - Dilapidation Report

A dilapidation report prepared by a suitably qualified practising engineer shall be prepared for any adjoining or nearby property that may be subject to potential damage as a result of any works being undertaken on the site pursuant to this development consent. The dilapidation reports must be submitted to the owner/s of the affected property/ies and the Council or registered certifier prior to the issue of a Construction Certificate. All costs shall be borne by the applicant/person acting on the consent.

Please note:

- Any damage that may be caused is a civil matter. This consent does not allow or authorise any party to cause damage, to trespass or to carry out any other unlawful act and Council will not be held responsible for any damage that may be caused to adjoining buildings as a consequence of the development being carried out.
- Council will not become involved in disputes between the builder, owner, developer, its contractors and the owners of neighbouring buildings.

(Reason: To ensure there is an adequate record of the state of neighbouring properties)

43. DACCK06 - Retaining Walls

Retaining walls greater than 1.0m above the 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 the Construction Certificate application.

(Reason: To ensure safety and the proper design or retaining structures)

44. DACCK07 - Structural Engineer's Details

Structural engineer's details prepared and certified by a practising qualified structural engineer of all reinforced concrete and structural members shall be submitted with the Construction Certificate application to the Council or registered certifier.

(Reason: To ensure safety and the proper design or structural elements of the building)

45. DACCL01 - Electricity Substation

Documentary evidence of compliance with design requirements of the relevant energy authority is to be provided to the Council or registered certifier prior to the issue of a Construction Certificate.

(Reason: Where substations are proposed and required, to ensure that the final design accounts for any requirements of the energy authority)

46. DACCL05 - Compliance with Acoustic Report

Prior to the issue of a Construction Certificate, the construction drawings and construction methodology must be assessed and certified by a suitably qualified acoustic consultant, being a consultant who holds a current member grade of the Australian Acoustic Society, as being in accordance with any requirements and recommendations of the approved acoustic report prepared by Acoustic Logic with reference 20250987.1/1211A/R1/EM and dated 12 November 2025.

(Reason: To ensure appropriate noise attenuation measures are used)

47. **DACCL06 - Waste Storage Area**

A designated waste and recyclable storage room must be provided on the premises in accordance with the following requirements:

a) The area must be fully enclosed, suitably sized to contain all waste and recyclable material generated by the premises, adequately ventilated and constructed with a concrete floor and concrete or cement rendered walls;
b) The floor must be graded and drain to sewer in accordance with Sydney Water requirements; and
c) A hot and cold water hose cock shall be provided within the room.

A detailed plan showing the design and location of the waste storage room must be submitted to Council or registered certifier with the Construction Certificate application.

(Reason: To protect the environment and ensure waste is adequately contained)

48. **DACCM03 - Mechanical Ventilation - Certification of Compliance**

Details of any mechanical ventilation and / or air handling system must be prepared by a suitably qualified person and certified in accordance with clause A2.2 (a) (iii) of the National Construction Code, to the satisfaction of the Council or registered certifier prior to the issue of a Construction Certificate. The system must be certified as complying with AS1668.1 and 2 - 2012 The Use of Ventilation and Air-Conditioning in Buildings - Mechanical Ventilation in Buildings and relevant Australian Standards.

(Reason: To ensure adequate mechanical ventilation is provided)

49. **DACCN01 - Housing and Productivity Contribution (HPC)**

Before the issue of the Construction Certificate, the housing and productivity contribution (HPC) set out in the table below is required to be made.

Housing and Productivity Contribution	**Amount**
Housing and Productivity Contribution (base component)	$51,000.00
Total Housing and Productivity Contribution	$51,000.00

The HPC must be paid using the NSW planning portal.

At the time of payment, the amount of the HPC is to be adjusted in accordance with the *Environmental Planning and Assessment (Housing and Productivity Contributions) Order 2024* (**HPC Order**).

The HPC may be made wholly or partly as a non-monetary contribution (apart from any transport project component) if the Minister administering *the Environmental Planning and Assessment Act 1979* agrees.

The HPC is not required to be made to the extent that a planning agreement excludes the application of Subdivision 4 of Division 7.1 of the *Environmental Planning and Assessment Act 1979* to the development, or the HPC Order exempts the development from the contribution.

(Reason: To require contributions towards the provision of regional infrastructure)

50. **DACCO05 - Parking and Access**

Parking layouts, driveways, internal ramps, turning areas and parking spaces are to ensure compliance with applicable provisions of AS2890.1 including:

a) Circulation roadways and ramp widths shall comply with section 2.5.2.
b) Circulation ramp grades and transitions are to comply with section 2.5.3. A longitudinal section along the steepest side the ramp demonstrating compliance shall be prepared.
c) Kerbs shall be at least 300mm wide and 150mm high to either side of a ramp.
d) Pedestrian sight distances are to be provided in accordance with section 3.2.4.
e) Headroom clearance measured from the floor to the underside of any ceiling, beam, ventilation duct, service conduit, open door or other structure shall a minimum of 2.5 metres in the location of accessible parking spaces and 2.2 metres elsewhere.
f) A crest at least 100mm higher than the top of the road side kerb at the upstream side of the driveway shall be provided within the driveway area, or if the site is affected by the 1% annual exceedance probability flood, then then crest shall be greater of 100mm higher than the top of

the road side kerb at the upstream side of the driveway or 150mm above the 1% level at all points.

g) Directional arrows for internal circulation shall be prominently displayed. The entry/exit driveway shall be line marked.

h) Width of the circulation roadway and ramps shall comply with Clause 2.5 of AS2890.1:2004.

i) Any amendments to the levels within the road reserve shall be submitted to and approved by Council's Engineering Team. All works required within the road reserve are to be designed and built by the applicant to the satisfaction of Council. All costs shall be borne by the applicant.

Details demonstrating compliance with this condition are to be submitted to and approved by the Council or registered certifier.

(Reason: To ensure satisfactory vehicle access and parking)

51. DACCO06 - Basement Pump Out Drainage System

The basement carpark shall incorporate a pump out drainage system. Plans for the system prepared by a qualified civil or hydraulic engineer shall be provided to the Council or registered certifier that demonstrate:

a) The catchment area of the driveway no exceeding 60 square metres.

b) A sump with dimensions 1 metre by 1 metre and depth 300mm.

c) Provision of tank storage volume based upon the 100 year average recurrence interval storm event for a 90 minute storm duration, with further provision within the car park area to accommodate the 100 year average recurrence interval even based upon a 12 hour storm duration.

d) Provision of dual submersible pump units where each have a discharge rate equal to the 100 year average recurrence interval for a 5 minute storm duration.

e) The water level and location for the collection of water, outside of the tank storage. The collection / storage area may be co-located with car parking and access aisles. Any other use, including storage for units within the building must be located at least 100mm above the water level of the collection area.

f) Measures to be enacted that immediately alert the owners of the building that a pump failure has occurred, including in scenarios when the building may be unoccupied.

(Reason: To ensure the basement is not affected by water inundation that may pose safety risks)

52. DACCO07 - Splay Corners

No structure or landscaping shall be located within a 2.5 metres x 2.5 metres splay at the corner of Rebecca Street and Raymond Street East.

No structure or landscaping shall be located within a 2.5 metres x 2.5 metres splay at the corner of Bernard Street and Raymond Street East.

Plans submitted with the Construction Certificate application are to be consistent with this requirement.

(Reason: To ensure acceptable vehicular and pedestrian safety)

53. DACCO08 - Stormwater Disposal

Stormwater runoff from the development shall be collected and piped by gravity flow to Council's street guttering in Bernard Street, generally in accordance with the drawing No. SW1 to SW5, issue E, dated 30 April 2026, prepared by SSCE subject to the following amendments:

a) A 900mm square grated access pit shall be provided directly behind the OSD HED weir/non-return pipe.

b) Section of the proposed 225mm diameter overflow pipe shall be incorporated in the design.

(Reason: To ensure effective and appropriate disposal of stormwater)

Conditions Which Must be Satisfied Prior to the Commencement of any Development Work

54. DAPCA01 - Appointment of Principal Certifier

No work shall commence in connection with this Development Consent until:

a) A Construction Certificate for the building work has been obtained.
b) the person having the benefit of the development consent has:
   (i) appointed a principal certifier for the building work, and
   (ii) given at least 2 days' notice to the Council, and the principal certifier if not the Council, of the person's intention to commence the erection of the building, and
c) The principal certifier has, no later than 2 days before the building work commences:
   (i) notified the Council 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
d) The person carrying out the building work has notified the principal certifier that the person will carry out the building work as an owner-builder, if that is the case
e) 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 certifier of 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.

(Reason: Statutory requirements)

55. DAPCA03 - Site Safety Fencing

Site fencing to a minimum height of 1.8m shall be erected before the commencement of any work and shall be maintained throughout the duration of works to exclude public access to the site.

(Reason: Statutory requirement and health and safety)

56. DAPCA04 - Principal Certifier Sign

Prior to commencement of any work, signage must be erected in a prominent position on the work site that:

a) shows the name, address and telephone number of the Principal Certifier.
b) shows the name and address of the principal contractor (if any) and a telephone number on which that person may be contacted outside of work hours.
c) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained whilst ever the work is being carried out and must be removed when the work has been completed.

(Reason: Statutory requirement)

57. DAPCA05 - Sydney Water Tap in Approvals

The approved plans must be submitted through the Sydney Water 'Tap in' portal to determine whether the development application will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Sydney Water 'Tap in' customers will receive an approval receipt. For further details please refer to Sydney Water's web site at www.sydneywater.com.au/tapin or call 1300 082 746.

The Principal Certifier must ensure that the plans have been approved through the Sydney Water 'Tap in' process and an approval receipt is issued prior to the commencement of works.

(Reason: Statutory requirement)

58. DAPCA06 - Toilet Amenities for People Working at the Site

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

a) have a hinged door capable of being fastened from both inside and outside;
b) be constructed of weatherproof material;
c) have a rigid and impervious floor; and
d) have a receptacle for, and supply of, deodorising fluid.

(Reason: To ensure suitable toilet amenities are provided for workers)

59. DAPCB03 - Protection of Landscape Features

To limit the potential for damage to the following tree/s to be retained, the area beneath their canopies must be fenced prior to the commencement of demolition, excavation or building works.

Species	Location	Tree Protection Zone (TPZ)	Structural Root Zone (SRZ)
Fraxinus excelsior x1 (T2)	Council Nature Strip (Raymond Street East)	2 metres	1.5 metres
Malus sylvestris x1 (T3)	Council Nature Strip (Raymond Street East)	2 metres	1.5 metres

The fencing must extend as per the measurements in the above table beyond the trees' trunk, be at least 1.8m high, be kept in place until the completion of the building works and be marked by appropriate signage notifying site workers that the tree is to be retained and protected.

All areas within the perimeter of the safety fencing shall be covered with woodchip mulch to a depth of 100mm (or where steep grades prevent this, the area shall be protected with a suitable material) to facilitate moisture levels. Adequate soil moisture must be maintained during the course of the construction works through the implementation of a permanent or temporary automatic drip irrigation system.

(Reason: Protection of trees to be retained)

60. DAPCD02 - Separate Approval for Works in the Public Road (External Works) - Section 138 Roads Act

In accordance with section 138 of the *Roads Act 1993* and prior to works commencing, the applicant must submit a Road and Footpath Opening Permit application that is accompanied by detailed plans. Written approval must be obtained from the appropriate road authority under the *Roads Act 1993* for any works in the road reserve prior to the commencement of works.

Where the work is likely to have an impact on the operation of an arterial road then a Road Occupancy Licence must be obtained from the relevant road authority. The application should be lodged at least 10 days prior to the planned commencement date. When lodging the 'Application for Road Occupancy Licence' fees are payable in accordance with Council's adopted fees and charges.

(Reason: Protection of Public Assets and information)

Conditions Which Must be Satisfied During any Development Work

61. DADWA01 - Construction Hours

Construction and all related activities including the delivery of materials to the site may only take place between the hours of 7.00am to 6.00pm Mondays to Fridays and 8.00am to 4.00pm Saturdays. No work is to occur on Sundays and public holidays.

Where the development involves the use of jackhammers / rock breakers and the like or other heavy machinery, such equipment may only be used between the hours of 7.00am and 6.00pm Monday to Friday, excluding public holidays.

Note: Construction hours may also be regulated through State legislation and policies, and any works need to comply with these requirements.

(Reason: To minimise impacts on neighbouring properties)

62. DADWA02 - Dust Control

Where applicable, the following are to be satisfied/complied with during demolition, construction and any other site works:

a) Where a dust nuisance is likely to occur, suitable screens and/or barricades shall be erected during the demolition, excavation and building works. If necessary, water sprays shall be used on the site to reduce the emission of dust. Screening shall consist of shade cloth or a similar

material at least 2m high and secured to a chain wire fence or in a manner otherwise directed by Cumberland Council.

b) As and when directed by Council, measures identified below are to be implemented to control the emission of dust:
- Erection and regular maintenance of dust screens around the perimeter of the site for the duration of the work.
- Dust must be suppressed by means of a fine water spray. Water used for dust suppression must not be contaminated or allowed to enter the stormwater system.
- Soil and material stockpiles are to be kept damp or covered.
- Stockpiles of soil or other materials are to be placed away from drainage lines, gutters or stormwater pits or inlets.
- Stockpiles of contaminated soil shall be stored in a secure area and be covered if remaining on site for more than 24 hours.

(Reason: To prevent the movement of dust outside the boundaries of the site)

63. **DADWA03 - Site Management**
All possible and practical steps shall be taken to prevent nuisance to the occupants of the surrounding neighbourhood from windblown dust, debris, noise and the like during the demolition, excavation and building works.

(Reason: Health and amenity)

64. **DADWA05 - Construction Management Plan**
All development activities and traffic movements must be carried out in accordance with the approved Construction Management Plan.

A copy of the plan must be kept on site at all times and made available to the Principal Certifier or Council on request.

(Reason: Safety, amenity and protection of public infrastructure and the environment))

65. **DADWA06 - Stamped Plans**
Stamped plans, specifications, documentation and the consent shall be available on site at all times during construction.

(Reason: To ensure compliance with approved plans)

66. **DADWA07 - General Site Requirements during Demolition and Construction**
All of the following are to be satisfied/complied with during demolition, construction and any other site works:

a) A single entrance is permitted to service the site for demolition and construction. The footway and nature strip at the service entrance must be planked out with close boarded, hardwood timber footpath protection pads. The pad shall cover the entire width of the footpath for the full width of the entrance area.
b) Care must be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.
c) Adjoining owner property rights and the need for owner's permission must be observed at all times, including the entering onto land for the purpose of undertaking works.
d) Any demolition and excess construction materials are to be recycled wherever practicable.
e) The disposal of construction and demolition waste must be in accordance with the requirements of the *Protection of the Environment Operations Act 1997*.
f) All waste on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the *Protection of the Environment Operations Act 1997*.
g) All excavated material removed from the site shall be disposed of to an authorised waste disposal facility.
h) All non-recyclable demolition materials shall be disposed of at an approved waste disposal facility.
i) All materials on site or being delivered to the site are to generally be contained within the site. The requirements of the *Protection of the Environment Operations Act 1997* must be complied with when placing/stockpiling loose material, disposing of concrete waste, or other activities

likely to pollute drains or water courses.

j) Any materials stored on site must be stored out of view or in such a manner so as not to cause unsightliness when viewed from nearby lands or roadways.

k) Building operations such as brick cutting, washing tools or paint brushes, and mixing mortar shall not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.

l) All site waters during excavation and construction must be contained on site in an approved manner to avoid pollutants entering into waterways or Council's stormwater drainage system.

(Reason: To ensure protection to public spaces and prevent unauthorised access to the site)

67. DADWA09 - Electricity and Telecommunication Connections

All power connection to the development shall be installed underground.

(Reason: To avoid visual clutter that detracts from the streetscape)

68. DADWA13 - Compliance with Hazardous Materials Survey Report

All of the recommendations for management and/or removal of hazardous materials on the site, as outlined in the Hazardous Materials Survey Report prepared prior to commencement of demolition works, must be complied with.

Prior to the Occupation Certificate being issued, a clearance certificate must be submitted to the Principal Certifier from a suitably qualified person (such as a certified Occupational Hygienist) confirming that all hazardous materials identified have been contained, managed or removed in accordance with the recommendations in the Hazardous Materials Survey Report, and that the site is safe for future occupation in accordance with the approved use.

(Reason: To ensure controls are in place for hazardous materials)

69. DADWA14 - Classification of Waste

Prior to the exportation of waste (including fill or soil) from the site, the waste materials must be classified in accordance with the provisions of the *Protection of the Environment Operations Act 1997* and the NSW EPA's *Waste Classification Guidelines*, Part1: Classifying Waste (2014). The materials must be transported and disposed of in accordance with the *Protection of the Environment Operations Act 1997* and the requirements of their relevant classification.

(Reason: Environmental protection)

70. DADWA15- Importation of Fill

All fill imported onto the site shall be validated to ensure the imported fill is suitable for the proposed land use from a contamination perspective. Fill imported on to the site shall also be compatible with the existing soil characteristic for site drainage purposes.

Validation shall take place by one or both of the following methods:

a) Provision of documentation from the supplier certifying that the material is not contaminated based upon analyses of the material for the known past history of the site from where the material was sourced; and/or

b) Sampling and analysis of the fill material shall be conducted in accordance with NSW EPA's *Sampling design guidelines (2022).*

(Reason: To ensure controls are in place for contamination management)

71. DADWA17 - Notification of New Contamination Evidence

Any new information which comes to light during site preparation, remediation, demolition or construction works which has the potential to alter previous conclusions about site suitability and contamination must be notified to the Principal Certifier and Council.

Council may require a NSW accredited site auditor to be engaged to review the contamination assessment and remediation/validation process. If appropriate, Council may also require a new Remedial Action Plan (RAP) to be prepared and implemented to ensure the site can be made suitable for the approved use in light of the new information.

Where a NSW accredited Site Auditor is engaged, an Occupation Certificate must not be issued until a Section A Site Audit Statement has been submitted to Council by the Auditor confirming the site is now suitable for the proposed use.

(Reason: To ensure controls are in place for contamination management)

72. **DADWA19 - Excavation Pump-out**

Water that has accumulated in any excavation is not to be pumped into any stormwater disposal system unless the prior approval of Council is obtained. The analytical results of any discharge must comply with relevant EPA and ANZECC standards for water quality and be made available to Council upon request. Any water to be discharged to Council's stormwater system shall not contain a concentration of suspended sediment exceeding 50mg/L, shall have a pH of between 6.5-8.0 and shall comply with the ANZECC Guidelines for Fresh and Marine Water Quality and the NSW Department of Housing, Managing Urban Stormwater - Soils and Construction 2004.

Water testing shall be carried out by a suitably qualified environmental scientist. Water that does not comply with the above standards shall not be discharged to the stormwater system, and shall be disposed of using alternative approved means.

Results of water testing shall be provided to Council or, if a validation report is required, within that report. Where water is disposed of by alternate means, details of the off-site disposal shall be provided to Council or, if a validation report is required, included within that report.

Note: Other options for the disposal of excavation pump-out water include disposal to sewer with prior approval from Sydney Water, or off-site disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility.

(Reason: Environmental amenity)

73. **DADWA20 - Road and Footpath Opening Permit**

Section 138 of the *Roads Act 1993* provides that a person must not carry out a work in, on or over a public road (which includes the verge / footpath area); dig up or disturb the surface; remove or interfere with a structure, work or tree on a public road; or pump water into a road without the consent or the appropriate roads authority. Should such work be required within a road for which Council is the roads authority, the applicant is to apply for Road and Footpath Opening Permit. A permit is to be obtained prior to any works within the public road taking place. When lodging the 'Application for Road and Footpath Opening Permit' fees are payable in accordance with Council's adopted fees and charges.

Note: Road and Footpath Opening Permits do not include driveways, laybacks and major stormwater drainage construction, which are covered by a separate application process.

(Reason: Maintain public asset)

74. **DADWB01 - Arborist Inspections**

Prior to the commencement of works the applicant must engage a suitably qualified and experienced arborist (Australian Qualification Framework Level 5 or above) to assess the impact of the proposed works and to ensure tree protection conditions of this consent and recommendations of the endorsed arborist report are complied with throughout the duration of development works. This requires the arborist supervising works/attending the site during critical stages of excavation and construction works within the vicinity of tree/s to be retained and to record the following information:

a) methods of excavation or construction used to carry out the works;
b) any damage sustained by the tree/s as a result of the works;
c) any subsequent remedial works required to be carried out by the consulting arborist as a result of the damage; and
d) any future or on-going remedial work required to be carried out to ensure the long term retention of the tree/s.

(Reason: Qualified assessment of impact of works on trees to be retained)

75. **DADWB02 - Tree Protection**

To minimise impacts on trees to be retained, no fill shall be placed and no building materials shall be stored under the drip lines of trees to be retained.

(Reason: Tree preservation)

76. DADWB08 - Removal of Tree

The following tree is approved for removal:

Species	Location
Dead tree x1 (T1)	Council Nature Strip

(Reason: To clarify which trees are permitted to be removed)

77. DADWC01 - Obstruction/Temporary Occupation of the Public Road/Footpath Area

The road inclusive of footpath area is not to be occupied by building plant such as cranes and cement trucks, building materials, waste materials, waste bins, toilets and the like unless prior approval for such is obtained from the Council (or in the case of a classified road, from Transport for NSW) in the form of a Road Occupancy Licence.

(Reason: To ensure suitable and safe functioning of public road areas)

78. DADWC02 - Compliance with the National Construction Code

All building work must be carried out in accordance with the provisions of the National Construction Code.

(Reason: Prescribed statutory control)

79. DADWC03 - Progress Survey

In order to ensure compliance with approved plans, a survey certificate, prepared to Australian Height Datum, shall be prepared by a Registered Surveyor showing the following:

a) The completed level of the excavation and its relationship to the boundaries at the completion of excavation and prior to the placement of any footings;
b) The level of ground floor level form work and its relationship to boundaries prior to the placement of concrete at the ground floor level;
c) The principal level of the formwork and the intended relationship of the completed works to the boundary for every second floor level above ground floor level (i.e. levels 2, 4, 6 etc of the building) prior to the placement of concrete;
d) The level of the highest point of the building and its relationship to the boundary prior to roofing; and
e) The relationship of the building to the boundaries at completion.

Progress certificates in response to points (a) through to (e) shall be produced to the Principal Certifier at the time of carrying out relevant progress inspections. Under no circumstances will work be allowed to proceed should such survey information be unavailable or reveal portions of the building higher than approved levels or setback closer to boundaries that what was approved.

(Reason: To ensure compliance with approved plans)

80. DADWC08 - Anti-Graffiti Coatings

The external fabric of the building shall utilise anti-graffiti coatings.

Reason: To minimise the opportunity for graffiti)

81. DADWC10 - Construction Within Boundary

All approved construction including but not limited to footings, walls and guttering shall be constructed wholly within the boundaries of the site.

(Reason: To prevent encroachment on other land)

82. DADWC13 - Lighting

Any lighting on the site shall be designed so as not to cause a 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 AS 4282-1997 Control of the obtrusive effects of outdoor lighting.

(Reason: Protect amenity of surrounding area)

83. **DADWC15 - Mechanical Ventilation**
The premises must be suitably ventilated in accordance with the *National Construction Code 2019* and AS1668.1 and 2 - 2012: The Use of Ventilation and Air-Conditioning in Buildings - Mechanical Ventilation in Buildings.

(Reason: To ensure compliance with ventilation standards)

84. **DADWC16 - Waste Management**
Requirements of the approved Waste Management Plan shall be complied with during site preparation and throughout demolition and construction phases of the development.

(Reason: Compliance with approval)

85. **DADWC19 - Sediment and Erosion Control Measures**
During works, the following measures are to be implemented on the site to assist with sedimentation control during the construction phase of the project:

a) 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 or waterways.
b) Stockpiles of topsoil, sand, aggregate, soil or other material shall not be located on any drainage line or easement, natural watercourse, footpath or roadway. Stockpiles shall be protected with adequate sediment controls.
c) The installation of gutters, downpipes, and the connection of downpipes to the stormwater disposal system shall take place prior to the fixing of the roof cladding.

The above measures are to be maintained at all times to the satisfaction of Council and the Principal Certifier. Failure to do so may result in the issue of penalty notices.

(Reason: To minimise/prevent impacts on waterways by minimising soil erosion and sediment leaving the site)

86. **DADWC20 - Dewatering**
If it becomes necessary to undertake dewatering activities at the site, prior to the commencement of dewatering, the following actions must be completed to the satisfaction of the Principal Certifier:

a) Any required approval to dewater must be obtained from Water NSW and adhered to, with a copy of the approval to be kept on site at all times and made available to the Principal Certifier and the Council upon request.
b) A Dewatering Management Plan (DMP) must be prepared by a qualified water quality expert with a copy submitted to Council. The DMP must:
    - State why de-watering is necessary and confirm any required approvals;
    - Clearly state that the DMP will be used as the basis for approval to enable connection and discharge to the stormwater system;
    - Detail the proposed dewatering technique;
    - Outline the anticipated dewatering flow rate and total dewatering duration;
    - Detail the controls (e.g. settling tank, turbidity curtain etc) and the method of discharge to ensure compliance with any conditions of approval and requirements of the *Protection of the Environment Operations Act 1997*;
    - Explain the measures and techniques to monitor and record groundwater and tailwater quality, water discharges, and monitoring results. Groundwater must be discharged directly to the nearest stormwater pit and not spread over any road or footpath areas. Safe passage for pedestrians must be maintained;
    - Provide a contingency plan in case of an emergency situation;
    - Provide details of water quality analysis and testing that has been undertaken by a NATA accredited laboratory, and demonstrate compliance against relevant water quality criteria including the Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZECC/ARMCANZ 2018). Where the ANZECC/ARMAC 2018 guidelines are silent on any elements or chemicals identified in testing, the water discharge is to comply with relevant endorsed guidelines and recommendations issued by the NSW EPA. The DMP must state that further analysis will be undertaken prior to connection to Council's stormwater system;

- State that the release of water into Council's stormwater system is to halt immediately where water quality does not meet discharge criteria identified above;
- State that the water quality monitoring will be certified by an experienced water quality expert.
- State that water quality parameters will be tested bi-weekly.

(Reason: To minimise/prevent impacts on waterways)

87. DADWC23 - Pump Out Drainage System

An alarm system comprising of a basement pump-out failure warning sign together with a flashing strobe light and siren are to be installed at a clearly visible location at the entrance to the basement. Measures identified with the Construction Certificate application for alerting owners of the building that a pump failure has occurred are to be implemented.

(Reason: To ensure safe conditions associated with the collection and pumping of water within the basement)

88. DADWC25 - Accessible Parking Spaces

All accessible parking spaces and shared zones, inclusive of bollards, must be provided in accordance with AS2890.6:2022.

(Reason: To ensure provision of parking suitable to driver needs)

89. DADWD01 - Notice of Demolition

Demolition work is to be carried out by a licenced demolition contractor in accordance with AS 2601-2001 and may only be carried out between 7.00am to 5.00pm on Mondays to Saturdays, excluding public holidays. Jackhammers, rock breakers, heavy machinery and the like may not be used on Saturdays. No demolition work is to take place on Sundays or public holidays.

Within fourteen days of the completion of demolition works, the applicant must lodge with Council, all original weighbridge receipts issued by the receiving waste disposal facility.

(Reason: To ensure compliance with the relevant legislation and to ensure public and work safety)

90. DADWD02 - Demolition - Asbestos

For demolition works involving asbestos, standard commercially manufactured signs containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400m x 300mm are to be erected in prominent visible positions on the site during asbestos removal works. Barricades to delineate and isolate the asbestos removal area and prevent public access are to be installed prior to the commencement of asbestos removal works and remain in place until works are completed. The type of barricading should reflect the level of risk.

All demolition and site works involving the removal and disposal of asbestos must only be undertaken by contractors who hold a current SafeWork NSW Class A Licence for friable asbestos removal where applicable or a Class B Licence for non-friable (bonded) asbestos removal. No asbestos products are to be re-used on site and asbestos laden skips/bins must not be left in any public place.

All asbestos removal works are to be undertaken in accordance with the following:

a) Work Health and Safety Act 2011 & Work Health and Safety Regulation 2017.
b) 'Code of Practice on how to safely remove asbestos' published by Safe Work Australia (dated July 2020).
c) Safe Work Australia Code of Practice for the Management and Control of Asbestos in the Workplace [NOHSC:2018(2005)].

Re-occupation of a workplace must not occur until following the completion of asbestos removal work until a Licensed Asbestos Assessor or Competent Person independent from the asbestos removalist undertakes a clearance inspection and issues a clearance certificate.

Note: To find a licensed asbestos removalist please visit SafeWork NSW website.

(Reason: To ensure compliance with the relevant legislation and to ensure public and work safety)

91. **DADWD03 - Critical Stage Inspections – General**

Work must not proceed beyond each critical stage until the Principal Certifier is satisfied that work is proceeding in accordance with this consent, the Construction Certificate(s) and the Act. 'Critical Stage Inspections' means the inspections prescribed by the Regulations for the purposes of section 6.5 of the Act or as required by the Principal Certifier and any Service Agreement.

Note: The Principal Certifier may, in addition to inspections, require the submission of Compliance Certificates, survey reports or evidence of suitability in accordance with Part A2.2 of the National Construction Code in relation to any matter relevant to the development.

(Reason: Statutory requirement)

92. **DADWD05 - Inspections for Building Work - Critical Stages (Classes 2, 3 or 4)**

The following critical stage inspections must be carried out:

a) after the commencement of the excavation for, and before the placement of, the first footing;
b) prior to covering of fire protection at service penetrations to building elements that are required to resist internal fire or smoke spread, inspection of a minimum of one of each type of protection method for each type of service, on each storey of the building comprising the building work;
c) prior to covering the junction of any internal fire-resisting construction bounding a sole-occupancy unit, and any other building element required to resist internal fire spread, inspection of a minimum of 30% of sole-occupancy units on each storey of the building containing sole-occupancy units;
d) Prior to covering of waterproofing in any wet areas, for a minimum of 10% of rooms with wet areas within a building;
e) Prior to covering any stormwater drainage connections; and
f) After the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

The Principal Certifier may nominate additional inspections which need to be carried out.

Prior to issuing an Occupation Certificate or Subdivision Certificate the Principal Certifier must be satisfied that the work has been inspected on the above occasions.

The last critical stage inspection must be carried out by the Principal Certifier. Earlier critical stage inspections may be carried out by the Principal Certifier or, if the Principal Certifier agrees, by another certifier.

For each inspection the principal contractor or owner-builder must notify the Principal Certifier at least 48 hours before each required inspection needs to be carried out.

(Reason: Statutory requirement)

Conditions Which Must be Satisfied Prior to the Issue of an Occupation Certificate

93. **DAOCA01 - Occupation Certificate**

A person must not commence occupation or use of the whole or any part of a new building or change the use of the whole building or any part of an existing building, unless an Occupation Certificate has been issued in relation to the building or part. Before issuing an Occupation Certificate, the Principal Certifier must be satisfied that:

a) All required inspections, including applicable mandatory critical stage inspections, have been carried out; and
b) Any preconditions to the issue of the certificate required by a development consent have been met.

(Reason: Statutory requirement)

94. **DAOCA02 - Final Clearance**

A final clearance is to be obtained from the relevant energy service provider.

(Reason: To ensure power is available for the site)

95. **DAOCA03 - Section 73 Compliance Certificate**
A section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained prior to the issue of the Occupation Certificate. Application must be made through Sydney Water or an authorised Water Servicing Coordinator (WSC). An assessment will be made to determine the availability of water and sewer services, which may require extension, adjustment or connection to Sydney Water mains. Please refer to Sydney Water's website to learn more about applying through an authorised WSC or Sydney Water.

(Reason: To meet Sydney Water's requirements to adequately service the new development)

96. **DAOCA04 - Structural Engineer's Certificate**
A certificate from the supervising structural engineer responsible for the design shall be submitted to the Principal Certifier certifying that all foundation works/reinforced concrete/structural members have been carried out/erected in accordance with the engineer's requirements and the relevant standards/codes.

(Reason: To ensure the building is constructed in a structurally sound manner)

97. **DAOCA05 - Building Height**
The maximum height of the proposed development shall not exceed A.H.D. 42.80. A survey report is to be provided to the Principal Certifier prior to the issue of any Occupation Certificate confirming that the building does not exceed this height.

(Reason: To ensure that the structure as built does not exceed the development standard for building height)

98. **DAOCA06 - Accessible Housing**
A signed checklist as per AS4299-1995 confirming that all common areas and amenities and 3 accessible co-living rooms (L1.09, L2.09 and L3.09) have achieved the required level of accessibility shall be submitted to the Principal Certifier prior to the issue of an Occupation Certificate.

(Reason: To ensure all common areas and amenities and co-living rooms are constructed in accordance with the required level of accessibility)

99. **DAOCA08 - Certification of Engineering Works**
Prior to the issue of an Occupation Certificate, the following documents must be submitted to the Principal Certifier.

a) Work as executed drawings prepared by a registered surveyor for completed engineering works.
b) Certification from a qualified practising professional engineer with Engineers Australia membership under the appropriate professional category, that the following matters have been constructed in accordance with the approved plans and conditions of consent:
- the stormwater drainage system.
- car parking provision.
- the dimension of parking spaces and any aisles and circulation ramps conform to AS2890.1.
- any related footpath works.
- any basement mechanical pump; and
- the proposed driveway and layback.

(Reason: Asset management)

100. **DAOCA10 - 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)

101. **DAOCA11 - Civil Works on the Footway**
The following works are to be carried out at the applicant's expense and to Council's satisfaction prior to the issue of any Occupation Certificate:

a) Reconstruct footpath along the full frontage (Bernard Street and Raymond Street East) of the site.
b) Construct a new vehicular crossing (Rebecca Street).
c) Remove any redundant vehicular crossings and replace with kerb and gutter to match the adjoining.

Where the applicant nominates Council to undertake the civil and stormwater works, they must contact Council in order to obtain an estimated cost for construction and contract to undertake the works.

(Reason: To preserve Council's assets and amenity)

102. DAOCA15 - Concrete Footpath
A concrete footpath shall be provided along the frontages to Bernard Street, Raymond Street East and Rebecca Street as per Council's requirements.

Note: The above works will require the submission of an application to Council under s.138 of the *Roads Act 1993*.

(Reason: To ensure satisfactory pedestrian amenity)

103. DAOCA16 - Basement Line Marking
The basement car park shall be line marked and / or sign posted in accordance with the requirements of AS2890.1, AS2890.2 and AS2890.6.

(Reason: To delineate parking and manoeuvring space for safety and convenience)

104. DAOCA17 - Wheel Stops
Wheel stops shall be provided as required by, and in accordance with AS2890.1:2004.

(Reason: To prevent cars from colliding with other structures)

105. DAOCB01 - Mechanical Ventilation – Compliance
Prior to issue of an Occupation Certificate, certification must be provided that the mechanical ventilation system has been designed, installed and is operating in accordance with the *National Construction Code 2019*.

(Reason: To ensure correct installation of mechanical ventilation systems)

106. DAOCB04 - Acoustic Verification Report
Prior to the issue of the Occupation Certificate, a suitably qualified acoustic consultant, being a consultant who holds current member grade of the Australian Acoustical Society, must prepare an acoustic verification report to the satisfaction of the Principal Certifier that confirms the following:

a) All recommendations contained in the DA acoustic report DA Acoustic Assessment report, Project ID: 20250987.1, Revision 1, prepared by Acoustic Logic Pty Ltd, dated 12 November 2025, Doc Ref: 20250987.1/1211A/R1/EM have been implemented, and
b) The project specific noise criteria established in the DA acoustic report and any other noise and vibration criteria specified in this consent are being complied with.

(Reason: To protect residential amenity)

107. DAOCD01 - Fire Safety Certificate
A final Fire Safety Certificate shall be obtained in accordance with part 11 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 prior to the issue of the Occupation Certificate for the building.

A copy of the Fire Safety Certificate and fire safety schedule shall be:

a) Forwarded to the Commissioner of the New South Wales Fire Brigade; and
b) Prominently displayed in the building.

(Reason: Fire safety)

108. **DAOCF01 - Landscape Works**
Prior to the issue of an Occupation Certificate all landscaping/tree planting works are to be completed to a professional standard in accordance with the approved landscape plan/s. Certification of completion of the landscape/tree planting works in accordance with the approved plans and relevant conditions of this consent from the landscape designer or a similarly qualified person, not being the installer of the works, is to be provided to the Principal Certifier.

(Reason: Landscape certification)

109. **DAOCF05 - Unpaved Verge Area**
The unpaved verge area shall be turfed.

(Reason: To ensure an appropriate streetscape outcome)

110. **DAOCG01 - Certification of the Constructed Stormwater Drainage System**
The constructed stormwater drainage system shall be certified by a qualified practising civil engineer as being in accordance with Council's Development Control Plan and engineering policies.

(Reason: Adequate stormwater management)

111. **DAOCH03 - OSD Identification Plate**
Prior to the issue of an Occupation Certificate, the applicant shall install an identification plate near or on the control structure of the on-site stormwater detention system that advises the registered proprietor of their responsibility to maintain the facility and to not tamper with it in any manner without the written consent of Council. The wording and plate shall be in accordance with Council's requirements.

(Reason: To promote the ongoing maintenance of the on-site stormwater detention system)

112. **DAOCH04 - Evidence of Consolidation**
The existing allotments shall be consolidated into a single lot. Evidence that the plan of consolidation has been registered must be provided to the Principal Certifier prior to the issue of the Occupation Certificate.

(Reason: Information)

113. **DAOCH10 - Splay Corners**
To ensure satisfactory sight distances, prior to the issue of an Occupation Certificate, a 2.5m x 2.5m splay at the corner of Rebecca Street and Raymond Street East shall be provided.

(Reason: Facilitate splay corner)

114. **DAOCH13 - Australia Post Guidelines**
Letter boxes are to be provided within for the co-living housing development in accordance with the relevant Australia Post guidelines.

(Reason: To ensure compliance with mail delivery regulations)

115. **DAOCH14 - Telecommunications/TV Antennae**
No more than one telecommunications/TV antenna is to be installed to the building. Satellite dishes, telecommunications antenna and other ancillary facilities shall be located away from the primary street frontage and incorporated into the overall building design.

(Reason: To prevent the proliferation of telecommunications/TV antennae)

116. **DAOCH20 - On Site Detention System Maintenance Schedule**
A suitably qualified and practising civil engineer shall prepare a maintenance schedule for the on-site detention system in a manner similar to the example provided at figure B.2.3 of the 3rd edition of the Upper Parramatta River Catchment Trust Handbook. The schedule shall include a sketch plan of the components forming the on-site detention system.

(Reason: To ensure owners are aware of maintenance requirements of the system)

117. **DAOCH21 - Installation of Confined Spaces Sign and Step Irons**
Step irons at 300mm centres and a confined spaces sign shall be provided to each access point of any on site detention / pump out tank.

(Reason: To ensure safe access)

118. **DAOCH22 - Power Pole Relocation**
Any existing power pole forward of the site along Rebecca Street shall be relocated to provide a minimum clearance of 1.5m from the approved driveway.

(Reason: To provide safe and practical vehicular access)

119. **DAOCI12 - Positive Covenant - On Site Detention**
A positive covenant shall be created under section 88B and/or section 88E of the *Conveyancing Act 1919* to the satisfaction of Council requiring the ongoing retention, maintenance and repair of the on site detention system. Council shall be identified as the authority with power to release, vary or modify the covenant. The wording of the covenant shall be consistent with the Council's standard terms as available on Council's website. The document shall be submitted to Council for endorsement prior to lodgement for registration with the NSW Land Registry Services.

(Reason: To ensure proper upkeep and functionality of the on site detention system)

120. **DAOCI13 - Restriction of the Use of Land - On Site Detention**
A restriction on the use of land shall be created under section 88B and/or section 88E of the *Conveyancing Act 1919* to the satisfaction of Council preventing alteration to the on site detention system without the prior approval of the Council. Council shall be identified as the authority with power to release, vary or modify the restriction. The wording of the restriction shall be consistent with the Council's standard terms as available on Council's website. The document shall be submitted to Council for endorsement prior to lodgement for registration with the NSW Land registry Services.

(Reason: To ensure the on site detention system is not altered so as to adversely affect functionality of the system)

121. **DAOCZ01 - Electric Vehicle Charging Point**
Prior to the issue of the Occupation Certificate, the development shall provide 1 of the 11 car spaces with a 'Level 2' electric vehicle charging point.

Note: 'Level 2' charging consisting of a single or three-phase power point with a power range of 7kW-22kW, as defined by the NSW Electric and Hybrid Vehicle Plan, Future Transport 2056 (21 January 2019).

(Reason: To assist in the NSW government and Transport for NSW's vision to reach zero emissions by 2050)

Conditions Which Must be Satisfied During the Ongoing Use of the Development

122. **DAOUA08 - Waste & Recycling Collection**
Garbage and recycling must not be placed on the kerbside for collection more than one hour before the scheduled collection time. Bins and containers are to be removed from the kerbside as soon as practicable following collection and returned to the designated waste storage area.

The garbage and recyclable storage and bins must be adequate to contain the volume and type of garbage and recyclable matter generated on the premises between collection times. All garbage and recyclable matter must be enclosed in the waste bins with lids completely closed at all times.

(Reason: To minimise amenity and streetscape impacts)

123. **DAOUA10 - Removal of Litter and Graffiti**
The owner/manager of the building shall ensure that the footpath, gutter, building entry and surrounds are kept clean and clear of litter at all times. The owner of the building shall be responsible for the prompt removal of any graffiti from the building.

(Reason: To maintain a satisfactory level of amenity in the locality)

124. **DAOUA27 - Co-Living - Use & Operation**
The construction and operation of the co-living housing development at 16 Bernard Street, Lidcombe shall comply with all applicable legislation requirements including those under:

a) Local Government (General) Regulation 2005 under the *Local Government Act 1993*.
b) *Public Health Act 2010*.
c) Environmental Planning and Assessment Regulation 2021 s.83(3).

(Reason: Statutory compliance)

125. **DAOUA28 - Maximum number of Occupants**
The maximum number of occupants related to the single-occupancy co-living housing development at 16 Bernard Street, Lidcombe shall not exceed 52 at any time.

(Reason: To clarify the terms of the approval)

126. **DAOUB01 - Annual Fire Safety Statement**
Pursuant to section 88 of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*, the owner of the building shall furnish Council with an Annual Fire Safety Statement prepared by an accredited practitioner (fire safety). The Annual Fire Safety Statement shall be issued within 12 months of the date on which an annual fire safety statement was previously given, or if a Fire Safety Certificate has been issued within the previous 12 months, within 12 months after the Fire Safety Certificate was issued.

A copy of the Annual Fire Safety Statement shall also be:
a) Forwarded to the Commissioner of Fire and Rescue NSW; and
b) Prominently displayed in the building.

(Reason: Fire safety)

127. **DAOUC14 - General Noise Emission Criteria**
Cumulative noise from the development must not exceed any required project amenity/intrusiveness noise level or maximum noise level as determined in accordance with relevant requirements of the NSW EPA Noise Policy for Industry 2017 (NPfI). Background noise monitoring for the purpose of ensuring compliance with the NPfI must be carried out in accordance with the long-term methodology in Fact Sheet B of the NPfI.

An LAeq,15 minute (noise level) emitted from the development must not exceed the LA90, 15 minute (background noise level) by more than 3dB when assessed inside any habitable room of any affected residence or noise sensitive commercial premises at any time.

Consideration must be given to any annoying characteristics of the noise in accordance with Fact Sheet C of the NPfI.

(Reason: To protect residential amenity)

128. **DAOUC15 - Noise - Residential buildings**
The air conditioner/s/ mechanical ventilation systems must comply with the requirements of Protection of the Environment Operations (Noise Control) Regulation 2017 and shall not:

a) emit noise that is audible within a habitable room in any other residential property (regardless of whether any door or window to that room is open):
   - before 8.00am and after 10.00pm on any Saturday, Sunday or public holiday; or
   - before 7.00am and after 10.00pm on any other day; and

b) emit a sound pressure level when measured at the boundary of any other residential property, at a time other than those specified in (i) and (ii) above, which exceeds the background (LA90, 15minutes) by more than 5dB(A). The source noise level must be measured as a LAeq 15 minute.

(Reason: To protect residential amenity)

129. **DAOUC19- Waste Management Plan**
The storage, handling and disposal of waste and recyclable materials generated on the premises must be carried out in accordance with the approved Waste Management Plan. Any changes to the Waste Management Plan shall be approved by Council.

(Reason: To protect the environment)

130. **DAOUC29 - Clothes Drying Facilities**
The ground level open air clothes drying facility along the northern side boundary shall be adequately screened from any street and other public places and installed prior to the issue of an Occupation Certificate.

The ground level open air clothes drying facility along the northern side boundary shall be maintained throughout the lifetime of the co-living housing development at 16 Bernard Street, Lidcombe.

(Reason: Amenity and streetscape)

131. **DAOUC30 - Privacy**
All privacy measures shall be maintained throughout the lifetime of the development at 16 Bernard Street, Lidcombe.

(Reason: Privacy)

132. **DAOUD02- Landscape Maintenance - General**
All open space areas are to be regularly maintained in a neat and tidy state. Lawn areas are to be kept mown and gardens weeded and mulched with any dead plants replaced. Property owners must maintain trees in a safe growing condition.

(Reason: Safety and landscape amenity)

133. **DAOUE03 - Parking**
At least eleven (11) car parking spaces numbered and line marked in accordance with the approved plans are to be made available at all times for vehicles associated with the occupation/use of the premise.

(Reason: Access to required car parking spaces)

134. **DAOUE04 - Vehicle Access**
All vehicles are to enter and exit the site in a forward direction.

(Reason: Traffic and pedestrian safety)

135. **DAOUI01 - Plan of Management Co-living Housing**
The use shall be operated and managed in accordance with the Plan of Management, prepared by ACE Property Development Group and dated 11 November 2025. In the event of any inconsistency, the conditions of this consent will prevail over the Plan of Management. The Plan of Management may not be amended without the approval of Council.

(Reason: To protect residential amenity)

136. **DAOUI05 - Co-living Housing**
From the day on which an occupation certificate is issued for the development:

a) the co-living housing must be managed in accordance with a plan of management by a managing agent who is contactable 24 hours a day, and
b) notice of a change to the plan of management must be given to the consent authority no later than 3 months after the change, and
c) private rooms and communal living areas in the co-living housing must contain appropriate furniture and fittings, maintained in a reasonable state of repair, for the use of residents.

(Reason: Compliance with s.85 of the Environmental Planning and Assessment Regulation 2021)

137. **DAOUI07 - Co-living Housing - Use & Operation**

The construction and operation of the premises shall comply with schedule 2 part 1 of the Local Government (General) Regulation 2021.

(Reason: Statutory compliance)

138. DAOUZ01 - Co-living Rooms
Each of the 52 single-occupancy co-living rooms must provide an occupant with a principal place of residence for at least 3 months.

(Reason: To ensure compliance with the LEP definition)

139. DAOUZ02 - Bin Presentation
All bins presented on the kerbside for collection must be returned behind the boundary line within 24 hours after servicing.

(Reason: So that bins are returned to the normal storage areas and not left out on the street or kerbside long after services are provided)

140. DAOUZ03 - Bulky Waste
Bulky waste items should not be presented on the kerbside more than 24 hours prior to the scheduled clean up collection day.

(Reason: That bulky items don't accrue on the kerbside or be added to by others more than 24 hours ahead of the scheduled service)

141. DAOUZ04 - Noise Amenity
In the event of Council receiving complaints regarding excessive noise, the person(s) in control of the premises shall at their own cost, engage a suitably qualified acoustic consultant to undertake a noise assessment in accordance with the requirements of the NSW EPA Noise Policy for Industry 2017 (NPfI). The assessment must include background noise monitoring for the purpose of ensuring compliance with the NPfI must be carried out in accordance with the long-term methodology in Fact Sheet B of the NPfI and make recommendations on how any identified noise impacts can be addressed. These recommendations must then be implemented by the site operator in a timely manner.

(Reason: To protect neighbourhood amenity and minimise noise disturbance)

Advisory Notes

1. DAANN01 - 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 it is recommended that you contact Before You Dig before excavating or erecting structures. If alterations are required to the configuration, size, form or design of the development upon contacting the 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 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 Before You Dig service in advance of any construction or planning activities.

2. DAANN03 - Dividing Fences
The erection of dividing fences under this consent does not affect the provisions of the *Dividing Fences Act 1991*. Under that Act, all relevant parties must agree prior to the erection of any approved dividing fence/s under this consent.

Council has no regulatory authority in this area and does not adjudicate civil disputes relating to the provision of or payment for the erection of dividing fences.

If there is a neighbour dispute about the boundary fence, the Community Justice Centre can provide mediation services.

3. DAANN08 - Process for Modification
The plans and/or conditions of this Consent are binding and may only be modified upon approval of an application under s.4.55 of the *Environmental Planning and Assessment Act, 1979*. A modification

application shall be accompanied by the appropriate fee, application form and required information. You are not to commence any action, works or the like on the requested modification unless and until a modified consent is issued.

4. DAANN09 - Review of Determination

In accordance with the provisions of section 8.2 of the *Environmental Planning and Assessment Act 1979*, you can request a review of a determination not relating to a complying development certificate, application for designated development or application for Crown development. A review application may not be determined after the period within which any appeal may be made to the Court if no appeal was made. To determine a review application within that time limit, the application must be submitted well in advance of the appeal right timeframe. A fee as per Council's current Pricing Policy, Fees and Charges, is payable for a review application.

5. DAANN10 - Right of Appeal

Section 8.7 and 8.10 of the *Environmental Planning and Assessment Act 1979*, gives the applicant the right of appeal to the Land and Environment Court within six months after the date the decision appealed against is notified or registered on the NSW Planning Portal.

6. DAANN12 - Works/Construction Zones

All buildings on a development site, comprising of 3 or more storeys require approval of a 'Works Zone' from Council. The applicant must apply to Council and pay the applicable fee. Provision of a works zone is subject to approval by the Cumberland Traffic Committee. The length and duration of a works zone will be determined by Council.

7. DAANN13 - Work Health and Safety

For information regarding, codes of practice and guidelines regarding demolition and construction work, visit the SafeWork NSW.

8. DAANN16 - Compliance with Disability Discrimination Act

This approval does not necessarily protect or guarantee against a possible claim of discrimination (intentional or unintentional) under the *Disability Discrimination Act 1992*, and the applicant/owner is advised to investigate their liability under that Act.

9. DAANN22 – Obtaining a Construction Certificate for Building Work

This Development Consent does not constitute approval to carry out construction work. Construction work may only commence upon the issue of a Construction Certificate, appointment of a Principal Certifier, and lodgement of Notice of Commencement.

If demolition is associated with the erection of or extension to an existing building, then demolition must not commence prior to the issue of a Construction Certificate.

DOCUMENTS ASSOCIATED WITH REPORT ELPP021/26

Attachment 2

Architectural Plans



LIDCOMBE COLIVING

DEVELOPMENT APPLICATION - REV D

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DEVELOPMENT APPLICATION

LIDCOMBE COLIVING

16 BERNARD STREET
LIDCOMBE NSW 2141

DA DRAWING LIST

DWG NO.	TITLE	REV
DA0.00	PRELIMINARIES	
DA0.01	ARTIST IMPRESSION	D
DA0.02	COVER SHEET	K
DA0.03	DATA SHEET	J
DA1.00	SITE ANALYSIS	
DA1.01	CONTEXT ANALYSIS	J
DA1.02	SITE ANALYSIS	J
DA1.03	SITE PLAN - EXISTING	J
DA1.04	OPORTUNITIES AND CONSTRAINTS	J
DA1.05	PRECEDENTS	J
DA1.06	SITE PLAN - PROPOSED	C
DA1.07	STREET ESCAPE ELEVATIONS	C
DA1.10	SITE RESPONSE	
DA1.11	SITE RESPONSE	J
DA1.12	DEMOLITION PLAN	J
DA2.00	FLOOR PLANS	
DA2.01	GROUND LEVEL	J
DA2.02	LEVEL 1-3	J
DA2.05	LEVEL 4-5	H
DA2.07	LEVEL 6	J
DA2.08	LEVEL ROOF	J
DA2.09	BASEMENT 1	J
DA3.00	ELEVATIONS	
DA3.01	ELEVATION - EAST	J
DA3.02	ELEVATION - SOUTH	J
DA3.03	ELEVATION - WEST	J
DA3.04	ELEVATION - NORTH	J
DA4.00	SECTIONS	
DA4.01	SITE SECTION - SECTION A-A	J
DA4.02	SITE SECTION - SECTION B-B	J
DA4.03	SECTION - FAÇADE TYPICAL	B
DA5.00	TYPICAL UNITS	
DA5.01	ROOM TYPES - SHEET 01	J
DA5.02	ROOM TYPES - SHEET 02	J
DA6.00	VIEWS & PHOTOMONTAGES	
DA6.01	MATERIAL BOARD	G
DA6.02	CGI 1	H
DA6.03	CGI 2	H
DA6.04	CGI 3	H
DA6.05	CGI 4	G
DA6.06	CGI 5	G
DA6.07	CGI 6	G
DA8.00	COMPLIANCE DIAGRAMS	
DA8.01	SHADOWS 1	J
DA8.02	SHADOWS 2	J
DA8.03	SHADOWS IMPACT - RAYMOND STREET	C
DA8.11	GFA	J
DA8.31	SUN ACCESS VIEWS / VIEWS FROM THE SUN - SHEET 01	J
DA8.32	SUN ACCESS VIEWS / VIEWS FROM THE SUN - SHEET 02	J
DA8.61	DEVELOPMENT AREAS	J



IMPORTANT NOTES
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G	14/11/2025	DA SUBMISSION	AK
H	04/12/2025	COUNCIL RFIs	AK
J	23/03/2026	COUNCIL RFIs	AK
K	27/04/2026	COUNCIL RFIs	AK

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ACE LIDCOMBE PTY LTD

PROJECT
LIDCOMBE COLIVING
16 BERNARD STREET
LIDCOMBE NSW 2141

DRAWING TITLE
COVER SHEET

SCALE	DATE	DRAWN	CHECKED
NTS	27/04/2026	ML	AK

JOB 25033 | DRAWING DA0.02 | REVISION K

PLOT DATE: 24/04/2026 6:12:39 PM

GFA	
LEVEL	GFA
GROUND LEVEL	226.2 m²
LEVEL 1	278.7 m²
LEVEL 2	278.7 m²
LEVEL 3	278.7 m²
LEVEL 4	278.7 m²
LEVEL 5	278.7 m²
LEVEL 6	10.5 m²
TOTAL GFA	1630.4 m²

DEEP SOIL		
DEEP SOIL	SITE AREA	%
98.2 m²	741.0 m²	13.3%

COMMUNAL OPEN SPACE		
COS	SITE AREA	%
378.3 m²	741.0 m²	51.1%

FSR		
SITE AREA	GFA	FSR
741.0 m²	1630.4 m²	2.20

COMMUNAL AREAS	
LEVEL	AREA
GROUND LEVEL	100.2 m²
LEVEL 1	10.7 m²
LEVEL 2	10.7 m²
LEVEL 3	10.7 m²
LEVEL 4	10.7 m²
LEVEL 5	10.7 m²
	153.6 m²

ROOM MIX	
ROOM TYPE	N. of ROOMS
ROOM A	20
ROOM B	22
ROOM C	5
ROOM D - ACC	3
ROOM E+	2
TOTAL ROOMS	52

ROOMS BY LEVEL	
LEVEL	N. of ROOMS
GROUND LEVEL	2
LEVEL 1	10
LEVEL 2	10
LEVEL 3	10
LEVEL 4	10
LEVEL 5	10
TOTAL ROOMS	52

PARKING	
TYPE	COUNT
CAR SPACE - 5400 x 2400	11
MOTORBIKE SPACE - 2500 x 1200	2

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DATA SHEET

SCALE	DATE	DRAWN	CHECKED
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MEDICAL CENTRE
SHOPPING CENTER
SCHOOL & UNIVERSITY
PARK
CHURCH
SPORTS CENTRE
BUS STATION
TRAIN STATION
SITE
WALKING DISTANCE RADIUS
AREAS UNDER TOD INFLUENCE

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CONTEXT ANALYSIS

SCALE	DATE	DRAWN	CHECKED
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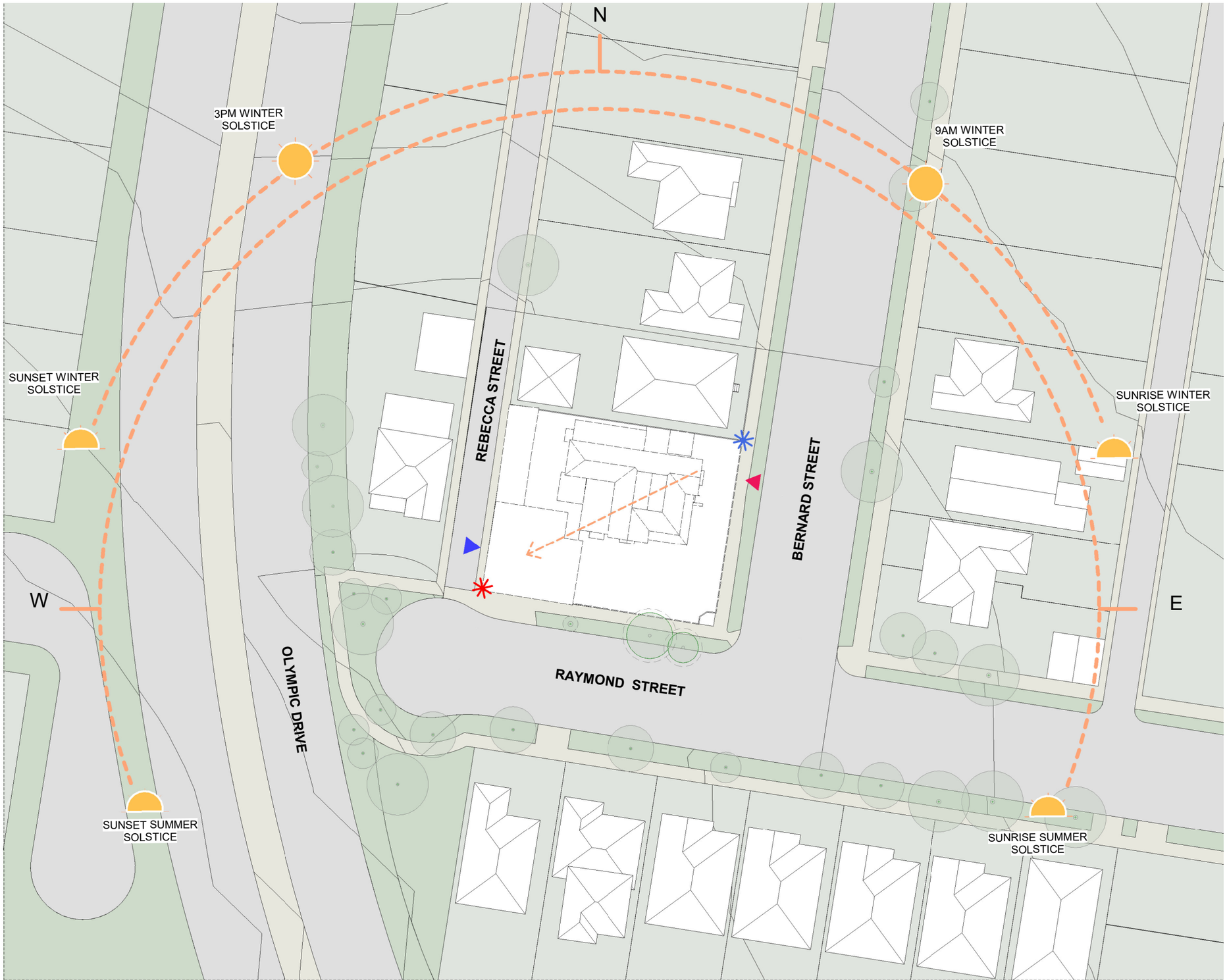

LEGEND

- SITE BOUNDARY
- LOWEST POINT ON SITE BOUNDARY
- HIGHEST POINT ON SITE BOUNDARY
- GENERAL SLOPE OF THE SITE
- EXISTING VEHICULAR ACCESS
- EXISTING PEDESTRIAN ACCESS
- TREE PROTECTION ZONE (TPZ)

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SITE ANALYSIS

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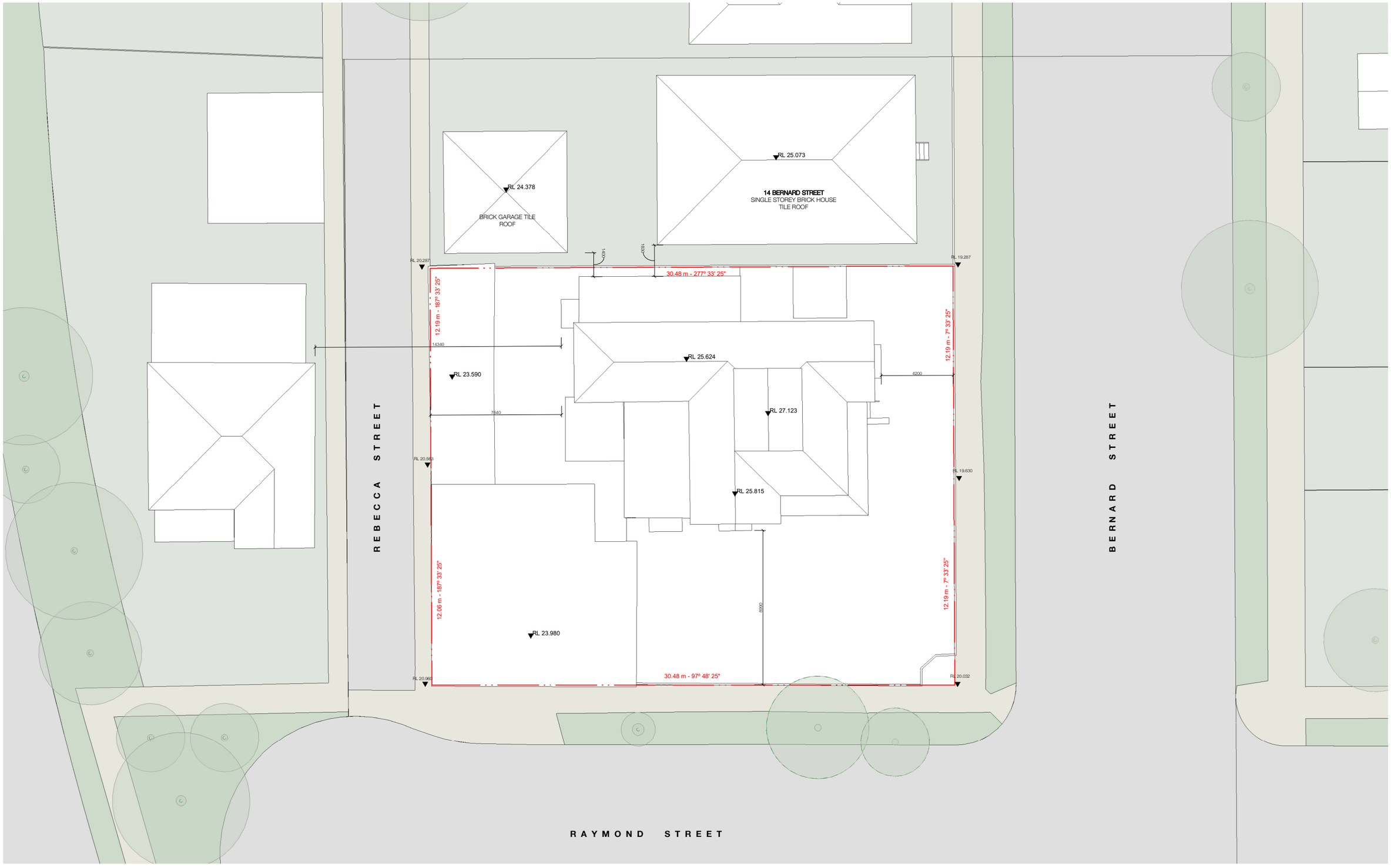

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DRAWING TITLE
SITE PLAN - EXISTING

SCALE	DATE	DRAWN	CHECKED
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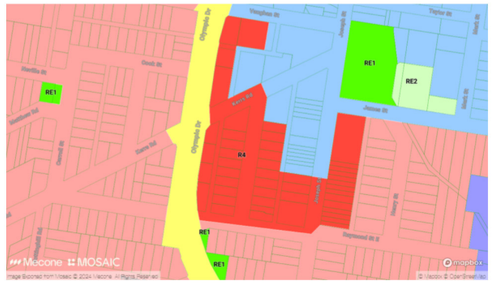
PLANNING



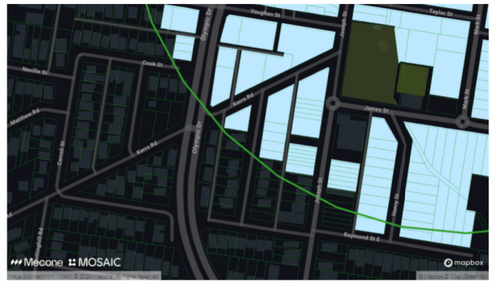
Land Zoning - R4 - High Density Residential



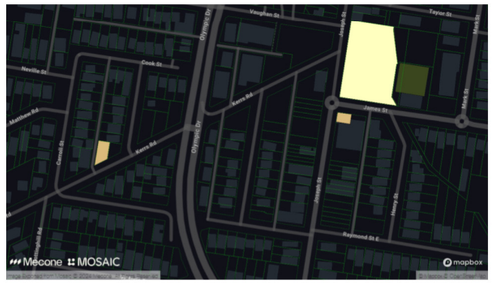
FSR - 2 : 1 + 10% Bonus for coliving = 2.2 : 1



Height of Building - 20 m



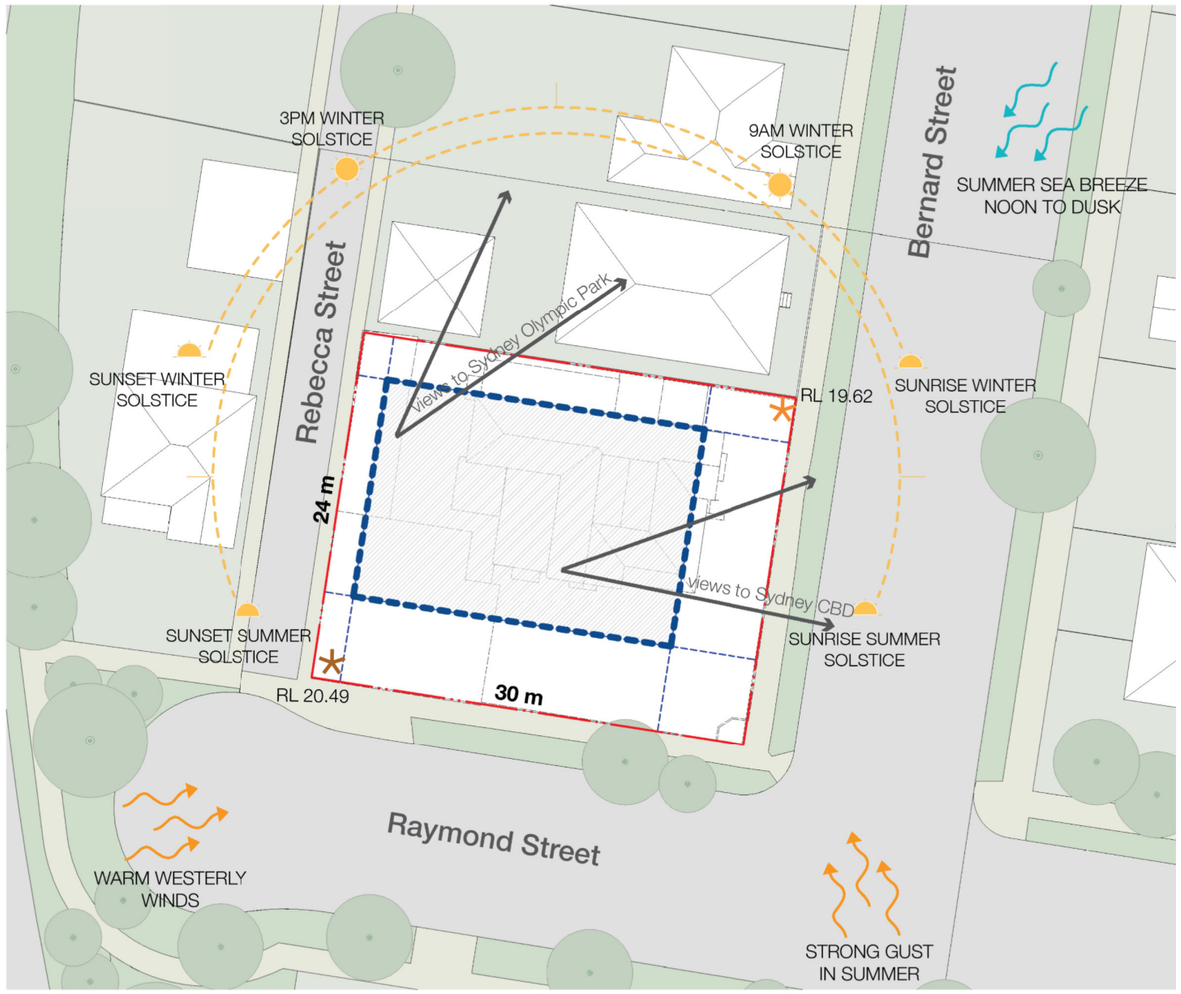
Transport Oriented Development
Out of TOD 400m radius



Heritage
No listed items in close proximity.
Not in Heritage Conservation Area.



NSW Low & Mid-Rise Housing Areas
Inside NSW Low & Mid-Rise Housing Area



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REV	DATE	DESCRIPTION	BY
A	29/08/2025	PRELIMINARY	AK
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C	17/10/2025	FOR COORDINATION	AK
D	23/10/2025	FOR COORDINATION	AK
E	28/10/2025	FOR COORDINATION	AK
F	12/11/2025	FOR COORDINATION	AK
G	14/11/2025	DA SUBMISSION	AK
H	23/03/2026	COUNCIL RFIs	AK
J	27/04/2026	COUNCIL RFIs	AK

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PROJECT
LIDCOMBE COLIVING
16 BERNARD STREET

DRAWING TITLE
OPORTUNITIES AND CONSTRAINTS

SCALE	DATE	DRAWN	CHECKED
1:150 @A1 1:300 @A3	27/04/2026	ML	AK

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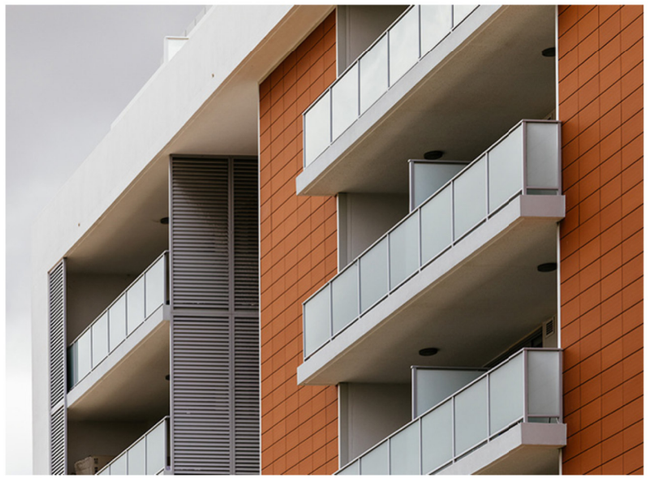
DRAWING
REVISION











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PROJECT
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16 BERNARD STREET

DRAWING TITLE
PRECEDENTS

SCALE	DATE	DRAWN	CHECKED
	27/04/2026	ML	AK

JOB 25033 | DRAWING DA1.05 | REVISION J

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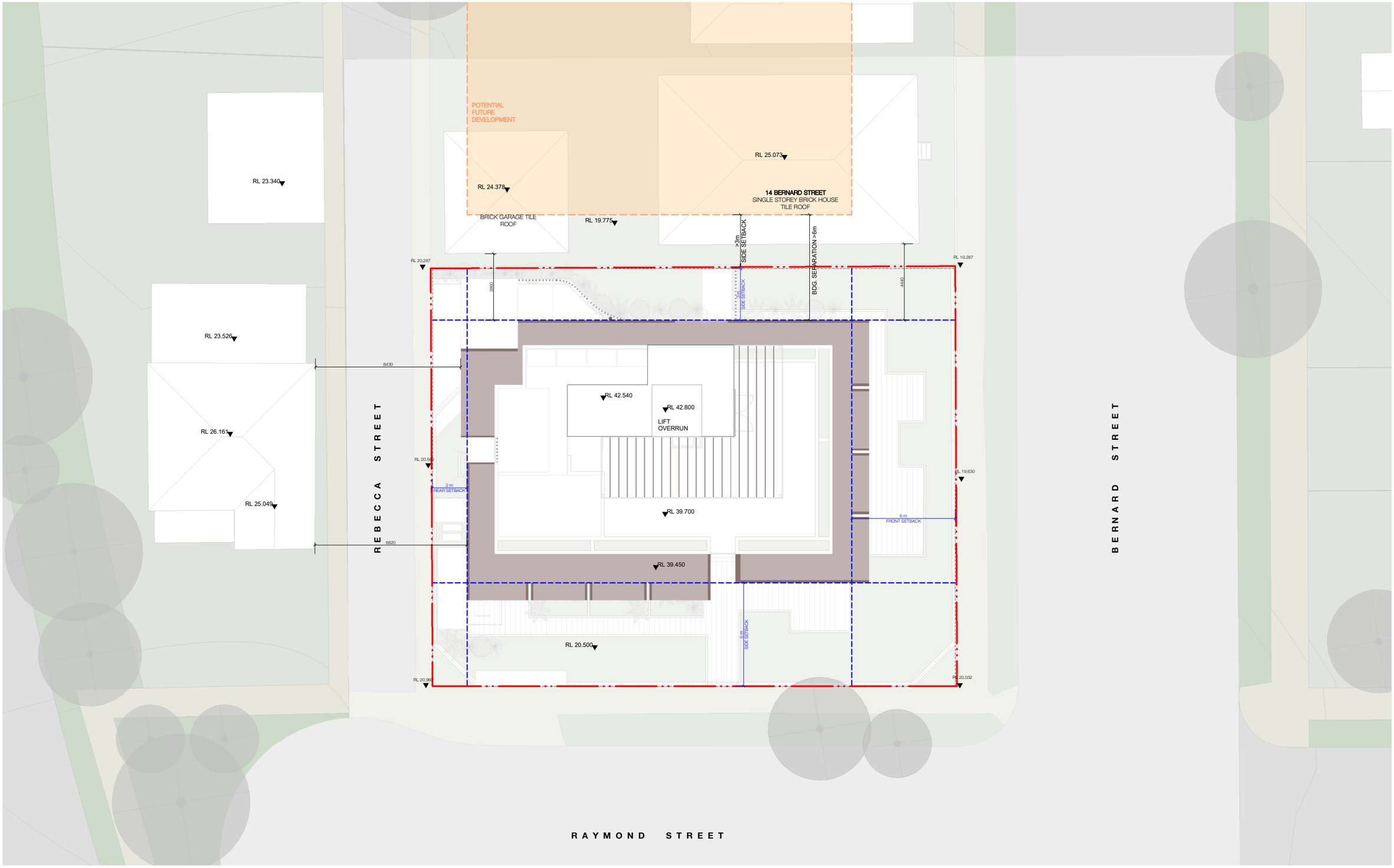

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A	04/12/2025	COUNCIL RFIs	AK
B	23/03/2026	COUNCIL RFIs	AK
C	27/04/2026	COUNCIL RFIs	AK

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PROJECT
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DRAWING TITLE
SITE PLAN - PROPOSED

SCALE	DATE	DRAWN	CHECKED
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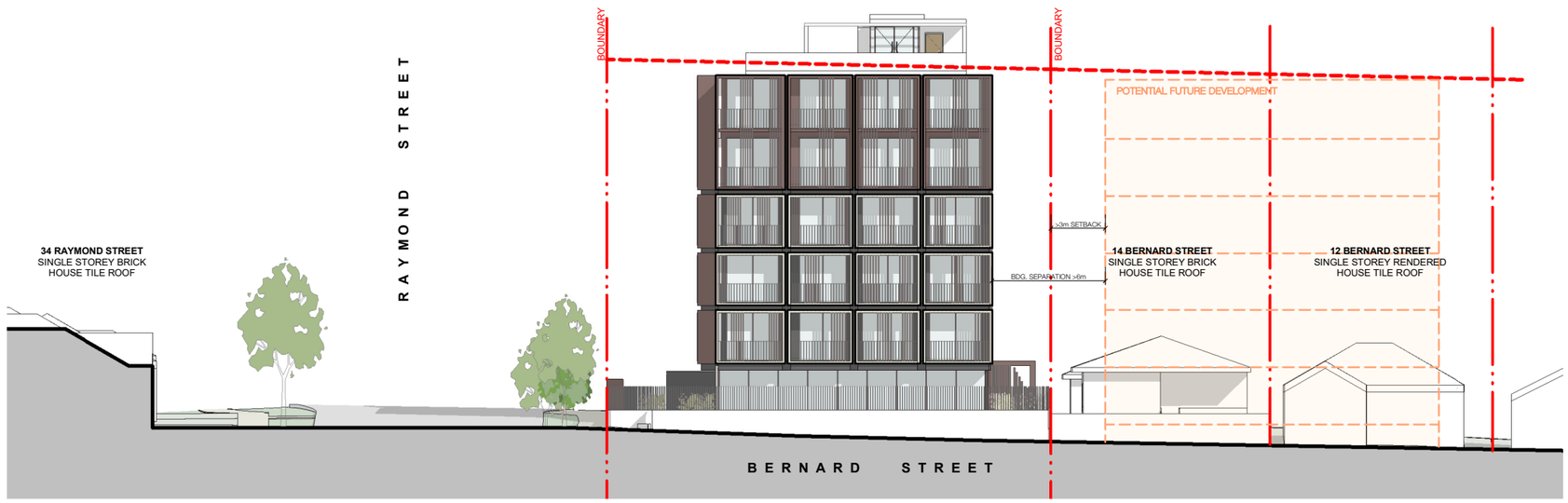
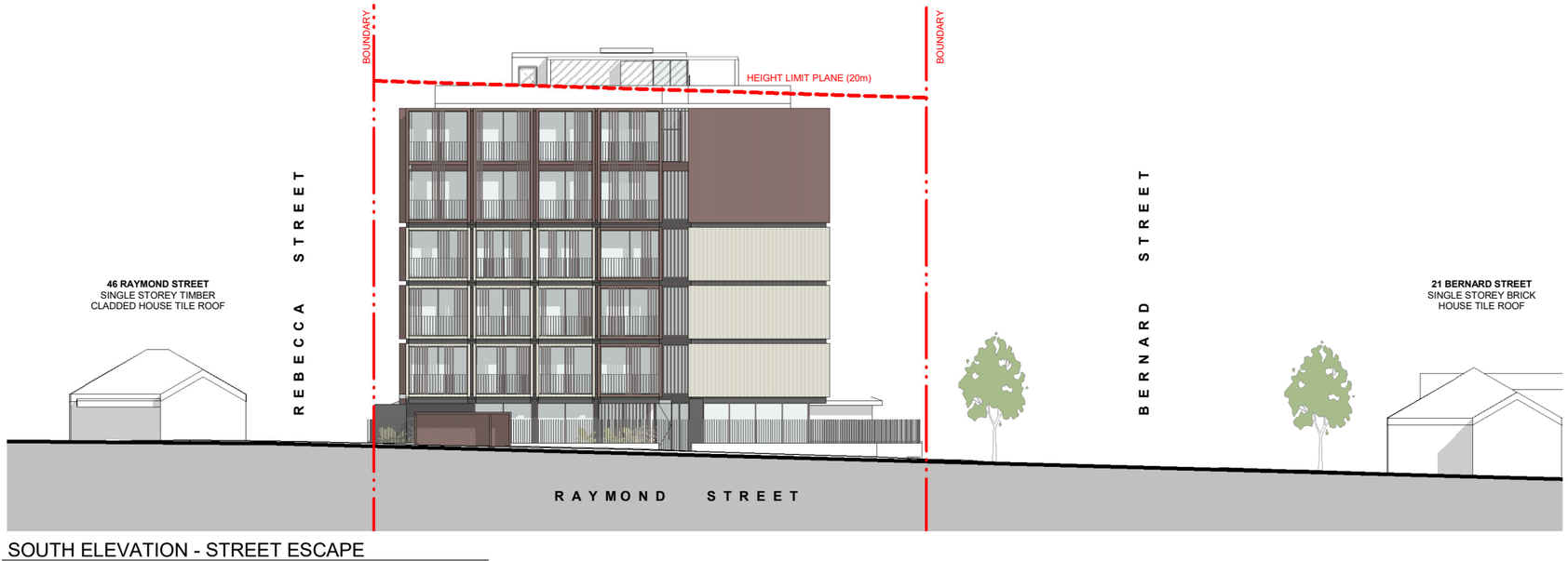


EAST ELEVATION - STREET ESCAPE
1 : 150



SOUTH ELEVATION - STREET ESCAPE
1 : 150

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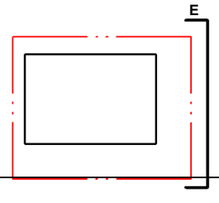
A	04/12/2025	COUNCIL RFIs	AK
B	23/03/2026	COUNCIL RFIs	AK
C	27/04/2026	COUNCIL RFIs	AK

PRELIMINARY



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PROJECT
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16 BERNARD STREET

DRAWING TITLE
STREET ESCAPE ELEVATIONS

SCALE	DATE	DRAWN	CHECKED
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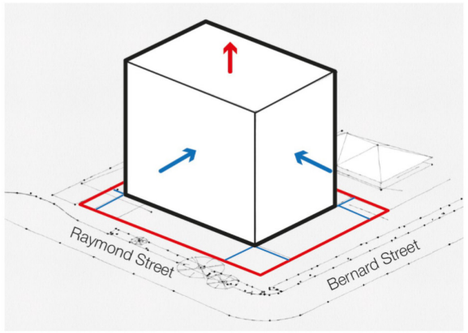
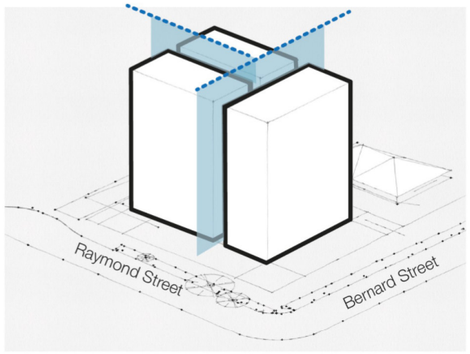
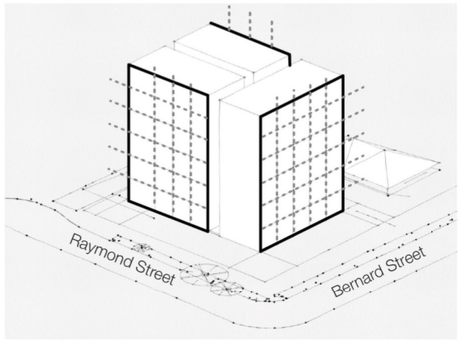
JOB 25033 DRAWING DA1.07 REVISION C



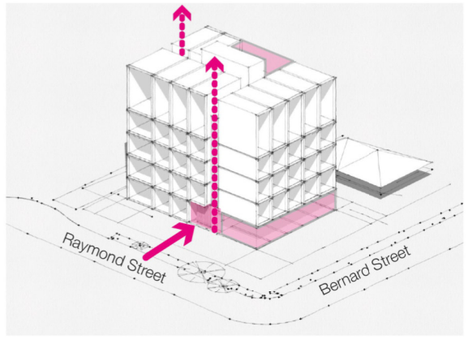
1. Complying envelope



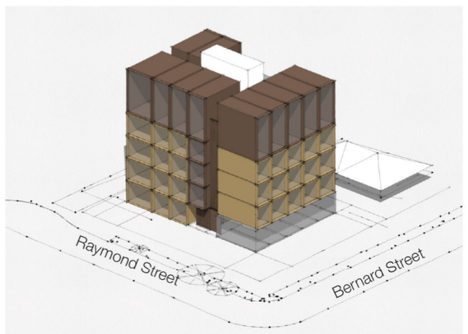
2. Break down massing



3. Façade modulation



4. Façade articulation



5. Materiality

Massing, modulation and materiality.

The design evolution began with establishing a compliant building envelope, respecting all boundary setbacks and the allowable height limit. This foundational volume was then refined through articulation, breaking down the massing to better respond to the surrounding context.

Facade modulation introduces a rhythm that reflects the internal layout and co-living arrangement, enhancing both visual interest and functional clarity. Materiality is carefully layered, with a distinct, larger scale module applied to the upper levels to balance the overall composition and reduce the perceived bulk of the building.



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J	27/04/2026	COUNCIL RFIs	AK

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PROJECT
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DRAWING TITLE
SITE RESPONSE

SCALE	DATE	DRAWN	CHECKED
NTS @A1 NTS @A3	27/04/2026	ML	AK

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H	23/03/2026	COUNCIL RFIs	AK
J	27/04/2026	COUNCIL RFIs	AK

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DRAWING TITLE
DEMOLITION PLAN

SCALE	DATE	DRAWN	CHECKED
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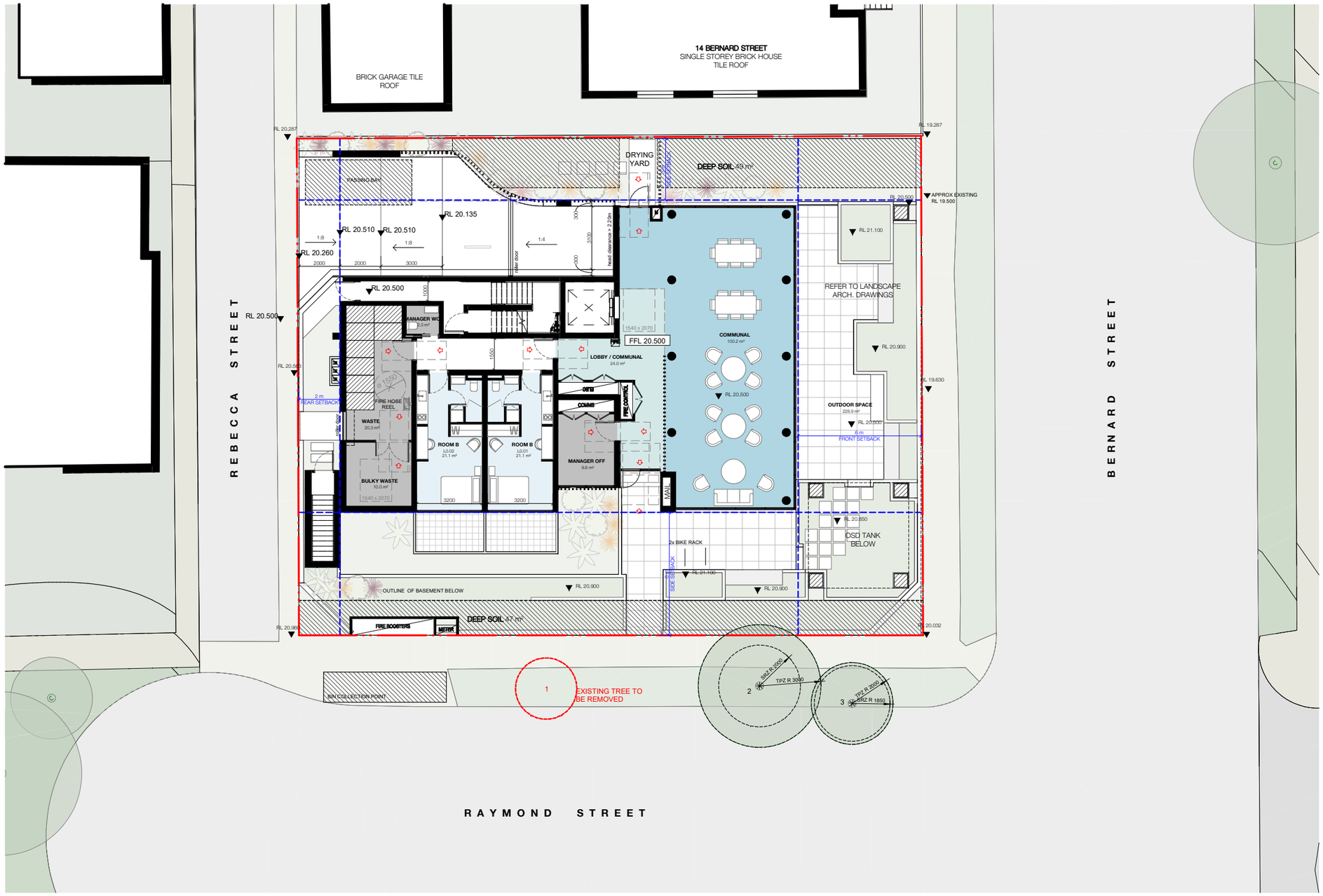
JOB 25033 DRAWING DA1.12 REVISION J



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G	14/11/2025	DA SUBMISSION	AK
H	23/03/2026	COUNCIL RFIs	AK
J	27/04/2026	COUNCIL RFIs	AK

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DRAWING TITLE
GROUND LEVEL

SCALE	DATE	DRAWN	CHECKED
1:100 @A1 1:200 @A3	27/04/2026	ML	AK

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G	14/11/2025	DA SUBMISSION	AK
H	23/03/2026	COUNCIL RFIs	AK
J	27/04/2026	COUNCIL RFIs	AK

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DRAWING TITLE
LEVEL 1-3

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1:100 @A1
1:200 @A3

DATE
27/04/2026

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DRAWING TITLE
LEVEL 4-5

SCALE
1:100 @A1
1:200 @A3

DATE
27/04/2026

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25033

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DA2.05

REVISION
H

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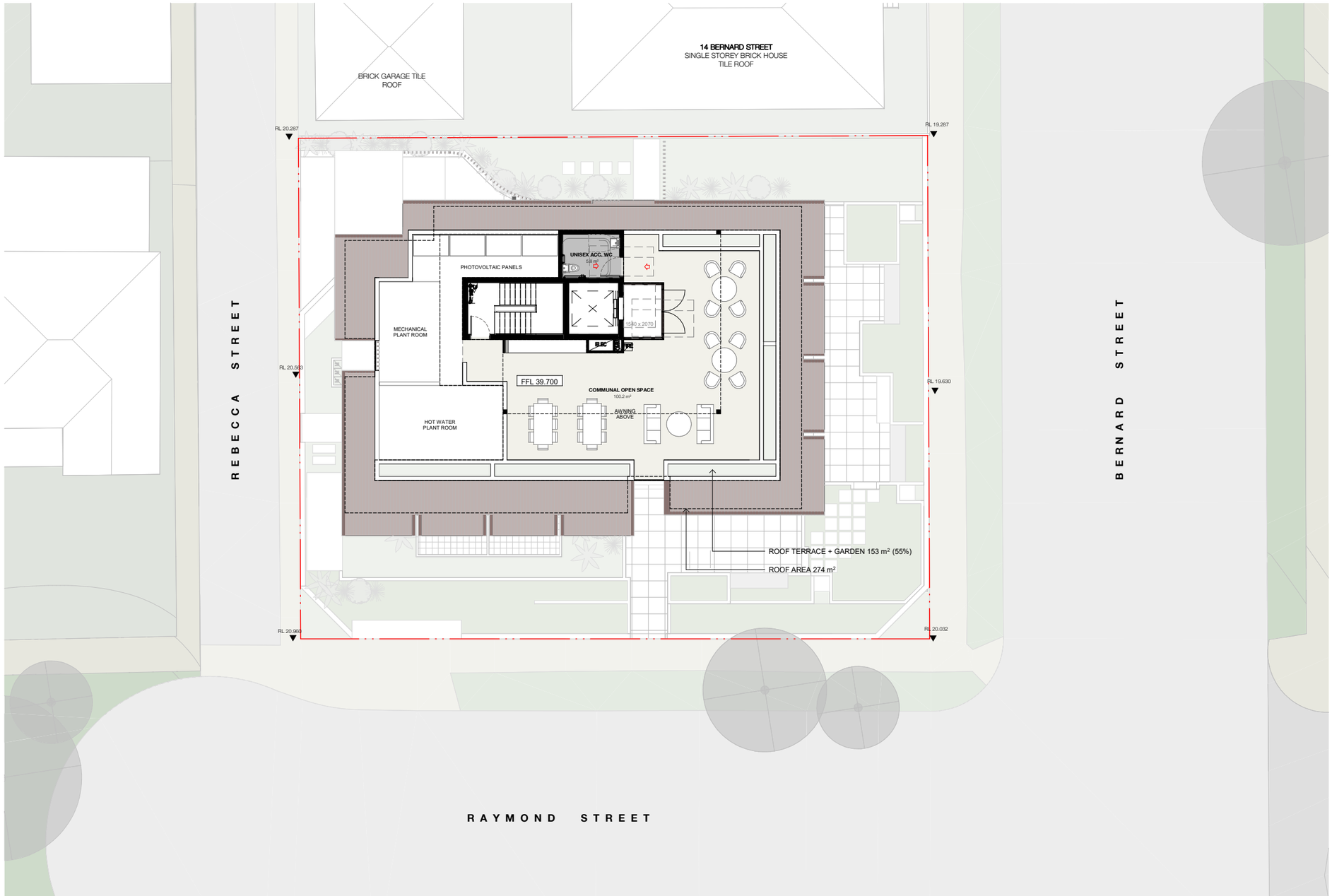

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J	27/04/2026	COUNCIL RFIs	AK

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DRAWING TITLE
LEVEL 6

SCALE
1:100 @A1
1:200 @A3

DATE
27/04/2026

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25033

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DA2.07

REVISION
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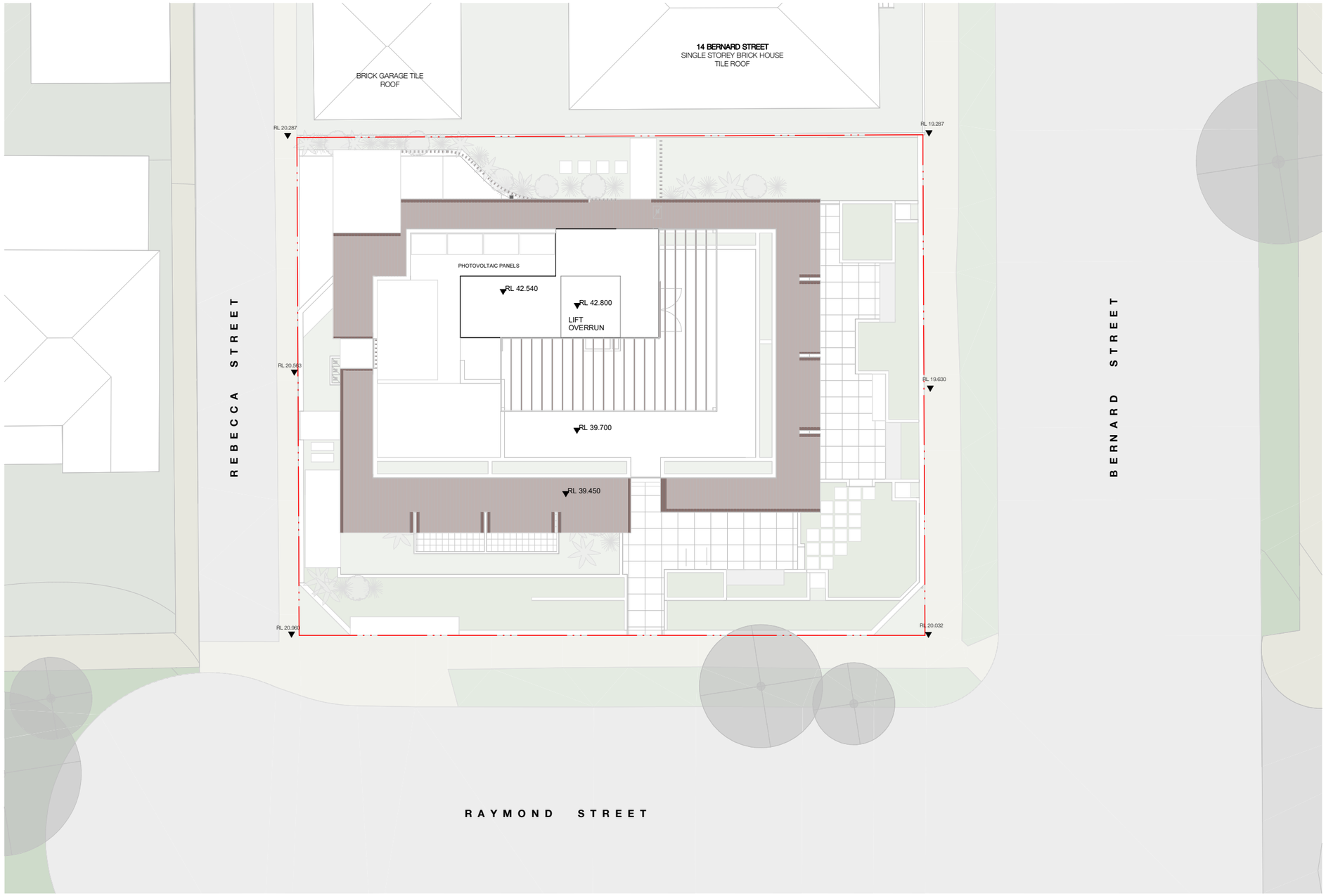

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J	27/04/2026	COUNCIL RFIs	AK

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DRAWING TITLE
LEVEL ROOF

SCALE
1:100 @A1
1:200 @A3

DATE
27/04/2026

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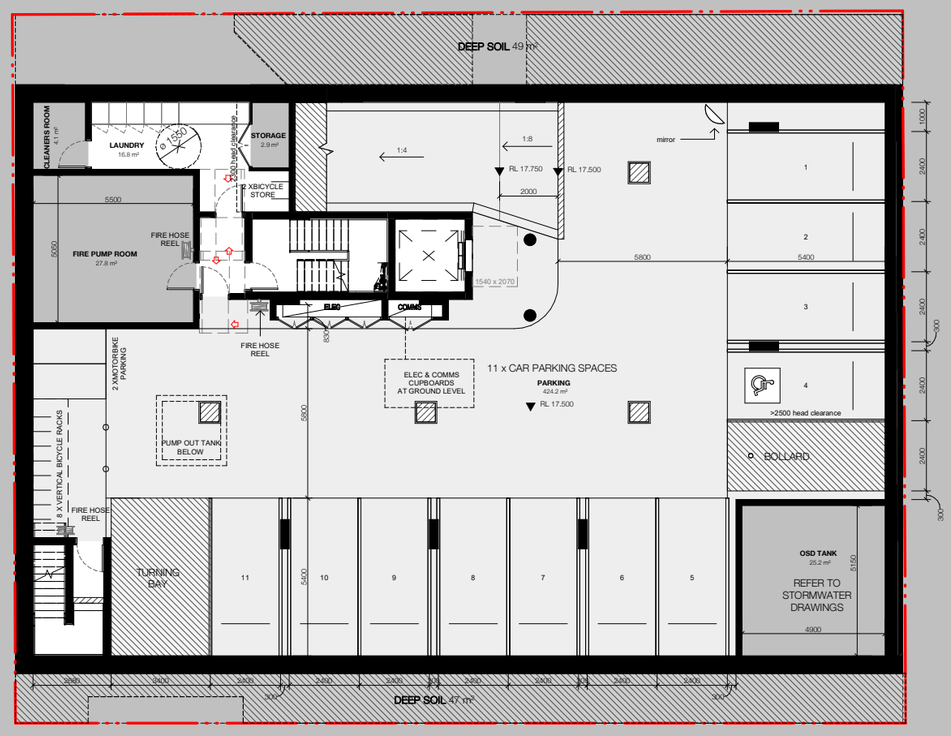

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DRAWING TITLE
BASEMENT 1

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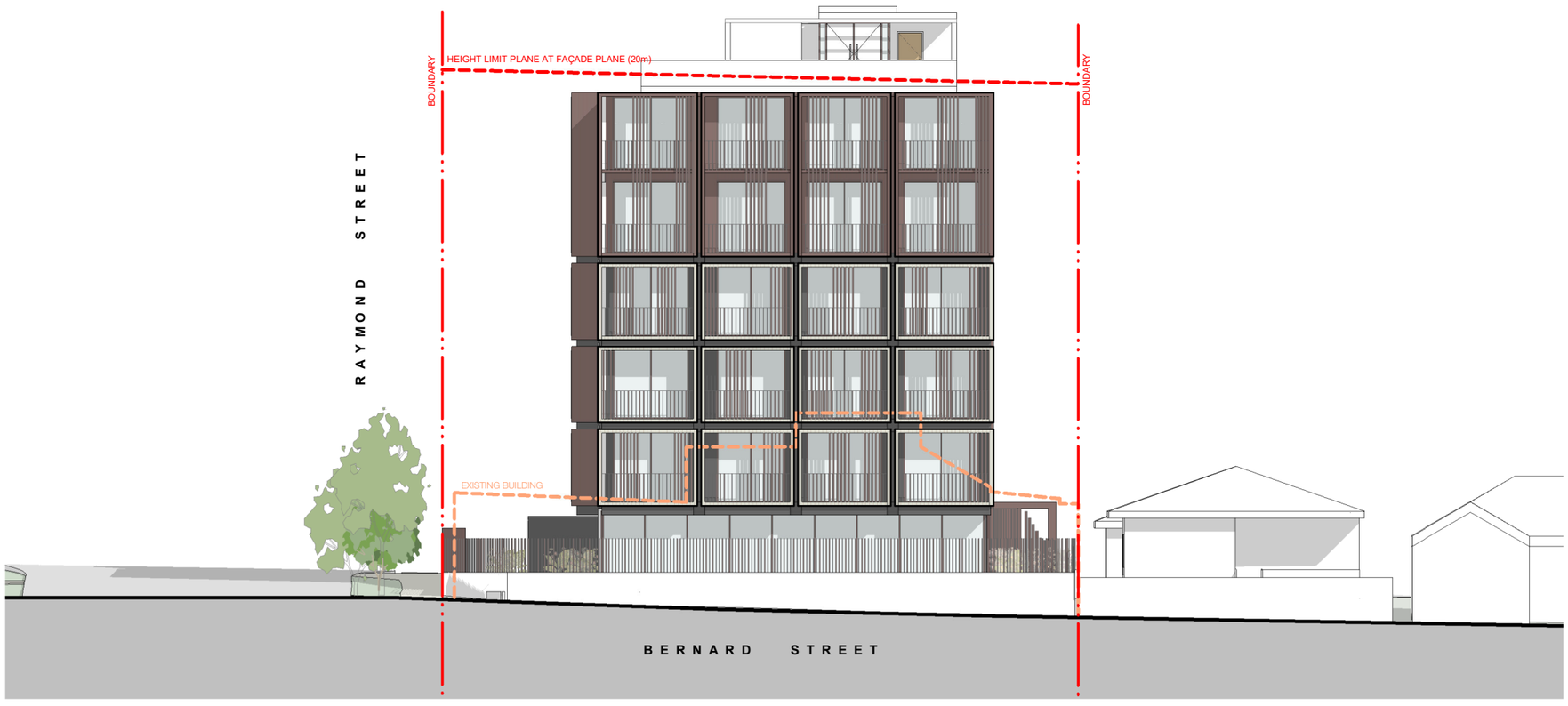

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DRAWING TITLE
ELEVATION - EAST

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1:100 @A1 1:200 @A3	27/04/2026	ML	AK

JOB
25023

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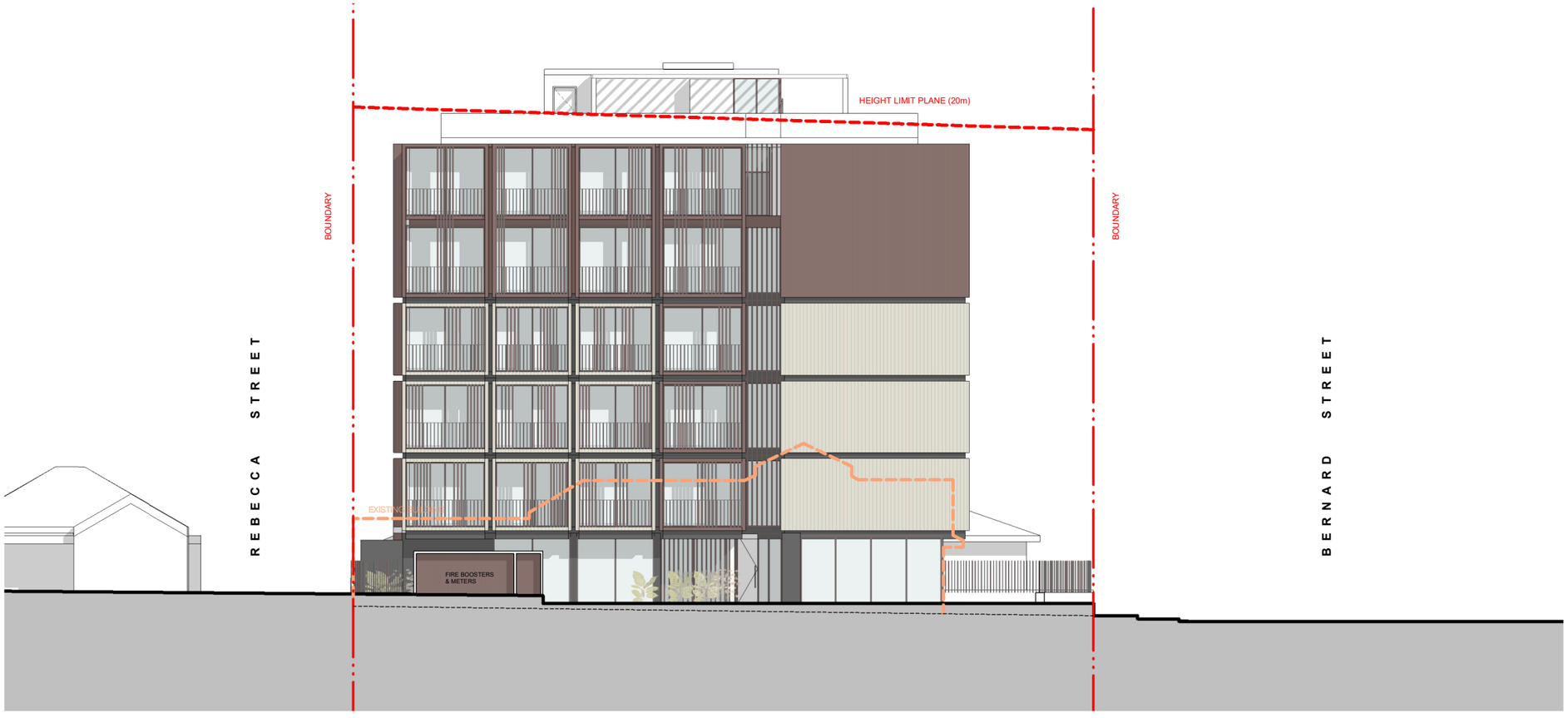
DA3-01

REVISION
J



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E	28/10/2025	FOR COORDINATION	AK
F	12/11/2025	FOR COORDINATION	AK
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ELEVATION - SOUTH

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1:100 @A1 1:200 @A3	27/04/2026	ML	AK

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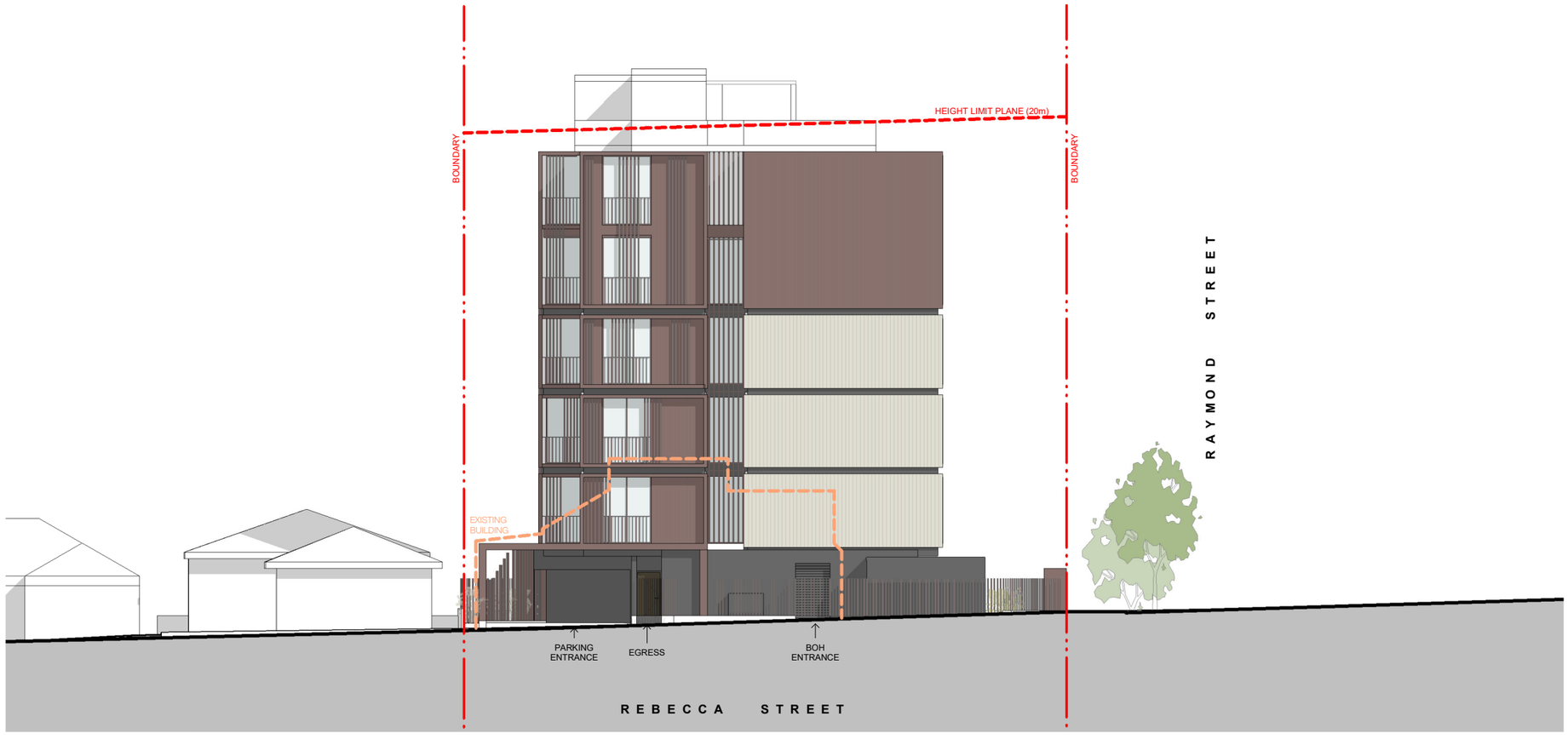

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DRAWING TITLE
ELEVATION - WEST

SCALE	DATE	DRAWN	CHECKED
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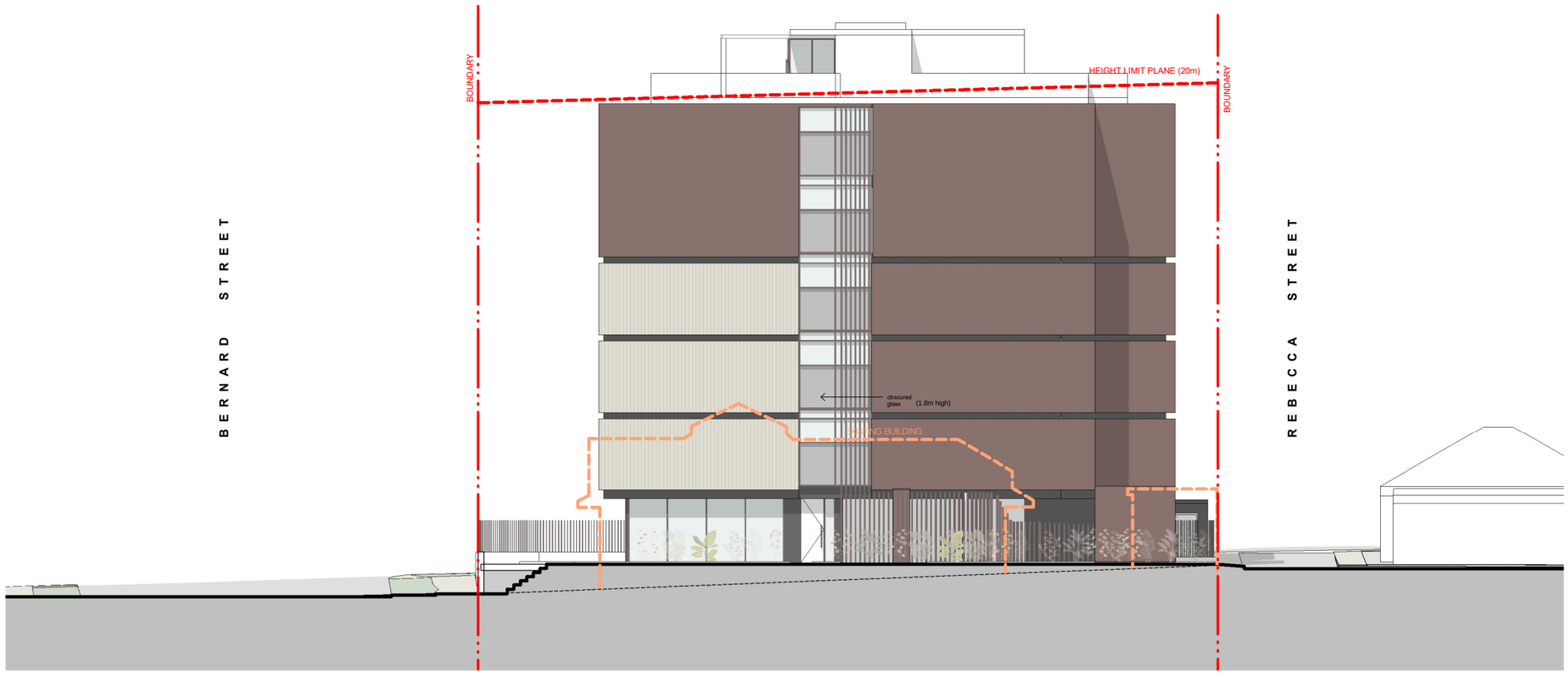
JOB 25033 DRAWING DA3.03 REVISION J



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DRAWING TITLE
ELEVATION - NORTH

SCALE	DATE	DRAWN	CHECKED
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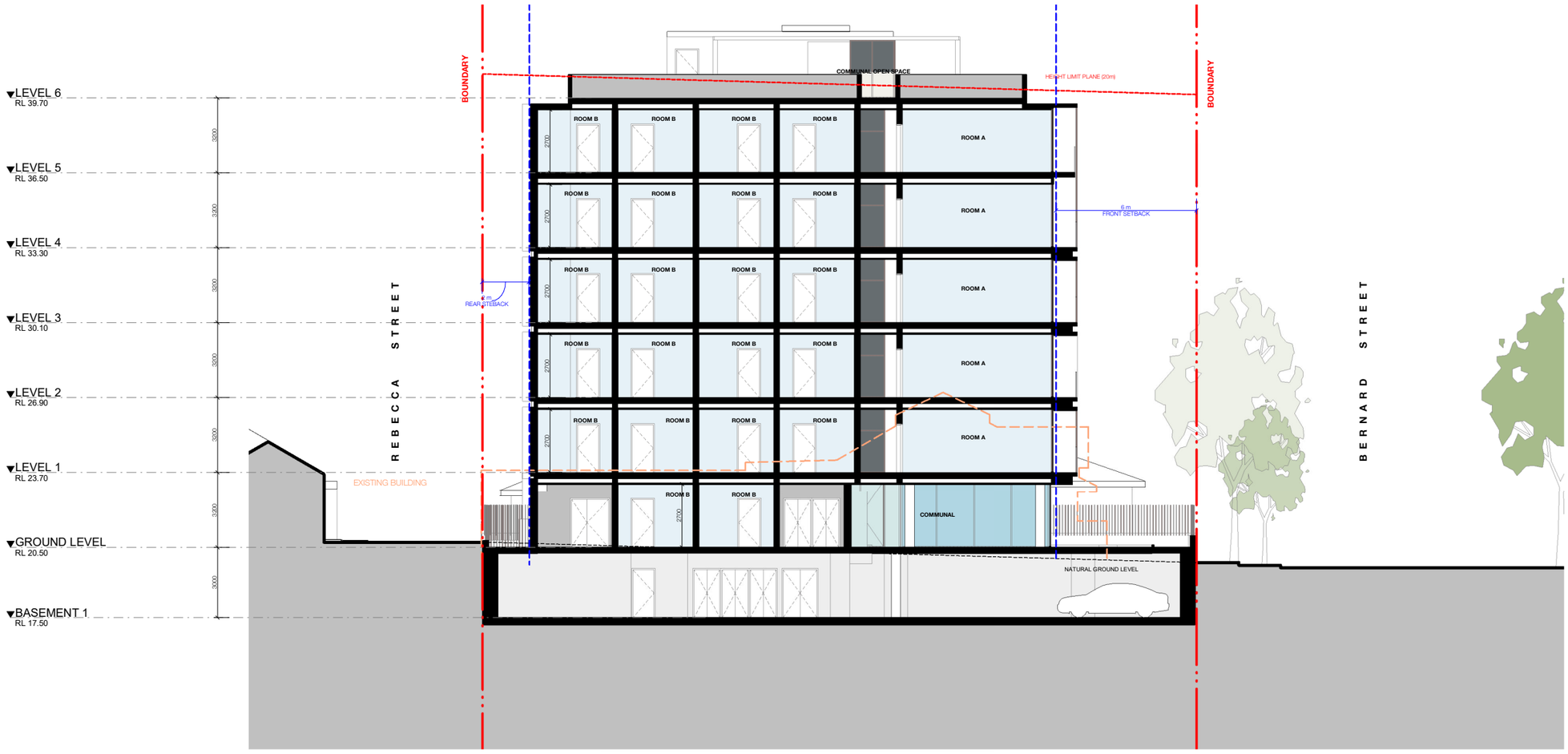
JOB 25033 DRAWING DA3.04 REVISION J



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DRAWING TITLE
SITE SECTION - SECTION A-A

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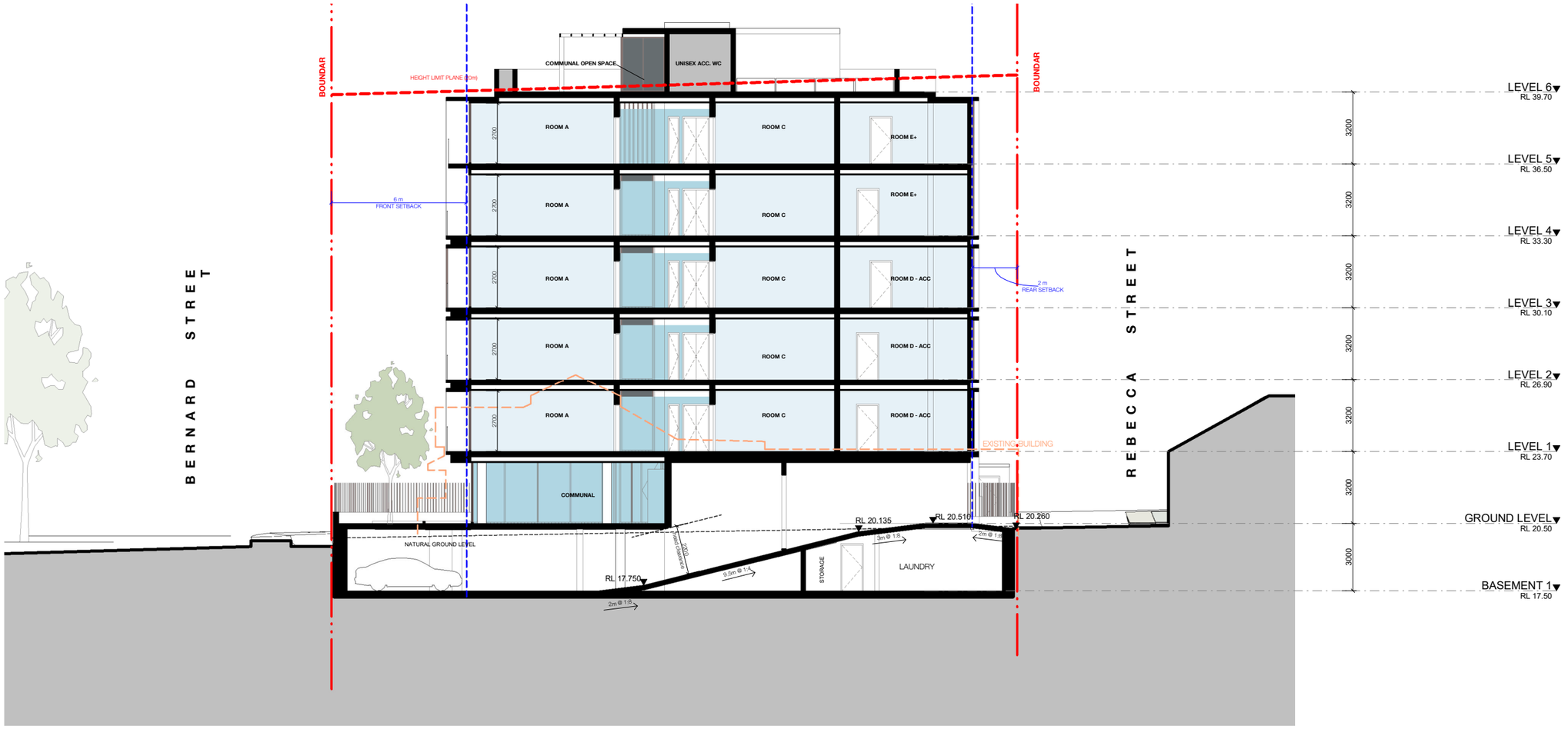
1:100 @A1 1:200 @A3	27/04/2026	ML	AK

JOB 25033 DRAWING DA1.21 REVISION J



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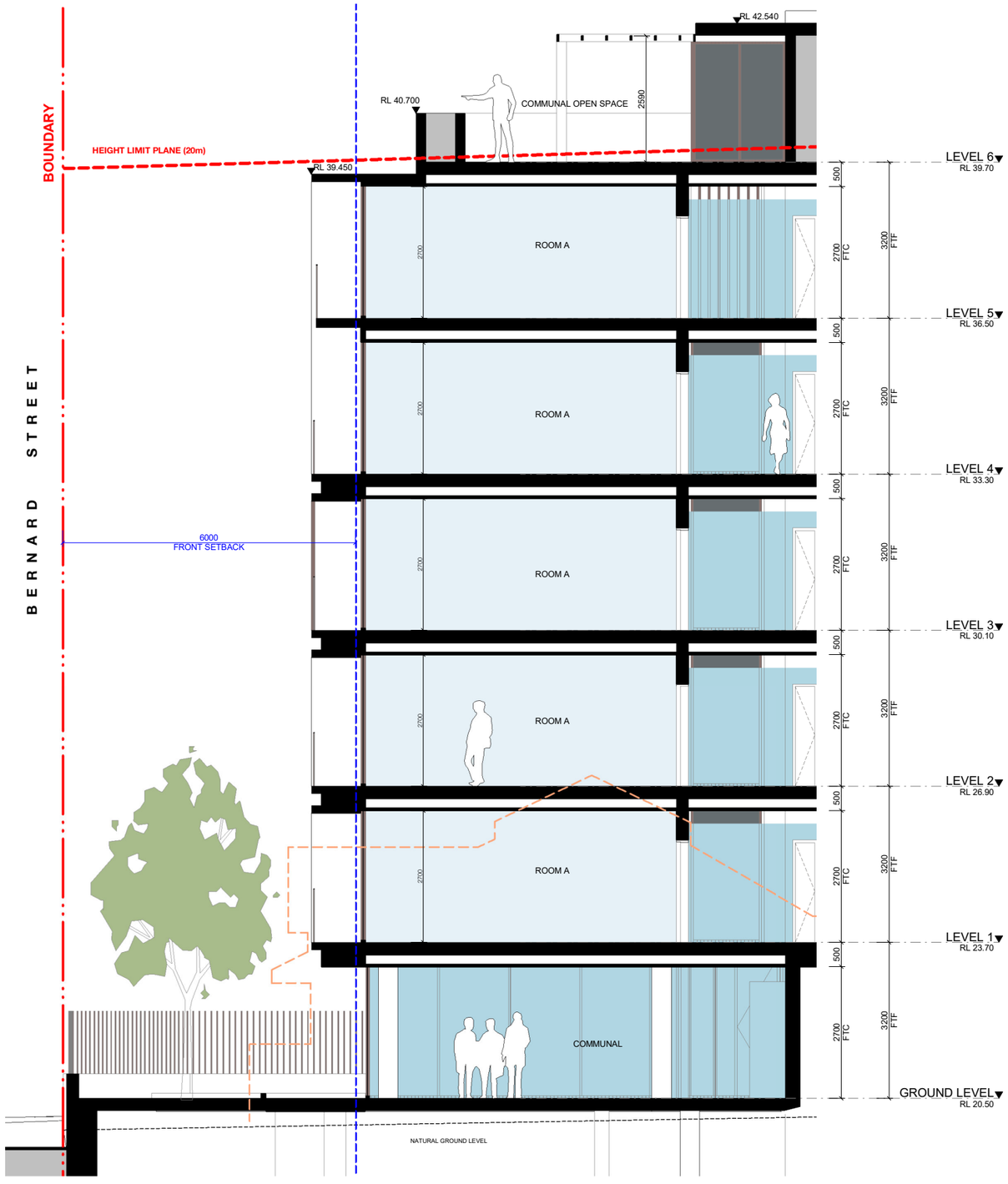
DRAWING TITLE
SITE SECTION - SECTION B-B

SCALE	DATE	DRAWN	CHECKED
1:100 @A1 1:200 @A3	27/04/2026	ML	AK

JOB 25033 DRAWING DA4.03 REVISION J



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DRAWING TITLE
SECTION - FAÇADE TYPICAL

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1:50 @A1 1:100 @A3	27/04/2026	ML	AK

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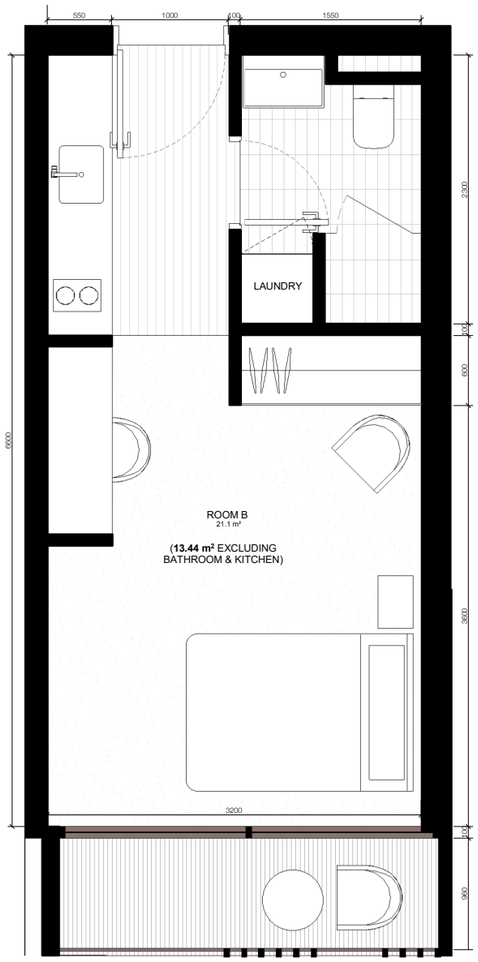
ROOM TYPE A
1:25

SINGLE OCCUPANCY



ROOM TYPE B
1 : 25

SINGLE OCCUPANCY



ROOM TYPE C
1 : 25

SINGLE OCCUPANCY

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DRAWING TITLE
ROOM TYPES - SHEET 01

SCALE	DATE	DRAWN	CHECKED
1:25 @A1 1:50 @A3	27/04/2026	ML	AK

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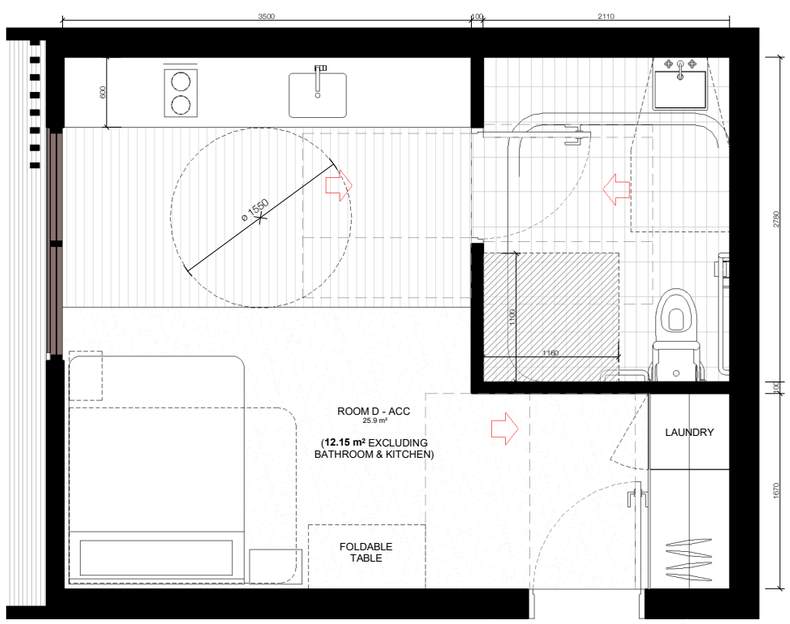
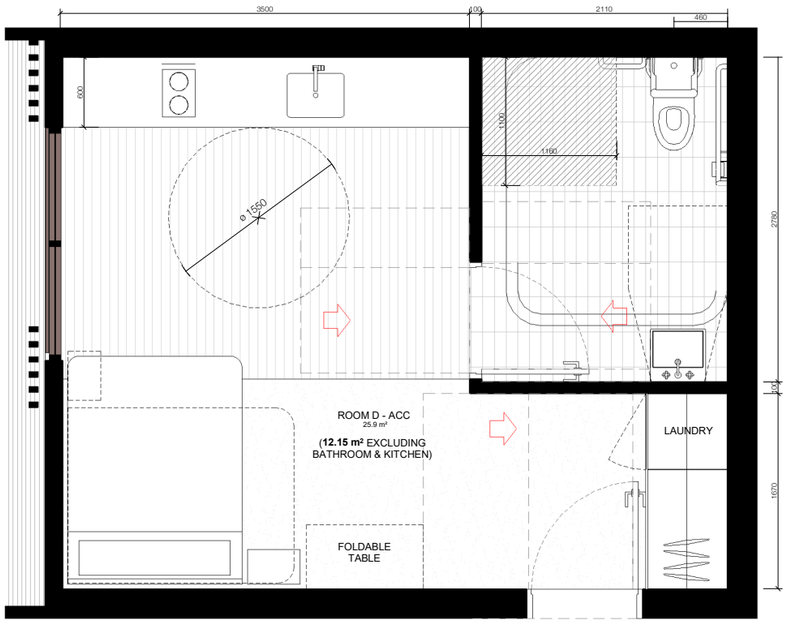


ROOM TYPE D
1 : 25
SINGLE OCCUPANCY



ROOM TYPE D - MIRRORED BATHROOM (LEVEL 2)
1 : 25
SINGLE OCCUPANCY



ROOM TYPE E+
1 : 25
SINGLE OCCUPANCY

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DRAWING TITLE
ROOM TYPES - SHEET 02

SCALE	DATE	DRAWN	CHECKED
1:25 @A1 1:50 @A3	27/04/2026	ML	AK

JOB 25033 DRAWING DA5.03 REVISION J



SOUTH ELEVATION - MATERIAL BOARD
1 : 100



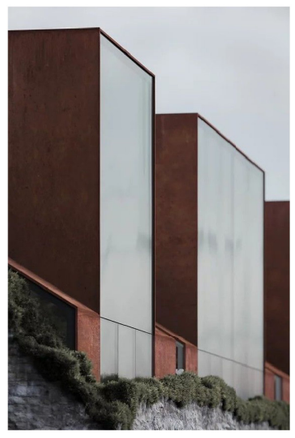
1. ANODIZED ALUMINIUM DARK BRONZE FINISH



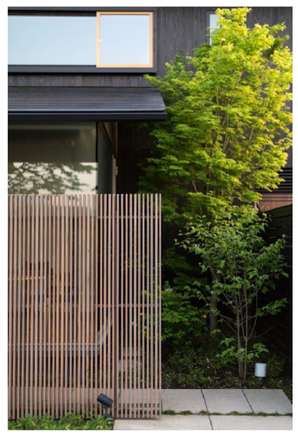
2. GROUND LEVEL GLAZING



3. ALUMINIUM BATTENS TIMBER LOOK FINISH



4. STEEL BOXES



5. TIMBER LOOK ALUMINUM BATTEN FENCE



6. ALUMINIUM SCREEN TIMBER BATTEN LOOK

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JOB
25032

DRAWING
DA6.01

REVISION
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H	27/04/2026	COUNCIL RFIs	AK

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DRAWING TITLE
CGI 1

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JOB	DRAWING	REVISION
25033	DA6.03	H



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DRAWING TITLE
CGI 3

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JOB	DRAWING	REVISION
25033	DA0.04	H



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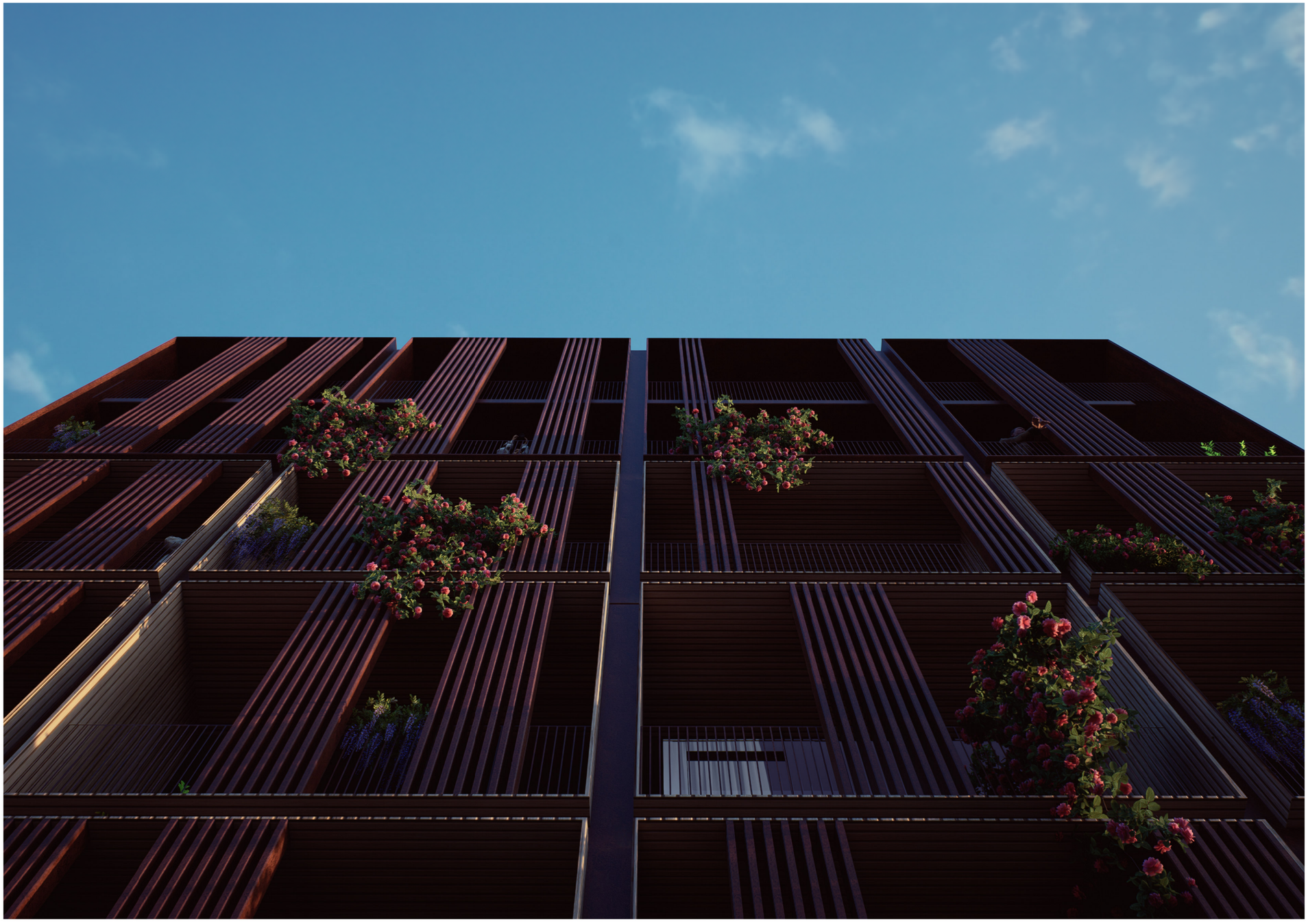
JOB
25023

DRAWING
DA6-05

REVISION
C



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F	23/03/2026	COUNCIL RFIs	AK
G	27/04/2026	COUNCIL RFIs	AK

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PROJECT
LIDCOMBE COLIVING
16 BERNARD STREET

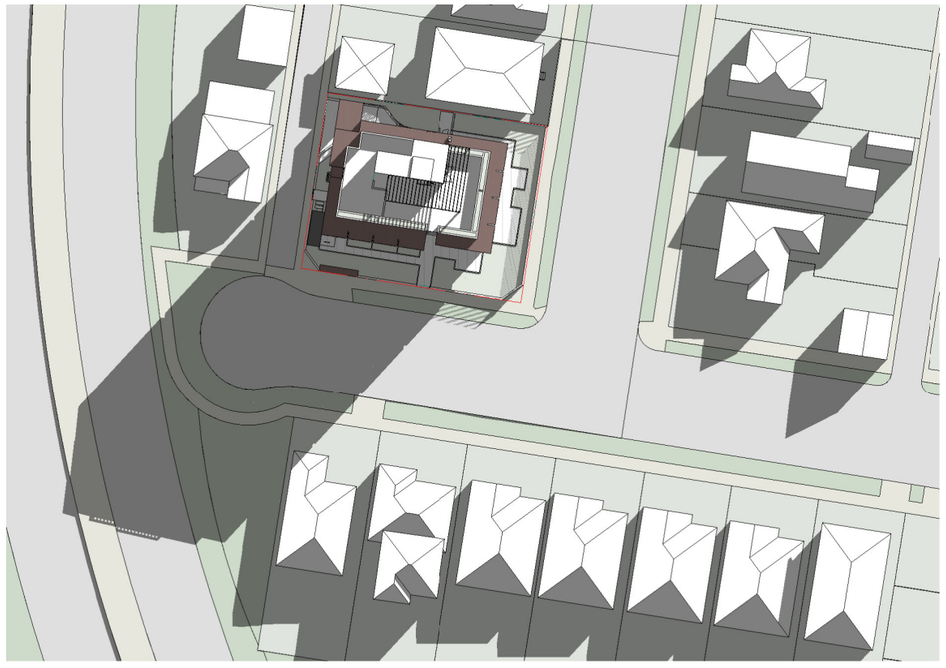
DRAWING TITLE
CGI 6

SCALE	DATE	DRAWN	CHECKED
NTS	27/04/2026	ML	AK

JOB
25022

DRAWING
DA6-07

REVISION
C



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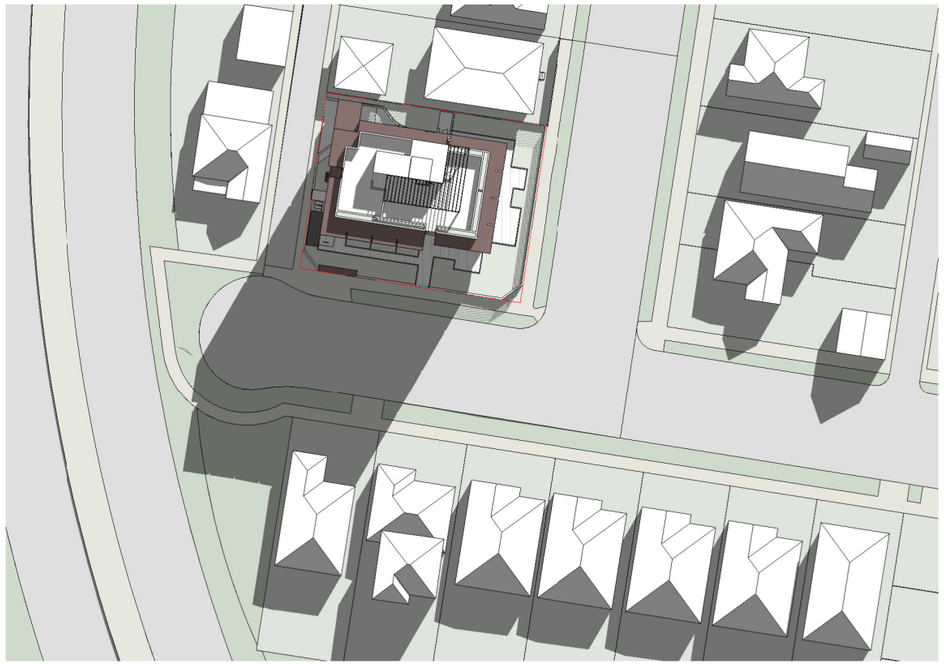

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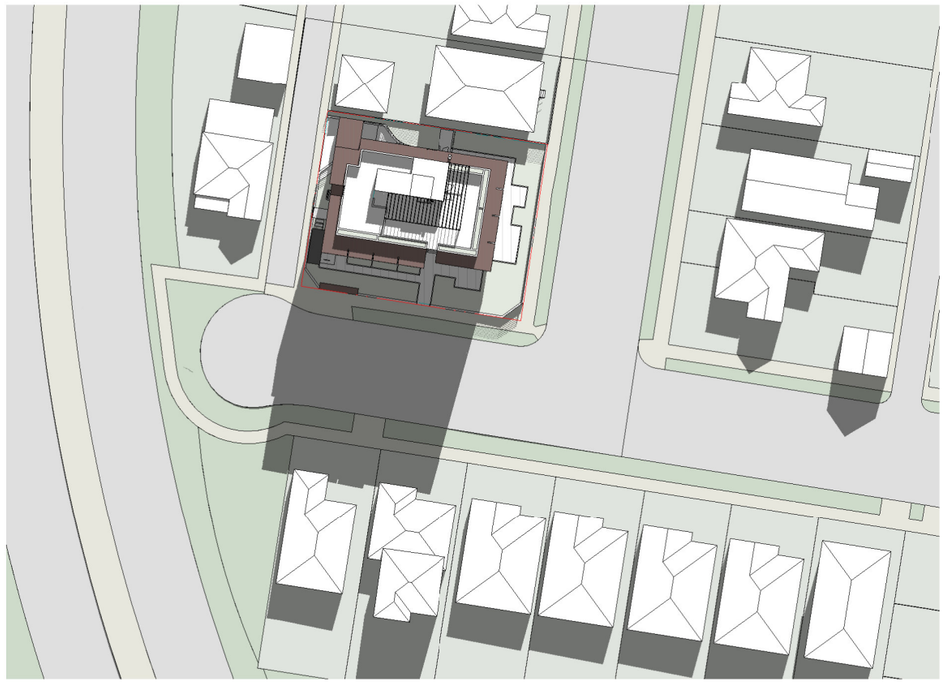

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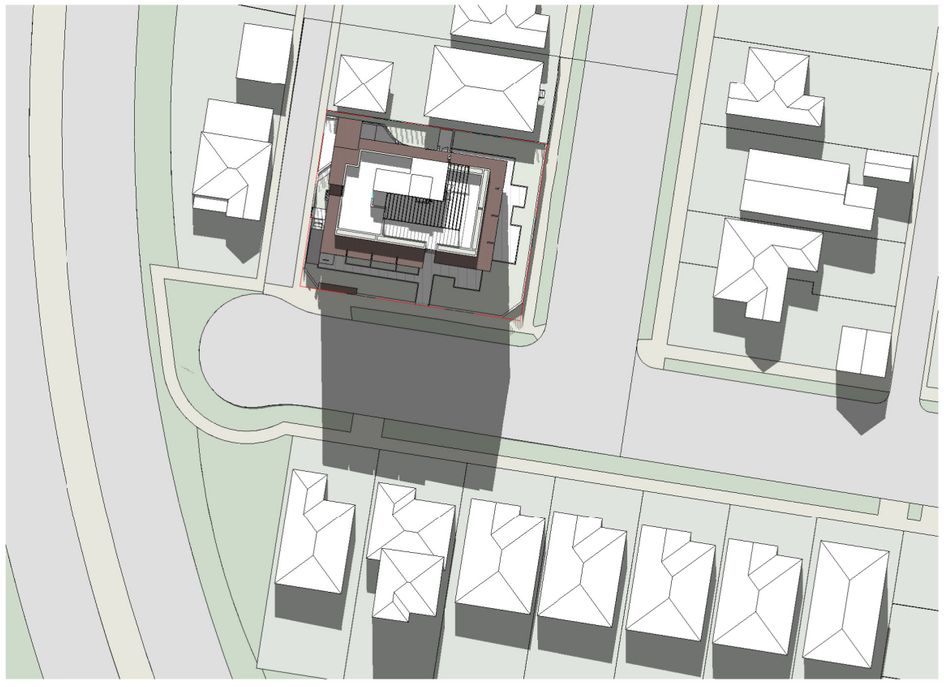

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A	29/08/2025	PRELIMINARY	AK
B	26/09/2025	FOR COORDINATION	AK
C	17/10/2025	FOR COORDINATION	AK
D	23/10/2025	FOR COORDINATION	AK
E	28/10/2025	FOR COORDINATION	AK
F	12/11/2025	FOR COORDINATION	AK
G	14/11/2025	DA SUBMISSION	AK
H	23/03/2026	COUNCIL RFIs	AK
J	27/04/2026	COUNCIL RFIs	AK

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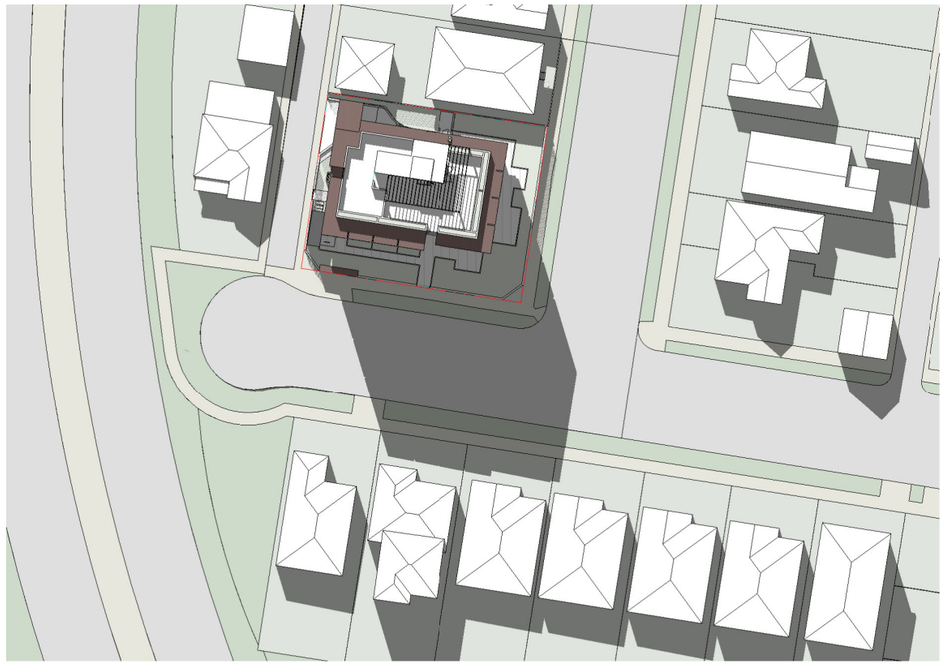
DRAWING TITLE
SHADOWS 1

SCALE 1:400 @A1, 1:800 @A3 | DATE 27/04/2026 | DRAWN ML | CHECKED AK
JOB 25033 | DRAWING DA0.01 | REVISION J

27/04/2026 8:14:09 PM



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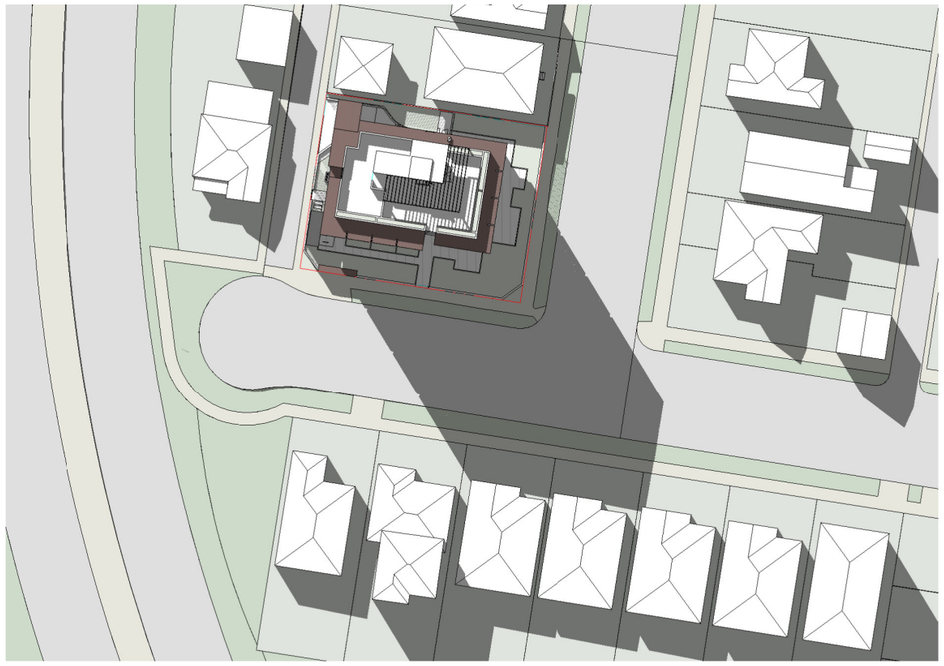

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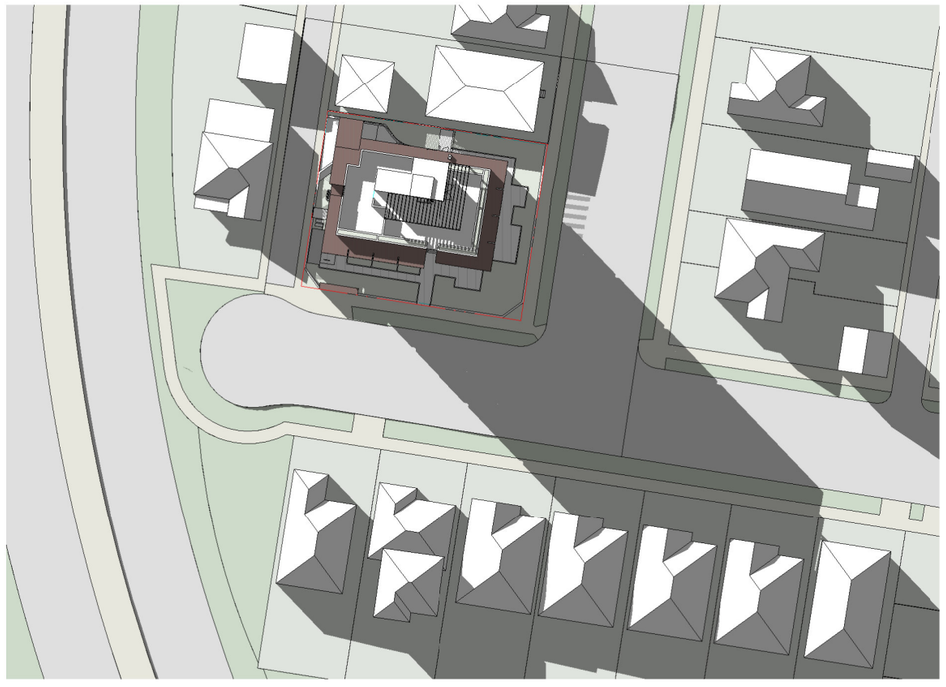

SHADOWS_21ST JUNE_1500
1 : 400

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C	17/10/2025	FOR COORDINATION	AK
D	23/10/2025	FOR COORDINATION	AK
E	28/10/2025	FOR COORDINATION	AK
F	12/11/2025	FOR COORDINATION	AK
G	14/11/2025	DA SUBMISSION	AK
H	23/03/2026	COUNCIL RFIs	AK
J	27/04/2026	COUNCIL RFIs	AK

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16 BERNARD STREET
LIDCOMBE NSW 2141

DRAWING TITLE
SHADOWS 2

SCALE	DATE	DRAWN	CHECKED
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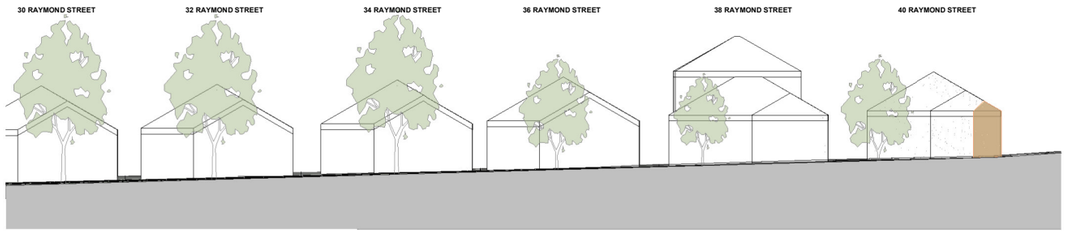
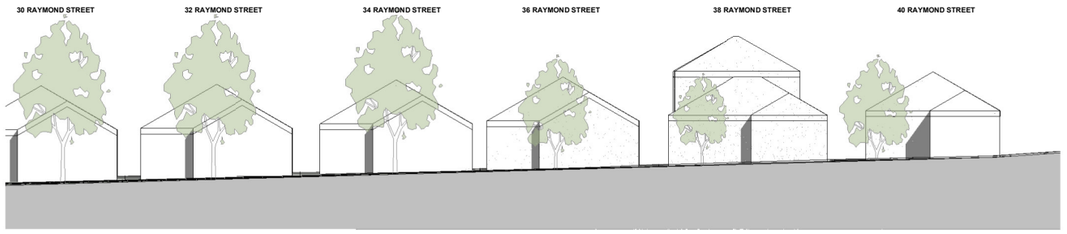
JOB 25033 DRAWING DA8.03 REVISION J

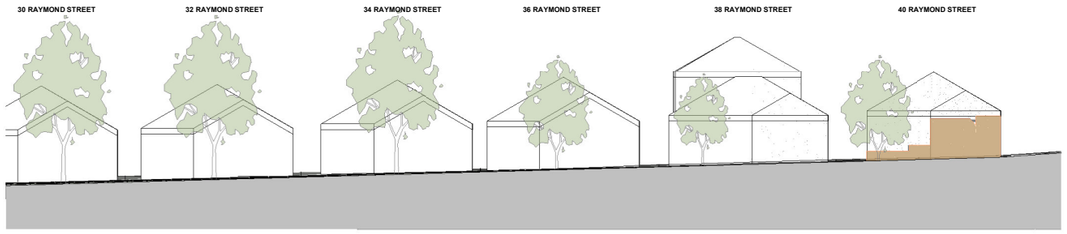
27/04/2026 8:14:22 PM



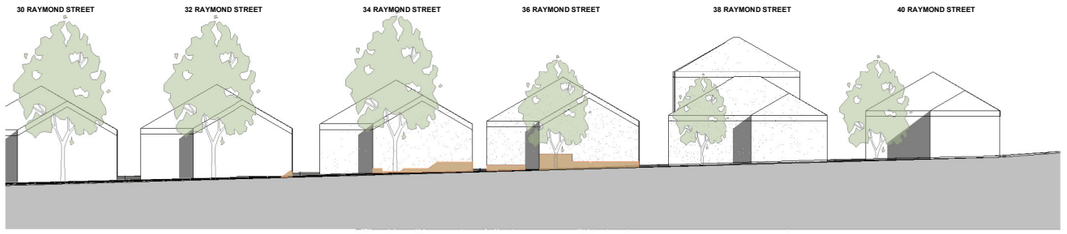
SHADOW IMPACT - 9.00AM



SHADOW IMPACT - 1.00PM



SHADOW IMPACT - 10.00AM



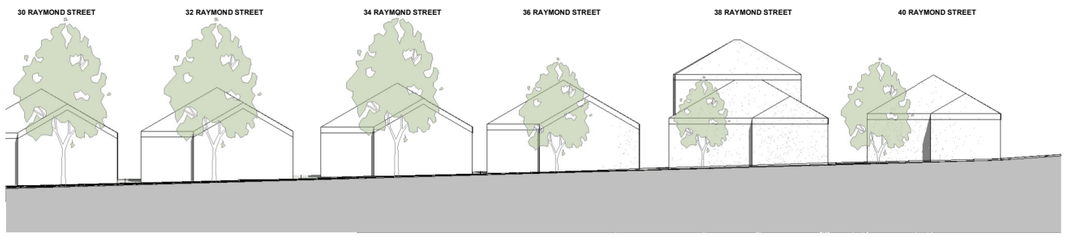
SHADOW IMPACT - 2.00PM



SHADOW IMPACT - 11.00AM



SHADOW IMPACT - 3.00PM



SHADOW IMPACT - 12.00PM

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REV	DATE	DESCRIPTION	BY
A	04/12/2025	COUNCIL RFIs	AK
B	23/03/2026	COUNCIL RFIs	AK
C	27/04/2026	COUNCIL RFIs	AK

LEGEND
EXISTING SHADOWS
ADDITIONAL SHADOWS

* INDICATIVE ELEVATION OF NEIGHBOURING BUILDINGS (NOT BASED ON SURVEY)

0 10

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PROJECT
LIDCOMBE COLIVING
16 BERNARD STREET

DRAWING TITLE
SHADOWS IMPACT - RAYMOND STREET

SCALE	DATE	DRAWN	CHECKED
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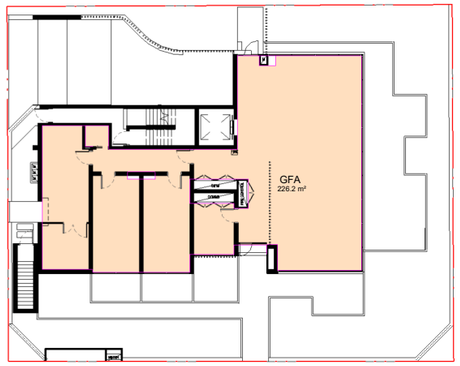
JOB
DRAWING
REVISION

PLOT STAMP: 24/04/2026 6:14:46 PM



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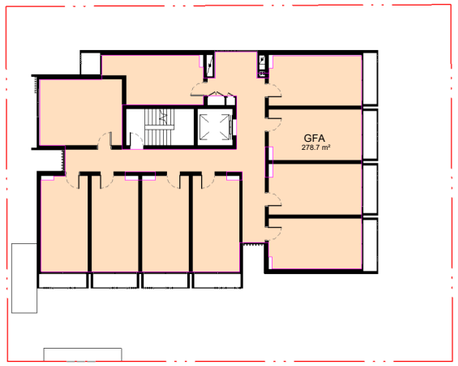

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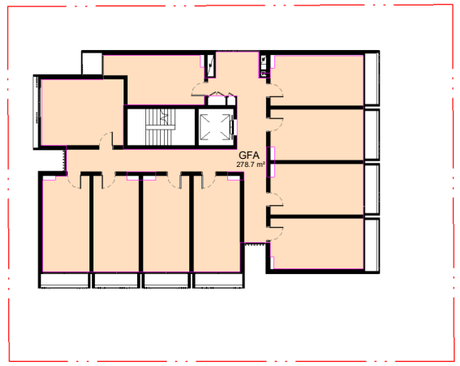

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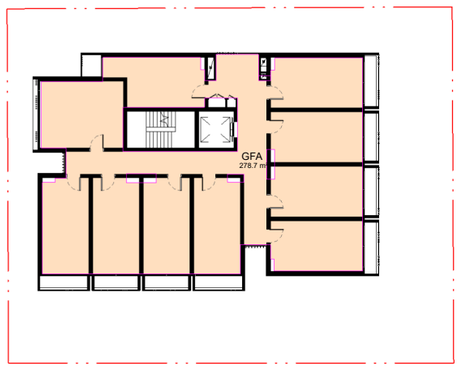

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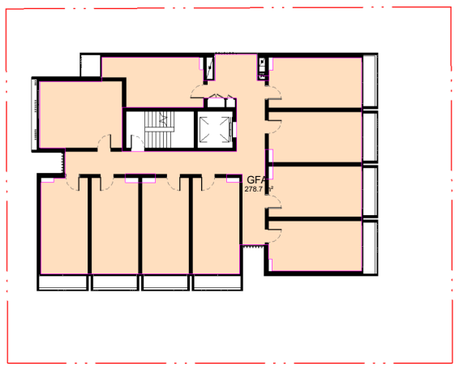

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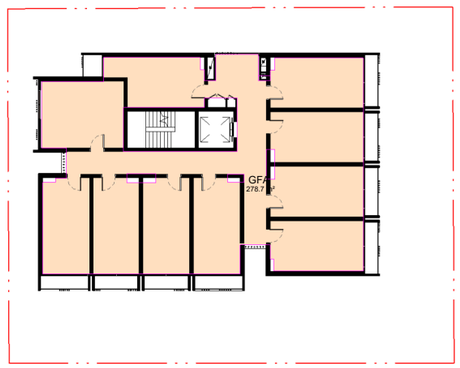

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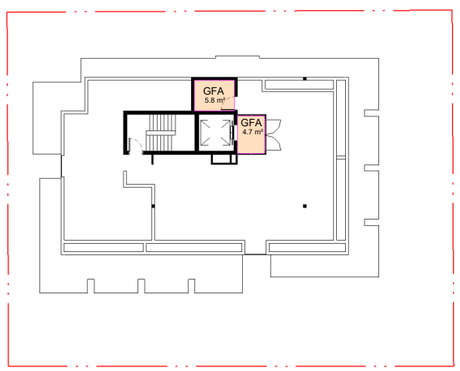

LEVEL 6
1 : 200

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REV	DATE	DESCRIPTION	BY
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B	26/09/2025	FOR COORDINATION	AK
C	17/10/2025	FOR COORDINATION	AK
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E	28/10/2025	FOR COORDINATION	AK
F	12/11/2025	FOR COORDINATION	AK
G	14/11/2025	DA SUBMISSION	AK
H	23/03/2026	COUNCIL RFIs	AK
J	27/04/2026	COUNCIL RFIs	AK

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PROJECT
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16 BERNARD STREET

DRAWING TITLE
GFA

SCALE	DATE	DRAWN	CHECKED
1:200 @A1 1:400 @A3	27/04/2026	ML	AK

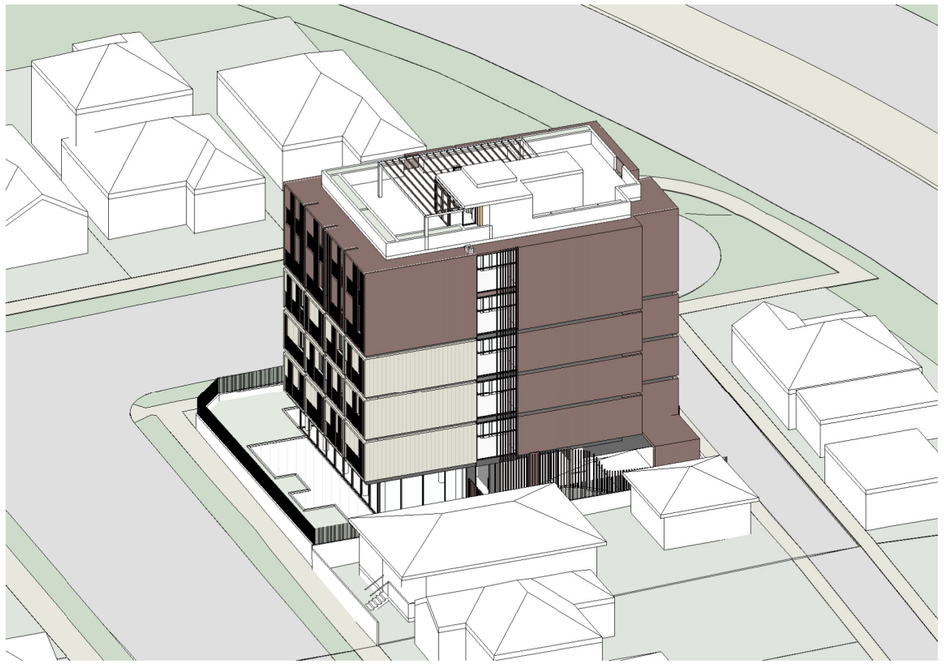
JOB

DRAWING

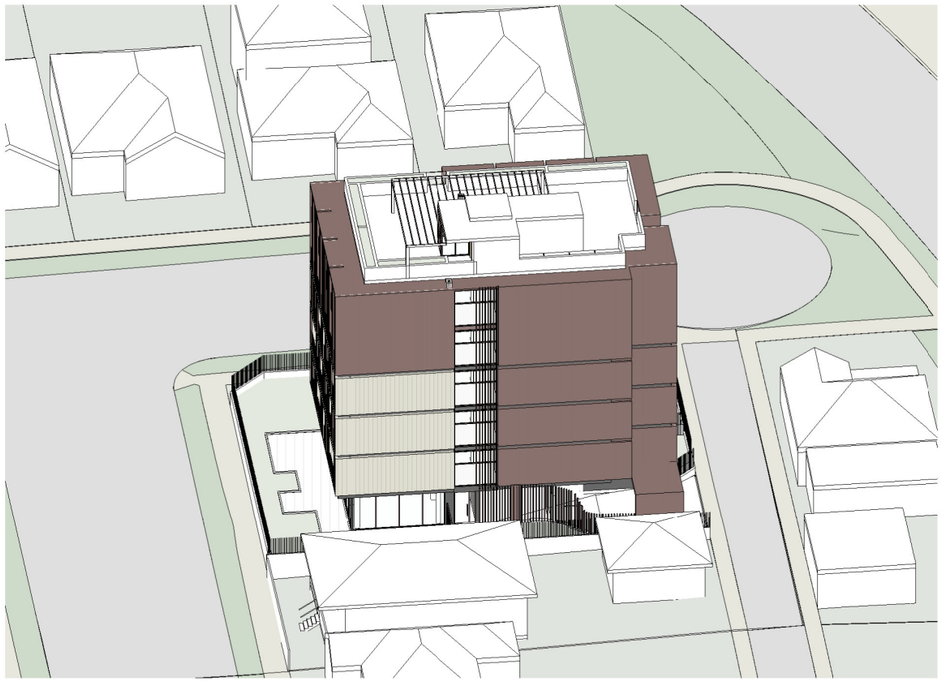
REVISION



1_VIEW FROM THE SUN_JUN 21ST_9.00 AM



2_VIEWS FROM THE SUN_JUN 21ST_10.00 AM



3_VIEW FROM THE SUN_JUN 21ST_11.00 AM



4_VIEW FROM THE SUN_JUN 21ST_12.00 PM

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C	17/10/2025	FOR COORDINATION	AK
D	23/10/2025	FOR COORDINATION	AK
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G	14/11/2025	DA SUBMISSION	AK
H	23/03/2026	COUNCIL RFIs	AK
J	27/04/2026	COUNCIL RFIs	AK

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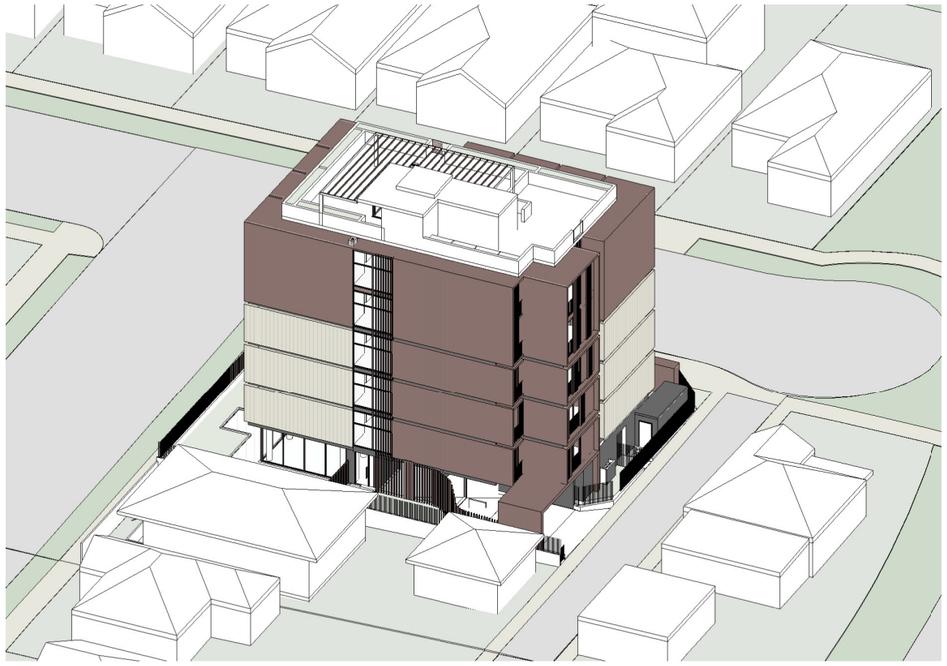
16 BERNARD STREET

DRAWING TITLE
SUN ACCESS VIEWS / VIEWS FROM THE SUN - SHEET 01

SCALE	DATE	DRAWN	CHECKED
	27/04/2026	ML	AK

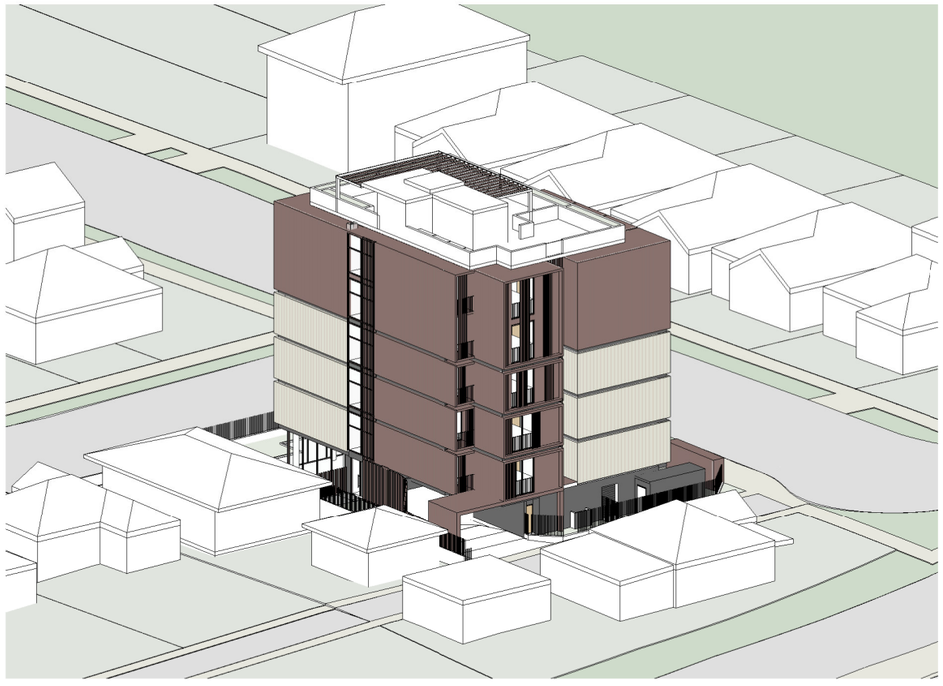
JOB	DRAWING	REVISION
25022	DA8.21	J



5_VIEW FROM THE SUN_JUN 21ST_1.00 PM



6_VIEW FROM THE SUN_JUN 21ST_2.00 PM



7_VIEW FROM THE SUN_JUN 21ST_3.00 PM

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F	12/11/2025	FOR COORDINATION	AK
G	14/11/2025	DA SUBMISSION	AK
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J	27/04/2026	COUNCIL RFIs	AK

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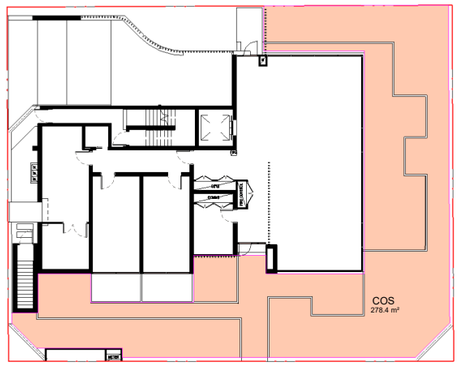
DRAWING TITLE
SUN ACCESS VIEWS / VIEWS FROM THE SUN - SHEET 02

SCALE	DATE	DRAWN	CHECKED
	27/04/2026	ML	AK

JOB	DRAWING	REVISION
25033	DA8.32	J



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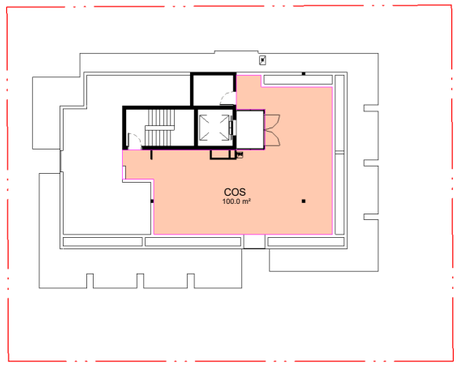
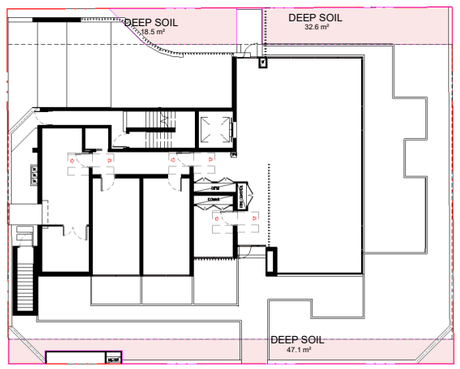


LEVEL 6
1 : 200

COMMUNAL OPEN SPACE		
COS	SITE AREA	%
378.3 m²	741.0 m²	51.1%



GROUND LEVEL
1 : 200

DEEP SOIL		
DEEP SOIL	SITE AREA	%
98.2 m²	741.0 m²	13.3%

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F	12/11/2025	FOR COORDINATION	AK
G	14/11/2025	DA SUBMISSION	AK
H	23/03/2026	COUNCIL RFIs	AK
J	27/04/2026	COUNCIL RFIs	AK

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PROJECT
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16 BERNARD STREET

DRAWING TITLE
DEVELOPMENT AREAS

SCALE	DATE	DRAWN	CHECKED
1:200 @A1 1:400 @A3	27/04/2026	ML	AK

JOB
DRAWING
REVISION

DOCUMENTS ASSOCIATED WITH REPORT ELPP021/26

Attachment 3

Landscape Plans

Lidcombe Co - Living Development

L a n d s c a p e W o r k s

Landscape For Development Application

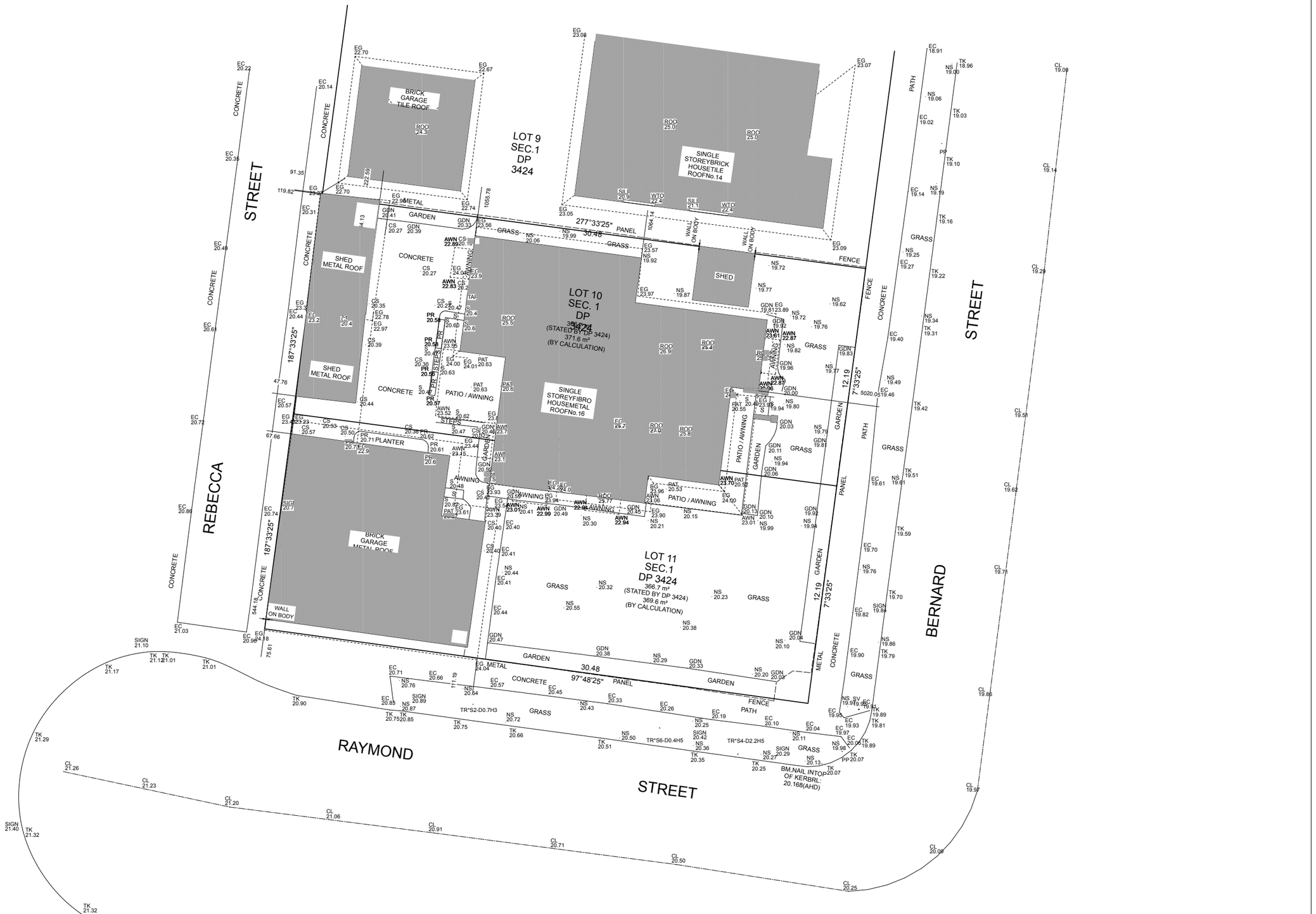
DRAWING SCHEDULE		30 04 26
	Title	Issue
EBLA-LD-G01	Survey	D
EBLA-LD-GA01	General Arrangement Plan	D
EBLA-LD-PP01	Ground floor planting	D
EBLA-LD-RF01	Roof Garden Plans	D
EBLA-LD-DE01	Hardscape Details	D
EBLA-LD-DE02	Softscape Deatils	D

prepared for

ACE PROPERTY DEVELOPMENT GROUP

prepared by

EBLA



				DESIGNED: EB	DATE: 14 11 25	APPROVED: EB	GENERAL NOTES 1. Do not scale off drawings. Follow written dimensions. If in doubt obtain written advice from the Superintendent. 2. Verify all dimensions on site. 3. Refer to legend for all symbol and code keys. 4. Read in conjunction with the specifications 5. Read in conjunction with all Civil, and Electrical Engineer drawings and specifications. 6. Read in conjunction with all associated drawings	PREPARED FOR: ACE PROPERTY DEVELOPMENT GROUP	PREPARED BY: EBLA Level 1 - 58 Riley Street Darlinghurst, NSW, 2010 t: 0405597131 Email: admin@eblastudio.com.au ABN 85626168223	PROJECT: **16 BERNARD STREET LIDCOMBE**	DRAWING TITLE: **SURVEY**	DATE: **APRIL 2026**
D	ADJUSTED DEEP SOIL	EB	30 04 26	DRAWN: SB	DATE: 14 11 25	APPROVED: EB						SCALE: **1:100 @A1** **1:200 @A3**	ISSUE: **D**
C	FOR SUBMISSION	EB	14 11 25	CHECKED: EB	DATE: 14 11 25	APPROVED: EB							DRAWING NO.: **EBLA-LD-G01**
B	FOR COORDINATION	EB	31 10 25										
A	DRAFT	EB	22-09-25										
ISSUE	AMENDMENT	DRAWN	DATE										



Landscape Generally

- Feature Pavement
- Concrete pavement (pedestrian) - Type 1
- Concrete pavement (vehicular)
- Concrete steps
- Retaining wall
- Low Planter wall
- Handrail
- 1800 Proposed Boundary fence
- 1500 Palisade Boundary Fence
- Timber decking/ timber bench
- Garden bed on grade
- Planter bed on podium
- Lawn on grade
- Existing tree plantings to be retained and protected
- Structural root zone (SRZ)
- Tree protection zone (TPZ)
- Existing tree to be retained
- Proposed tree planting refer planting schedule
- Proposed shrub and groundcover planting (refer indicative planting schedule)

ISSUE	AMENDMENT	DRAWN	DATE
D	ADJUSTED DEEP SOIL	EB	30 04 26
C	FOR SUBMISSION	EB	14 11 25
B	FOR COORDINATION	EB	31 10 25
A	DRAFT	EB	22-09-25

DESIGNED:	DATE:	APPROVED:
EB	14 11 25	EB
DRAWN:	DATE:	APPROVED:
SB	14 11 25	EB
CHECKED:	DATE:	APPROVED:
EB	14 11 25	EB

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PREPARED FOR: ACE PROPERTY DEVELOPMENT GROUP

PREPARED BY:
EBLA
Level 1 - 58 Riley Street
Darlinghurst, NSW, 2010
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Email: admin@eblastudio.com.au
ABN 85626168223

PROJECT:
16 BERNARD STREET LIDCOMBE

DRAWING TITLE
GENERAL ARRANGMENT PLAN

DATE
APRIL 2026

SCALE
1:100 @A1
1:200 @A3

ISSUE
D

DRAWING NO.
EBLA-LD-GA01



Plant Schedule							
ID	**Qty**	**Common Name**	**Botanical Name**	**Size**	**Mature Height**	**Mature Spread**	**Native (N)**
Trees							
ER-1	1	Blueberry Ash	Elaeocarpus reticulatus	45Litre	6 - 8m	3.5 - 6m	
TCK	1	Bottlebrush	Callistemon 'Kings Park Special'	45Litre	3 - 6m	2.0 - 3.5m	N
THF	3	Native Frangipani	Hymenosporum flavum	45Litre	8 - 12m	3.0 - 4m	N
TTL	2	Water Gum	Tristaniopsis laurina 'Luscious'	45Litre	6 - 8m	3.5 - 6m	N
TUP	1	Chinese Elm	Ulmus parvifolia	75Litre	8 - 12m	10 - 15m	
Shrubs							
SAA	9	Century Plant	Agave attenuata	200mm	0.75 - 0.9m	0.6 - 0.9m	
SCG	24	Bottle Brush	Callistemon "Great Balls of Fire"	200mm	1 - 1.2m	2.0 - 3.5m	N
SDE	28	Gymea Lily	Doryanthes excelsa	200mm	1.2 - 2m	1.2 - 2.0m	---
SDP	6	Giant Spear Lily	Doryanthes palmeri	200mm	2 - 3m	1.5 - 2.5m	N
SGM	3	Grevillea	Grevillea 'Moonlight'	200mm	4.0 - 5.0m	2.5 - 4.0m	N
Ssr-1	5	Resilience Lilly Pilly	Syzigium 'Resilience'	400mm	3 - 4m	1.5 - 2.0m	900 mm
SST	11	Tiny Trev	Syzygium australe "Tiny Trev'	200mm	0.5 - 0.8m	0.6 - 0.8m	
SYr	9	Lily Pilly	Syzygium australe Resilience	45Ltr	1.5 - 3m	1.2 - 2.0m	
Ground Covers							
GCM	60	Bush Lily	Clivia miniata	600	0.45 - 0.6m	0.3 - 0.6m	
DR-1	14	Kidney Weed	Dichondra repens	300	0.0 - 0.3m	0.9 - 1.2m	---
GAO	132	Lily Of The Nile	Agapanthus orientalis 'White'	1650	0.5 - 0.6m	0.3 - 0.6m	
GJ	6	Prickly Grevillea	Grevillea juniperina	450	0.6 - 0.75m	2.0 - 3.5m	N
DC	18	Paroo Lily, Blue Flax-lily	Dianella caerulea	150mm	0.6 - 0.75m	0.6 - 0.9m	N
GDT	14	Flax Lily	Dianella tasmanica 'Tasred'	150mm	0.6 - 0.7m	0.4 - 0.6m	N
LK	11	Spiny-headed Mat-Rush	Lomandra longifolia 'Katrinus'	150mm	0.75 - 0.9m	0.9 - 1.2m	N
DiaCae	73	Paroo Lily, Blue Flax-lily	Dianella caerulea		0.6 - 0.75m	0.6 - 0.9m	
GTT	50	Tricolour Star Jasmine	Trachelospermum 'Tricolour'	150mm	0.3 - 0.6m	1 - 4m	
GHP-1	220	Golden Guinea Flower, Snak	Hibbertia scandens	200mm	0.0 - 0.3m	3.5 - 6m	---
GMY	161	Carpet Spreading Myoporum	Myoporum parvifolium ' Yareena'	150mm	0.45 - 0.6m	0.9 - 1.2m	N
CX	30	Tall Sedge	Carex appressa	---	0.9 - 1.5m	0.3 - 0.6m	---

Planting Legend

- Existing tree to be retained
- Proposed tree planting refer planting schedule
- Proposed shrub and groundcover planting (refer indicative planting schedule)

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DESIGNED: EB | DATE: 14 11 25 | APPROVED: EB
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ABN 85626182223

PROJECT: **16 BERNARD STREET LIDCOMBE**

DRAWING TITLE: **GROUND FLOOR PLANTING PLAN**

DATE: **APRIL 2026**

SCALE: **1:100 @A1**
1:200 @A3

ISSUE: **D**

DRAWING NO.: **EBLA-LD-PP01**

Landscape Generally

- Feature Pavement
- Concrete pavement (pedestrian) - Type 1
- Concrete pavement (vehicular)
- Concrete steps
- Retaining wall
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- 1800 Proposed Boundary fence
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ABN 85626168223

PROJECT: **16 BERNARD STREET LIDCOMBE**

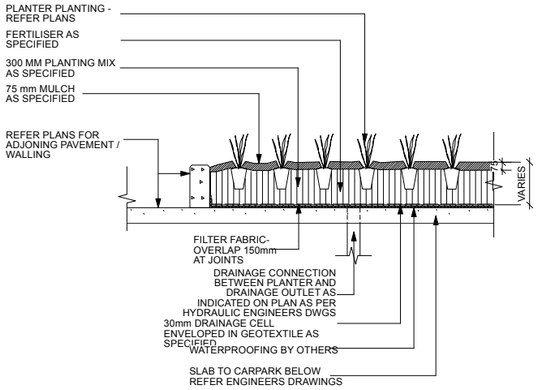
DRAWING TITLE: **ROOF GARDEN GENERAL ARRANGEMENT PLAN PLANTING PLAN**

DATE: **APRIL 2026**

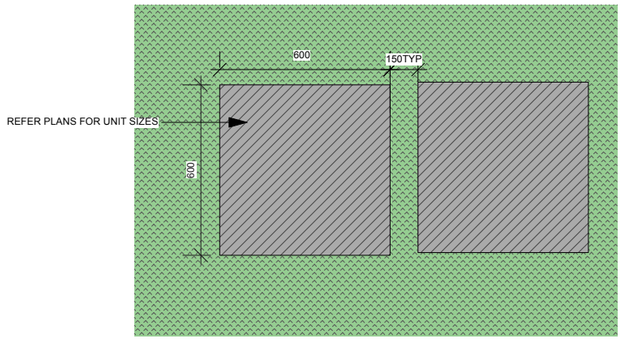
SCALE: **1:100 @A1 1:200 @A3**

ISSUE: **D**

DRAWING NO.: **EBLA-LD-RF01**



1 Planter Bed On Slab
scale 1:20



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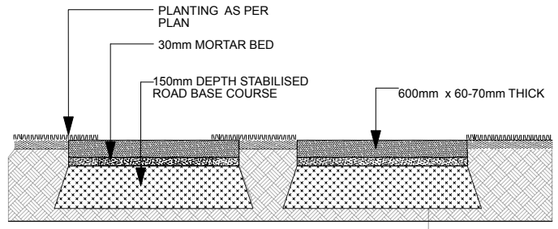
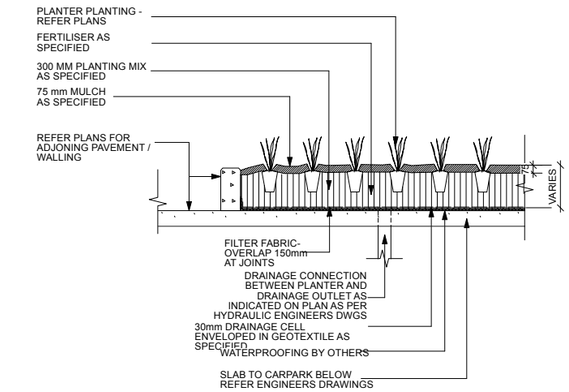
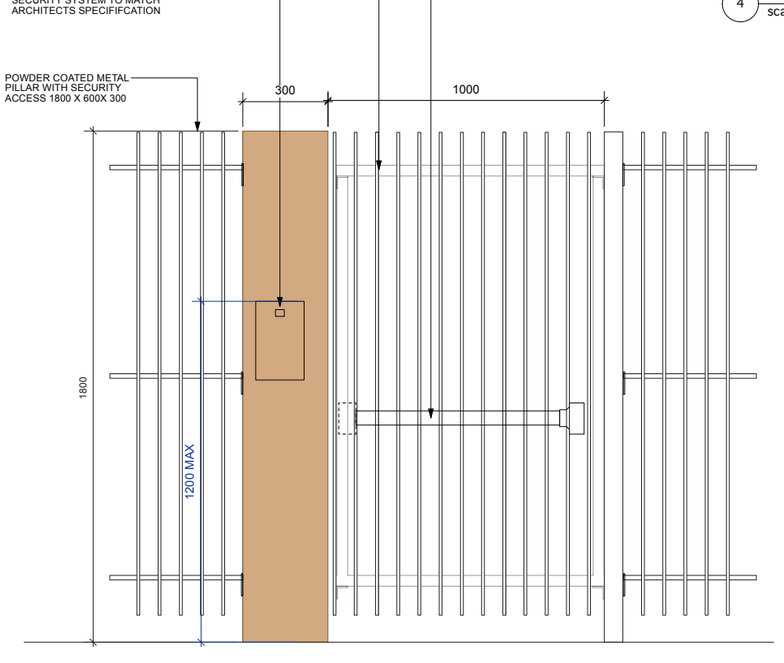


TYPICAL CROSS SECTION

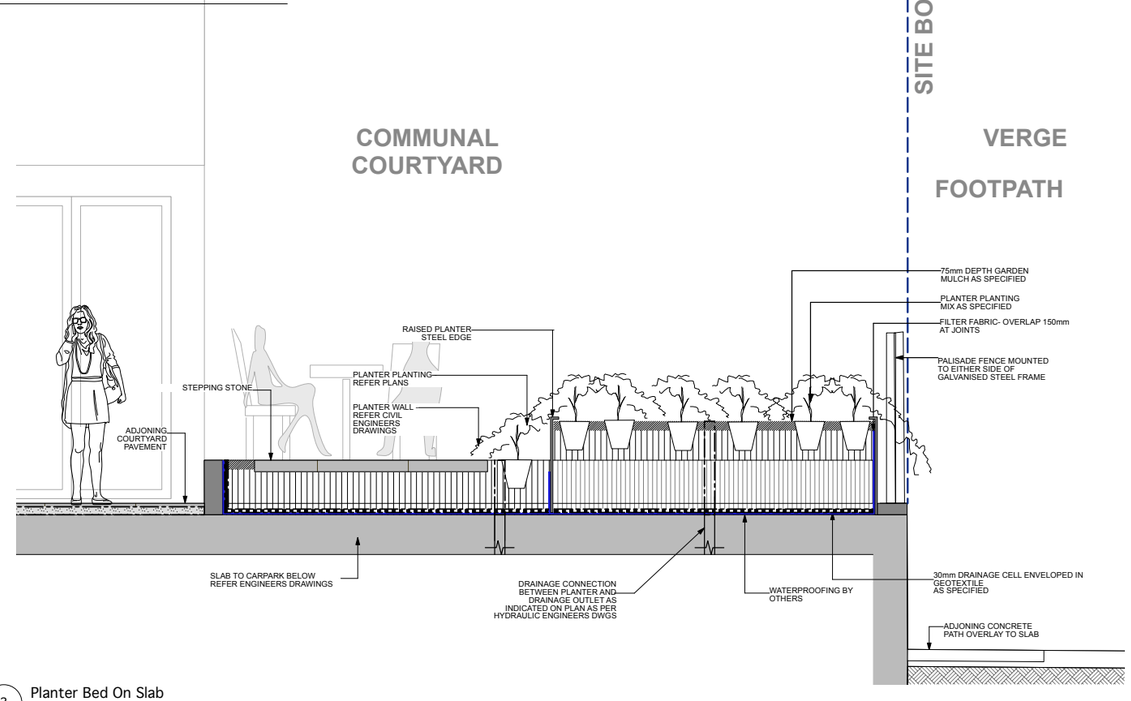
4 Stepper On Slab
scale 1:20



5 Planter Bed On Slab
scale 1:20



3 Security entry Gate
scale as shown



2 Planter Bed On Slab
scale 1:25

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ABN 85626168223

PROJECT:
16 BERNARD STREET LIDCOMBE

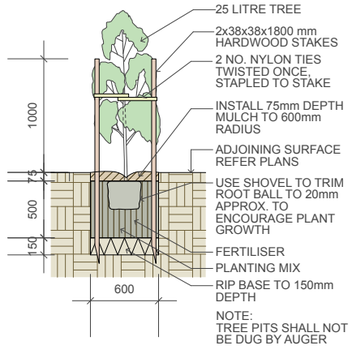
DRAWING TITLE
INDICATIVE LANDSCAPE DETAIL

DATE
APRIL 2026

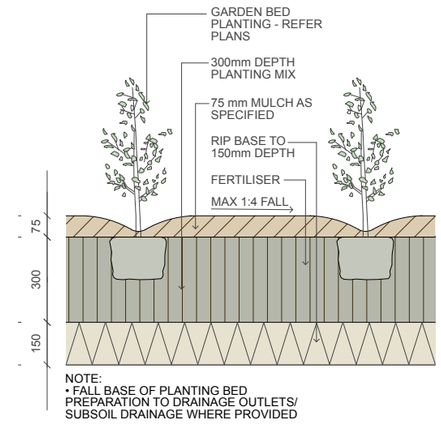
SCALE
1:100 @A1
1:200 @A3

ISSUE
D

DRAWING NO.
EBLA-LD-DE01



1 45 Litre Tree Planting
scale 1:25



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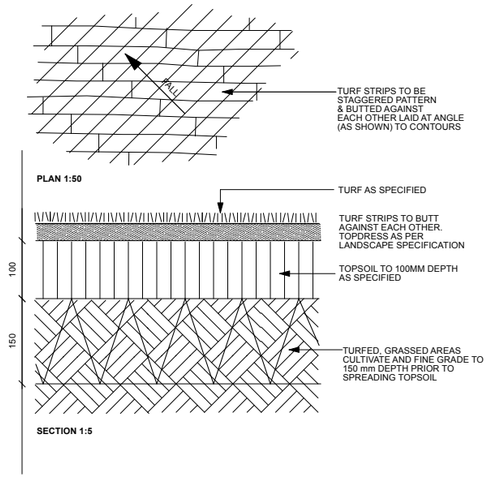

3 Turfing
scale as shown

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CX	30	Tall Sedge	Carex appressa	---	0.9 - 1.5m	0.3 - 0.6m	---

SPECIFICATION NOTES
PLANTING MATERIALS
Planting Mix:
Planting mix for tree pit backfill shall be "Organic Garden Mix" consisting of
50% Black Soil
20% Coarse Sand
30% Organic Material
as available from Australian Native Landscapes, Phone: [02] 9450 1444, or approved equivalent. Samples shall be provided to the Superintendent prior to ordering or delivery to site. Any material delivered to site, that is rejected by the Superintendent, shall be removed by the contractor at his own expense. Minimum depths of mix to all planting bed areas is as specified on details.

Planter Mix:
Planter mix shall be Peat and Planter Mix as supplied by Australian Native Landscape Pty Ltd (ph (02) 9450 1444 or approved equivalent.

Planter Drainage Cell:
Planter drainage cell shall be VersiCell as supplied by Elmich Australia Pty Ltd (ph (02) 9648 2073 or approved equivalent.

Mulch:
Mulch to garden bed:
Mulch shall mean Hort-Bark (15mm grade), free from material derived from Privet, Willow, Poplar, Coral trees, or other noxious weeds. Any mulch exceeding the 25mm grade shall be rejected / removed from the site. Graded pine bark mulch (ANL code MHB) to be supplied by Australian Native Landscapes Pty Ltd Phone (02) 9450 1444, or approved equivalent.

Mulch to planter beds:
Mulch to planter beds shall be Hawkesbury screened sandstone pebble mulch (10mm grade), free from fines and as available from Australian Native Landscapes Pty Ltd Phone (02) 9450 1444, or approved equivalent.

Spread mulch so that after settling, it is:
- smooth and evenly graded between design surface levels;
- flush with adjacent finished levels;
- of the required depths (75mm); and
- sloped towards the base of plant stems in plantation beds, but not in contact with the stem (not closer than 50mm in the case of gravel mulches).

Place after the preparation of the planting bed, planting and all other work.

Plant Material:
All plant material must be true to the species. No substitutes will be allowed. All plants shall be free of fungus and insect damage. All plants shall be healthy, well shaped, not soft or force grown and not root bound.

Tured areas:
All new turfed areas are to be selected weed free Soft Leaf Buffalo. Turf shall be laid neatly butted with staggered joins, flush with adjacent surfaces and have even running falls to all drainage points.

All new turfed area shall have a minimum 150mm depth of weed free top soil, placed and levelled prior to turfing.

PREPARATION AND HARDWORKS
Excavating for Spot Planting
To planting areas, excavate a hole for each plant large enough to provide not less than twice the depth and twice the diameter than the root ball of species to be planted.

Staking
Use durable hardwood, straight, free from knots or twists, pointed at one end. Drive stakes into the ground a minimum one third of their length, avoiding damage to the root system.
• 45 Litre trees in 2 x 38x38x1800mm Hardwood Stake with double Nylon tie
TIES: Provide a 50mm wide Nylon webbing tie per stake, fixed securely to the stakes, one tie at half the height of the main stem and the other as necessary to stabilise the plant.

Decorative Pebble
MATERIAL: Decorative pebble shall be Western White pebble, gravel to be of uniform size or graded material in the size 30 - 40mm grade to nominal 75mm thickness as available from Australian Native Landscapes. Ph: (02) 9450 1444.
Porous Pavement
MATERIAL: Porous pavement shall be 115x230x80mm porous paving installed to manufacturers recommendations and specifications as available from Boral Pty Ltd (Ph 1300 134 002) or approved equivalent. Sample to be provided for approval by Superintendent.
Concrete Edge
MATERIALS: Concrete to be off white colour.
INSTALLATION: Supply and install 150 x 100mm (width) reinforced flush concrete kerb to locations as approved on site by the Superintendent. Provide flexible joints at maximum 3 metre intervals in colour to match concrete. Lightly expose aggregate through rinsing / sponging. Tool finish exposed edges with 10mm pencil round to prevent chipping.

MAINTENANCE / PLANT ESTABLISHMENT
Maintenance shall apply to all hard and soft landscape materials installed prior to the "handover" and acceptance by Principles Representative and the Site Superintendent. The maintenance period shall convenience at the granting of practical completion and shall extend for 26 weeks.

Maintenance shall consist of the following works:
- Follow a daily watering programme to be approved by Superintendent. Water all plants individually, twice per week or when necessary to ensure constant plant growth. Water all turf and native grassed areas, twice per week.
- Apply appropriate weed control sprays and hand weed as required to maintain planting areas, native grassing bed areas, turfed areas, paved areas, and tree pits in turf free of weed or rogue grass growth.
- Regularly tidy and top up mulch and trim edges to prevent spill over onto paved / grassed areas.
- Spray to control pests and diseases.
- Replace plants, which fail with plants of a similar size and quality as originally specified to approval of Superintendent. Costs of replacement shall be the responsibility of the Contractor. Replacement planting will be undertaken within 2 weeks of identification of dead material or instruction be the Superintendent.
- Report any incidence of plants stolen or destroyed by vandalism.
- Adjust stakes and ties to plants as necessary. Ensure that strangulation of plants does not occur.
- Prune and shape plants as directed or where necessary.
- Make good any defects or faults arising out of defective workmanship or materials.
- Fertilise lawn areas to maintain healthy growth.
- Make good any erosion or soil subsidence, which may occur including soft areas in pathways.
- Mow lawn to maintain neat healthy growth.
- A final inspection shall be made by the Superintendent before handover. Any items requiring rectification shall be repaired before the works are finally approved, and retention moneys released.

NOTE:
- All finished levels are to be verified by Contractor on site.
- All landscape works be in strict accordance with Council's landscape code and guidelines
- This plan to be used in conjunction with all other submitted architectural, hydraulics and engineering drawing where applicable.

ISSUE	AMENDMENT	DRAWN	DATE
D	ADJUSTED DEEP SOIL	EB	30 04 26
C	FOR SUBMISSION	EB	14 11 25
B	FOR COORDINATION	EB	31 10 25
A	DRAFT	EB	22-09-25

DESIGNED: EB | DATE: 14 11 25 | APPROVED: EB
DRAWN: SB | DATE: 14 11 25 | APPROVED: EB
CHECKED: EB | DATE: 14 11 25 | APPROVED: EB

GENERAL NOTES
1. Do not scale off drawings. Follow written dimensions. If in doubt obtain written advice from the Superintendent.
2. Verify all dimensions on site.
3. Refer to legend for all symbol and code keys.
4. Read in conjunction with the specifications
5. Read in conjunction with all Civil, and Electrical Engineer drawings and specifications.
6. Read in conjunction with all associated drawings

PREPARED FOR: ACE PROPERTY DEVELOPMENT GROUP

PREPARED BY:
EBLA
Level 1 - 58 Riley Street
Darlinghurst, NSW, 2010
t: 0405597131
Email: admin@eblastudio.com.au
ABN 85626168223

PROJECT:
16 BERNARD STREET LIDCOMBE

DRAWING TITLE
INDICATIVE LANDSCAPE DETAIL

DATE
APRIL 2026

SCALE
1:100 @A1
1:200 @A3

ISSUE
D

DRAWING NO.
EBLA-LD-DE02

DOCUMENTS ASSOCIATED WITH REPORT ELPP021/26

Attachment 4

Stormwater Engineering Plans

DON'T FORGET SAFETY

PROPOSED CO-LIVING DEVELOPMENT
16 BERNARD STREET LIDCOMBE NSW 2141

GENERAL NOTES:

G1. THIS DRAWING SHALL BE READ IN CONJUNCTION WITH ALL RELEVANT ENGINEERS, ARCHITECTS AND SPECIALISTS DRAWINGS.

G2. ALL DIMENSIONS IN mm UNLESS NOTED.

G3. DO NOT SCALE DIMENSIONS.

G4. THE CONTRACTOR SHALL CHECK ALL DIMENSIONS PRIOR TO COMMENCEMENT OF CONSTRUCTION. DISCREPANCIES SHALL BE REPORTED TO SOLUTION STRUCTURAL & CIVIL ENGINEERS IN WRITING.

STORMWATER NOTES:

S1. PROVIDE INSPECTION OPENINGS TO ALL DOWNPIPES NOT DIRECTLY CONNECTED TO PITS.

S2. ALL PIPES TO BE 100Ø UPVC SEWER GRADE UNO, MINIMUM 100mm COVER UNO.

S3. PIT SIZE:
TO BE 450x450mm, PITS ARE 600mm OR LESS DEEP TO BE 450X450mm.
TO BE 600x600mm, PITS ARE GREATER THAN 600mm BUT LESS THAN 1000mm DEEP.

S4. ALL PIPES TO BE ADVISED.

S5. ALL PIT FLOORS TO HAVE A MINIMUM OF 20mm FALL, PROFILED AND STEAMLINED (FOR HALF OF THE DEPTH OF THE PIPE) IN THE DIRECTION OF FLOW.

S6. ALL GRATES ON THE DRIVEWAY TO BE HEAVY DUTY.

S7. ALL GUTTERS, PITS, PIPES AND DOWNPIPES TO BE INSTALLED IN ACCORDANCE WITH AS3500.3.2.1.

S8. THE CONNECTION TO COUNCIL'S DRAINAGE SYSTEM SHALL BE CONSTRUCTED PRIOR TO THE CONSTRUCTION OF ALL INTERNAL DRAINAGE. THE COUNCIL ENGINEER BEING GIVEN 48 HOURS NOTICE PRIOR TO CONSTRUCTION.

S9. DRIVEWAY BOUNDARY LEVEL'S MUST BE CONFIRMED PRIOR TO CONSTRUCTION.

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BOX GUTTER NOTES:

ALL BOX GUTTERS SHALL BE INSTALLED WITH AN ABSOLUTE MIN. 1:200 LONGITUDINAL BASE SLOPE TO THE OUTLET (1:100 DESIRABLE BASE SLOPE).

ALL BOX GUTTERS SHALL BE FITTED WITH EMERGENCY OVERFLOW MEASURES - REFER TO PLAN & COMPLIANCE TABLE FOR DETAILS OF OVERFLOW PROVISIONS.

BOX GUTTERS SHALL BE ADEQUATELY SEALED TO THE RECEIVING RAINWATER HEAD / INTERNAL SUMP AND DISCHARGE WITHOUT CHANGES IN DIRECTION.

ALL EXPANSION JOINTS AND MINIMUM EXPANSION SPACE SHALL COMPLY WITH AS3500.3 CLAUSE 4.3.2

FIRST FLOOR & ROOF NOTES:

INSTALL 50mm uPVC SPITTER PIPES 20mm ABOVE SURFACE LEVEL FOR BALCONY AND CONCRETE ROOF AREAS TO ALLOW FOR EMERGENCY OVERFLOW INCASE OF BLOCKAGES DURING HEAVY STORMS. PLUMBER TO CONFIRM LOCATION DURING CONSTRUCTION.

ALL BUILDING AND HYDRAULIC SERVICES TO BE PROPERLY CO-ORDINATED WITH STORMWATER PIPES AND ENSURE NO CLASHES ARE PRESENT DURING CONSTRUCTION (TYP).

STORMWATER PIPE ARRANGEMENT TO BE CO-ORDINTED WITH STRUCTURAL SLAB AND BEAMS WHERE REQUIRED (TYP).

BALCONY, TERRACE & CONCRETE ROOF AREAS TO SLOPE TOWARDS RAINWATER OUTLETS WHERE REQUIRED (TYP).

ARROW DENOTES THE SLOPE OF FINISHED SURFACE LEVEL (TYP).

DOWNPIPES SHOWN ON PLAN ARE TO BE Ø100mm uPVC U.N.O. (TYP).

ALL EAVES GUTTERS SHALL BE 145mm WIDE x 75mm DEEP (OR EQUIVALENT) AND LAID AT MIN. 1:500 SLOPE.

ALL GUTTERS TO BE FITTED WITH ADEQUATE OVERFLOW MEASURES IN ACCORDANCE WITH AS3500.3:2021.

PROPOSED DOWNPIPE LOCATIONS ARE NOMINAL AND TO BE CONFIRMED DURING CONSTRUCTION (TYP).

INSTALL DOWNPIPE WITH SPREADER (IF REQUIRED) TO DISPERSE STORMWATER ONTO LOWER ROOF AREAS EFFECTIVELY.

PROVIDE SURFACE DRAINAGE FOR ALL CONCRETE AND BALCONY ROOF AREAS WHERE REQUIRED.



LOCALITY PLAN

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ABN: 15 666 777 377 Web: www.solutioneng.com.au

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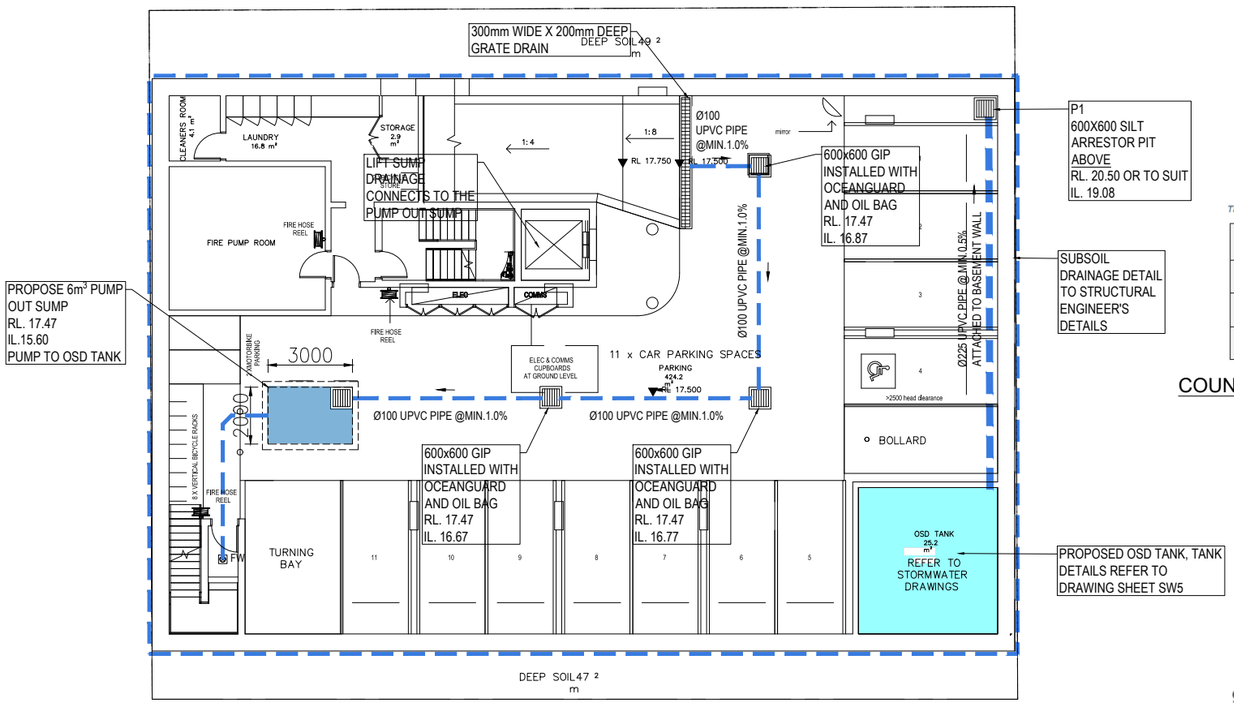
THE CONTRACTOR SHALL CHECK ALL DIMENSIONS PRIOR TO COMMENCEMENT OF CONSTRUCTION. DISCREPANCIES SHALL BE REPORTED TO SOLUTION STRUCTURAL & CIVIL ENGINEERS IN WRITING.

REV	DESCRIPTION	DATE	DRAWN	APP'D
D	UPDATE AS PER COUNCIL'S COMMENTS	20.03.2026	JG	JG
C	UPDATE AS PER COUNCIL'S COMMENTS	06.03.2026	KZ	JG
B	UPDATE ARCHITECTURAL PLAN	14.11.2025	KZ	JG
A	ISSUED FOR APPROVAL	06.11.2025	KZ	JG

DRAWING TITLE: COVER PAGE
PROJECT: PROPOSED CO-LIVING
ADDRESS: 16 BERNARD STREET LIDCOMBE NSW 2141
CLIENT: ACE LIDCOMBE PTY LTD
ARCHITECT / DESIGNER: marchesepartners
JOB NUMBER: SSCE-25136
DRAWING NUMBER: SW1
SCALE: N.T.S.
REV: E

DON'T SCALE DIMENSIONS

DON'T FORGET SAFETY



BASEMENT DRAINAGE CONCEPT PLAN



LEGEND

- DP — DOWN PIPE
- FLOW DIRECTION
- PROPOSED STORMWATER PIPES
- STRIP DRAIN
- GRATE PIT
- FW — FLOOR WASTE

Table 2: Pump Requirements

Driveway catchment area	60m² or 5% of basement area
Pump discharge rate	100 year ARI 5 minute storm duration
Required storage volume in tank	100 year ARI 90 minute storm duration
Required additional storage volume in car park area (aboveground volume)	Up to 100 year ARI 12 our storm duration

COUNCIL'S DCP PUMP DESIGN REQUIREMENT

PUMP STORAGE CALCS:

TOTAL STORAGE:

100yr 90min ARI STORM=45.5mm/hr
CATCHMENT AREA = 60m² (5% BASEMENT AREA IS ~30m²)
Vmin=Axd
=45.5x(60/1000)x1.5
=4.1m³

PUMP DISCHARGE RATE WAS DESIGNED FOR THE 100yr 5 MIN STORM:

Q=CIA/3600
=0.95x205x60/3600
=3.3L/s REQUIRED @ 8 m OF HEAD

STORAGE FOR PUMP RUNNING FOR 30 MIN.
V=3.3x60x30 = 5.9m³ (>Vmin)

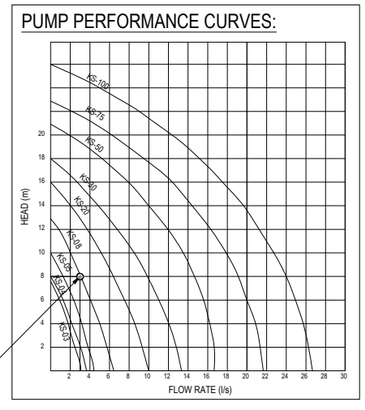
THEREFORE, 6m³ PUMP OUT SUMP IS REQUIRED

RECOMMENDED PUMP: DUAL SABRE MODEL NO. KS-08. PUMPS WITH 65mm PVC CLASS 12 OUTLETS CONNECT TO OSD TANK

ABOVEGROUND STORAGE CALCS:
100yr 12HR ARI STORM=17.1mm/hr
Vmin=17.1x60/1000x12=12.3m³
BASEMENT AREA @RL 17.50 = 370m²
HENCE 33mm DEEP PONDING WILL BE EXPECTED IF PUMP FAILED. LIFT ACCESS SHALL BE SET LEVEL ABOVE 17.533.

g) Stormwater runoff from the manoeuvring area including 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.

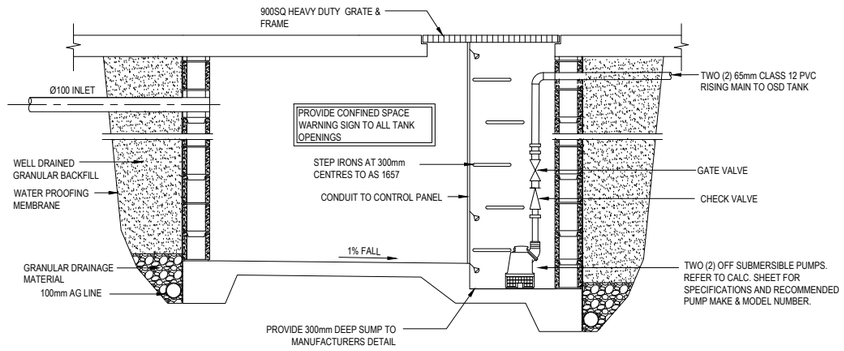
PUMP PERFORMANCE CURVES:



Type	Output		Outlet		Rated Head Capacity		Maximum Head	Maximum Capacity	Weigh	Dimension		
	HP	kW	mm	Inch	M	LPM	M	LPM	Kg	L(mm)	W(mm)	H(mm)
KS-03	1/3	0.25	40	1 1/2"	3	130	8	180	9	188	141	305
KS-04	1/2	0.4	50	2"	5	150	8	220	11	208	140	359
KS-05	1/2	0.4	50	2"	5	160	10	260	14	230	156	375
KS-08	1	0.75	50	2"	6	240	13	380	21	290	180	425
KS-20	2	1.5	80	3"	10	300	16	600	31	278	182	475
KS-30	3	2.2	80	3"	10	500	18	800	42	390	250	450
KS-50	5	3.7	100	4"	10	800	21	1100	48	450	240	530
KS-75	7 1/2	5.6	100	4"	15	800	23	1300	60	550	310	590
KS-100	10	7.5	150	6"	18	900	25	1600	70	550	310	610

PUMP MAKE & MODEL DETAILS

COUNCIL'S OIL REMOVAL IN TRAFFICABLE AREA REQUIREMENT



TYPICAL PUMP OUT SECITON DETAIL
SCALE: NTS

REFER TO STRUCTURAL ENGINEER'S DRAWINGS FOR TANK DETAILS

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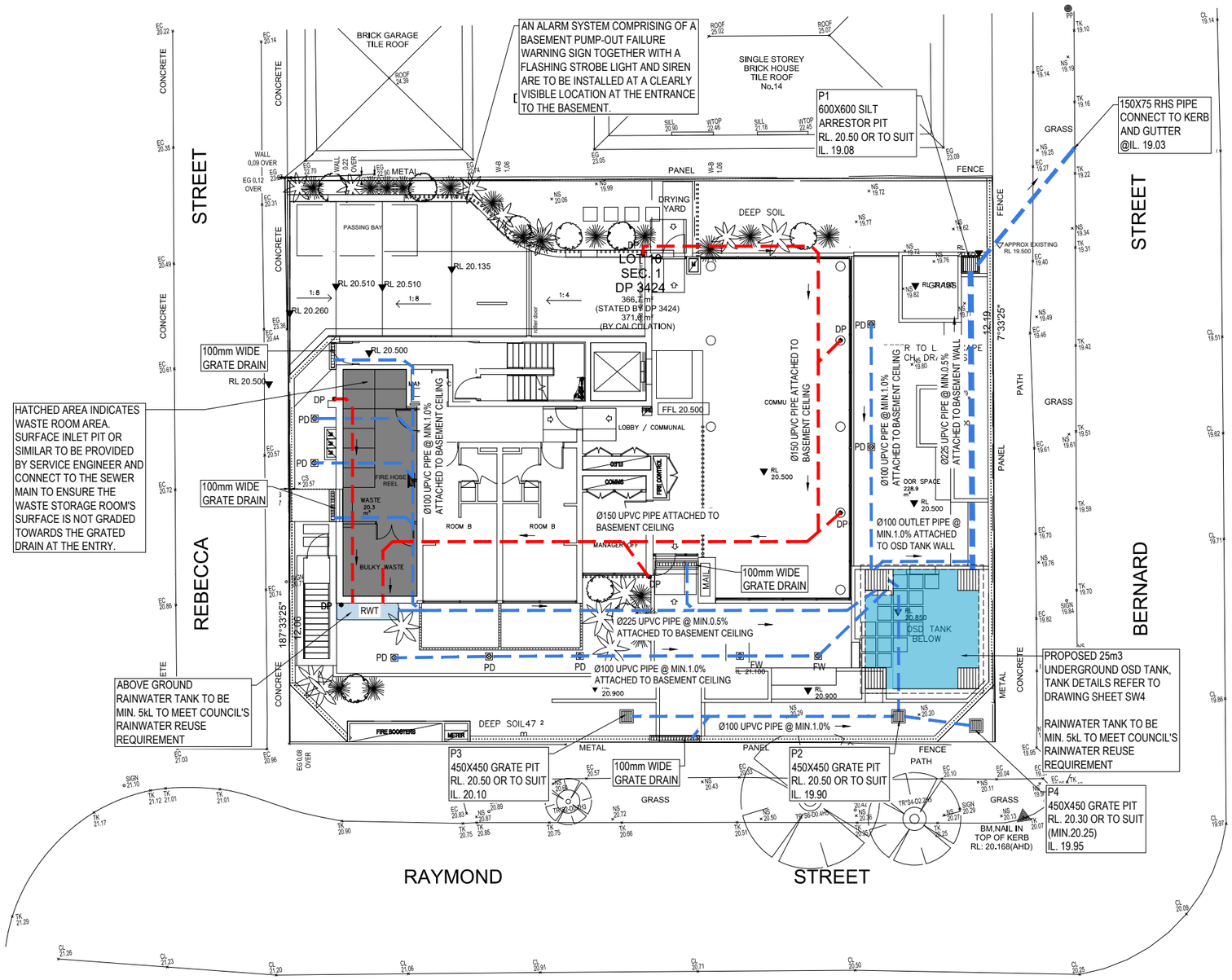
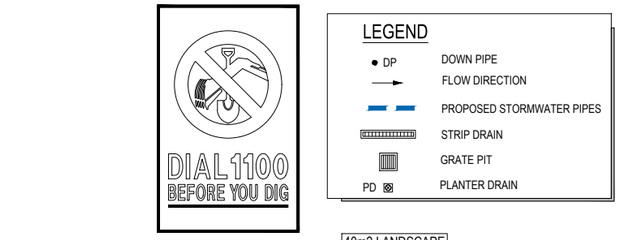
REV	DESCRIPTION	DATE	DRAWN	APP'D
E	UPDATE ARCHITECTURAL PLAN	30.04.2026	KZ	JG
D	UPDATE AS PER COUNCIL'S COMMENTS	20.03.2026	JG	JG
C	UPDATE AS PER COUNCIL'S COMMENTS	06.03.2026	KZ	JG
B	UPDATE ARCHITECTURAL PLAN	14.11.2025	KZ	JG
A	ISSUED FOR APPROVAL	06.11.2025	KZ	JG

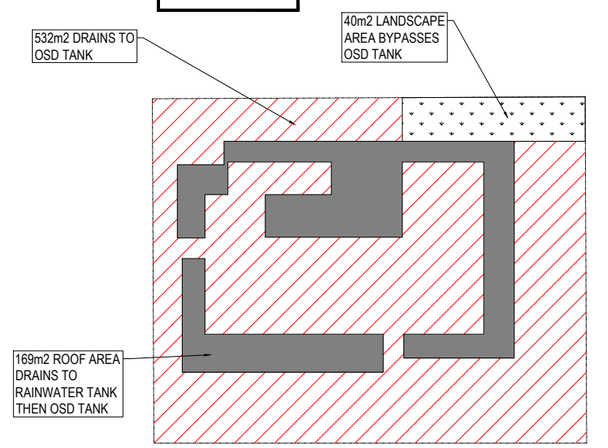
DRAWING TITLE: BASEMENT STORMWATER DRAINAGE PLAN
PROJECT: PROPOSED CO-LIVING
ADDRESS: 16 BERNARD STREET LIDCOMBE NSW 2141
CLIENT: ACE LIDCOMBE PTY LTD
ARCHITECT / DESIGNER: marchesepartners
N
JOB NUMBER: SSCE-25136
DRAWING NUMBER: SW2
SCALE: 1:100
REV: E

DON'T SCALE DIMENSIONS

DON'T FORGET SAFETY







OSD CATCHMENT PLAN

7.1 Rainwater tanks

Performance criteria

P1 Rainwater is retained and reused for non-potable uses of toilet flushing, laundry, garden watering and external washing (cars, etc).

Development controls

D1 For all developments, rainwater tanks or a water reuse device shall be incorporated into the stormwater drainage system with a minimum storage size of 5,000 litres (for site area less than 1500m²) and 10,000 litres (for site area greater than 1500m²) or that amount required by BASIX for residential development.

For dwelling houses (includes alterations and additions) exceeding 60% impervious area, a minimum capacity of 4,000 litres shall be provided, or that amount required by BASIX.

COUNCIL'S RAINWATER TANK REQUIREMENT

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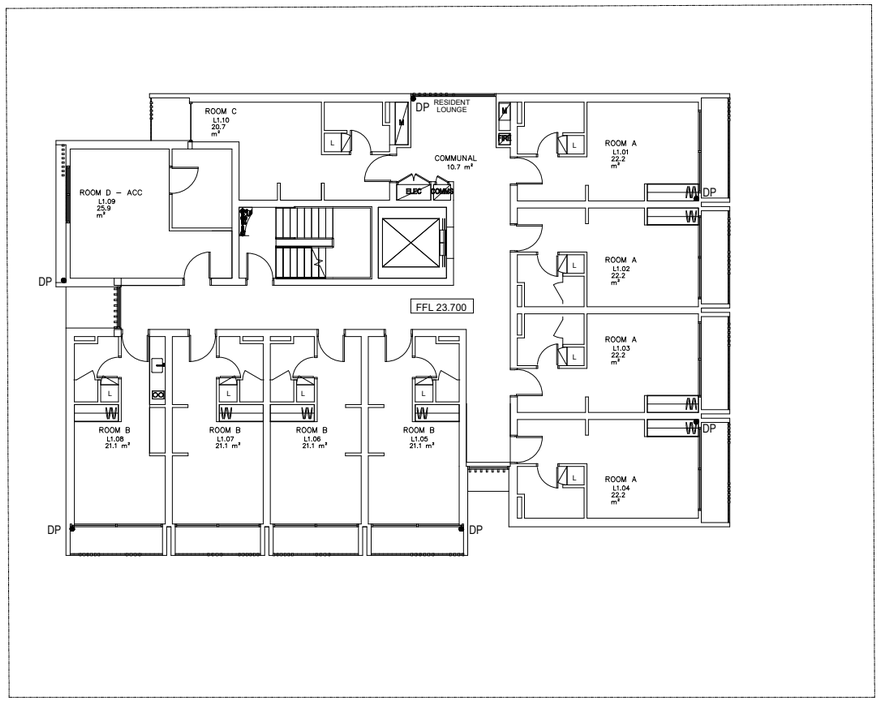
REV	DESCRIPTION	DATE	DRAWN	APP'D
E	UPDATE ARCHITECTURAL PLAN	30.04.2026	KZ	JG
D	UPDATE AS PER COUNCIL'S COMMENTS	20.03.2026	JG	JG
C	UPDATE AS PER COUNCIL'S COMMENTS	06.03.2026	KZ	JG
B	UPDATE ARCHITECTURAL PLAN	14.11.2025	KZ	JG
A	ISSUED FOR APPROVAL	06.11.2025	KZ	JG

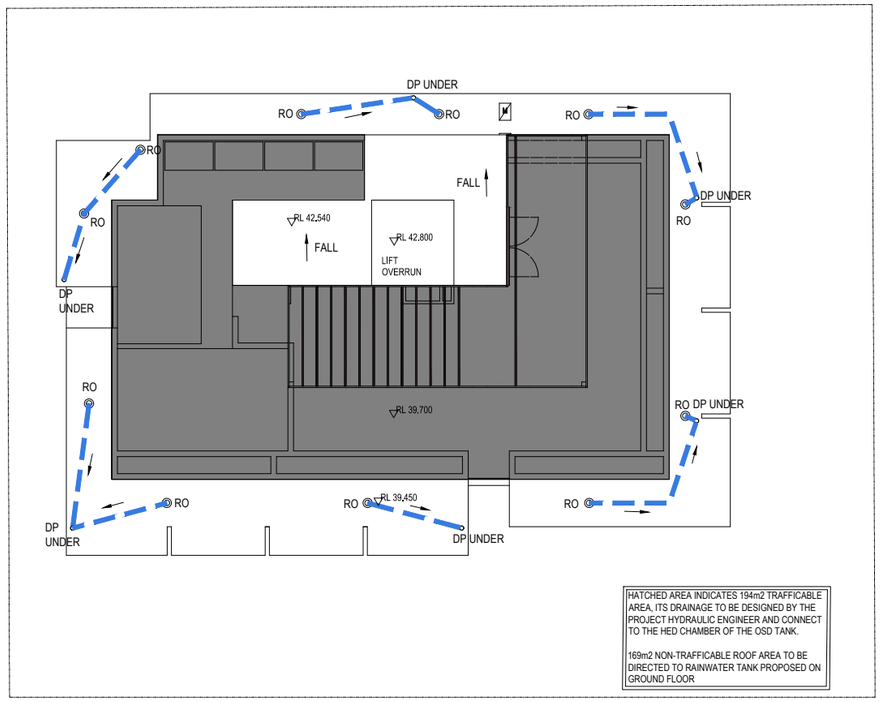
DRAWING TITLE: SITE STORMWATER DRAINAGE PLAN
PROJECT: PROPOSED CO-LIVING
ADDRESS: 16 BERNARD STREET LIDCOMBE NSW 2141
CLIENT: ACE LIDCOMBE PTY LTD
ARCHITECT / DESIGNER: marchesepartners
N
JOB NUMBER: SSCE-25136
DRAWING NUMBER: SW3
SCALE: 1:100
REV: E

DON'T SCALE DIMENSIONS

DON'T FORGET SAFETY



LEVEL 1-3 DRAINAGE CONCEPT PLAN

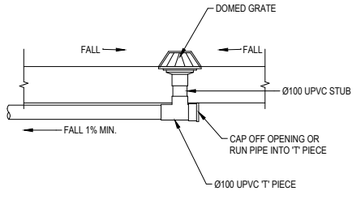


ROOF DRAINAGE CONCEPT PLAN

LEGEND

- DP — DOWN PIPE
- FLOW DIRECTION
- PROPOSED STORMWATER PIPES
- STRIP DRAIN
- GRATE PIT
- PD — PLANTER DRAIN





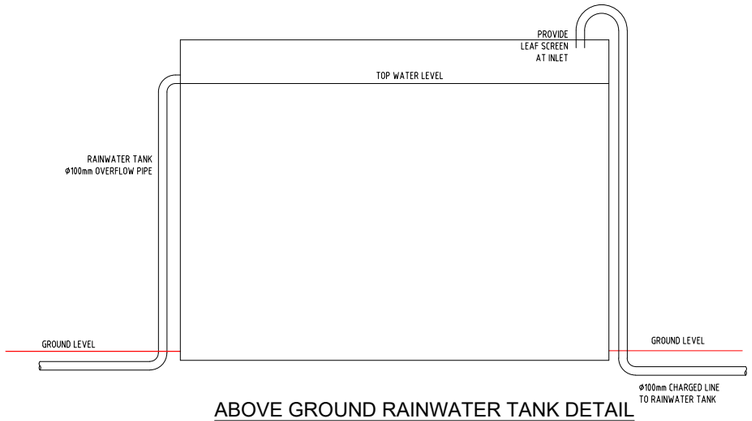
TYPICAL ROOF OUTLET (RO) DETAIL
SCALE: NTS



RAINWATER SIGN DETAIL
SCALE: NTS

NOTES:-

- PROVIDE WARNING SIGN IN ACCORDANCE WITH AS 1319 IN A CLEAR AND VISIBLE LOCATION AT ALL RAINWATER SUPPLY POINTS
- BACKGROUND IS YELLOW TEXT IS WHITE ON BLACK BACKGROUND



ABOVE GROUND RAINWATER TANK DETAIL
SCALE: NTS

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E	UPDATE ARCHITECTURAL PLAN	30.04.2026	KZ	JG
D	UPDATE AS PER COUNCIL'S COMMENTS	20.03.2026	JG	JG
C	UPDATE AS PER COUNCIL'S COMMENTS	06.03.2026	KZ	JG
B	UPDATE ARCHITECTURAL PLAN	14.11.2025	KZ	JG
A	ISSUED FOR APPROVAL	06.11.2025	KZ	JG

DRAWING TITLE: ROOF STORMWATER DRAINAGE PLAN
PROJECT: PROPOSED CO-LIVING
ADDRESS: 16 BERNARD STREET LIDCOMBE NSW 2141
CLIENT: ACE LIDCOMBE PTY LTD
ARCHITECT / DESIGNER: marchesepartners
N
JOB NUMBER: SSCE-25136
DRAWING NUMBER: SW4
SCALE: 1:100
REV: E

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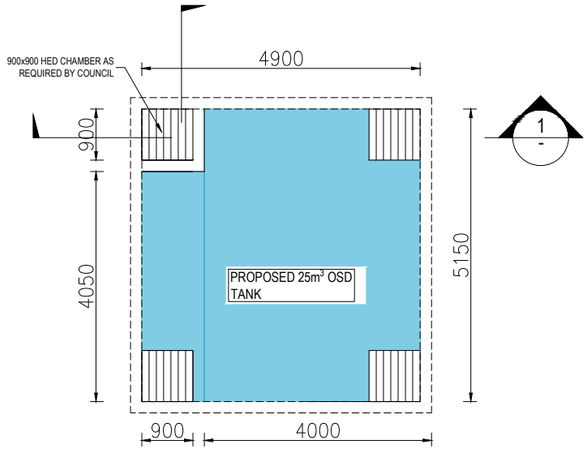
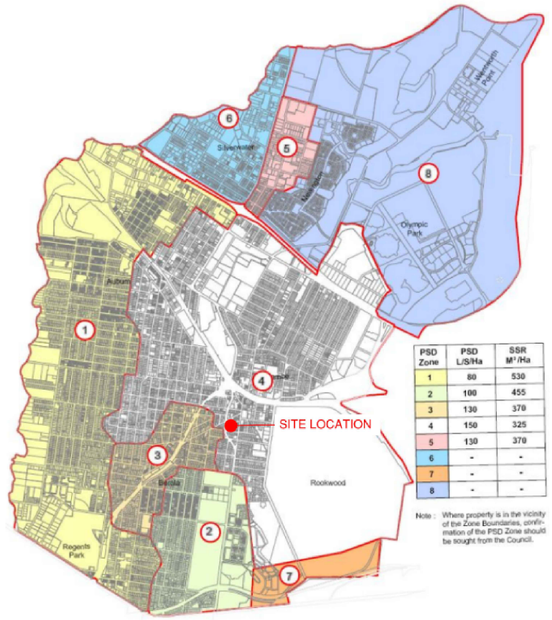


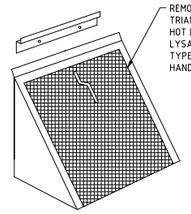
OSD PLAN VIEW
SCALE: NTS



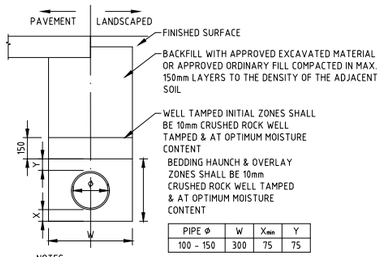
PSD Zone	PSD L/S/Ha	SSR M³/Ha
1	80	530
2	100	455
3	130	370
4	150	325
5	130	370
6	-	-
7	-	-
8	-	-

Note : Where property is in the vicinity of the Zone Boundaries, confirmation of the PSD Zone should be sought from the Council.

SITE LOCATION IN COUNCIL CATCHMENT MAP
SCALE: NTS



SILT FILTER SCREEN
SCALE: NTS

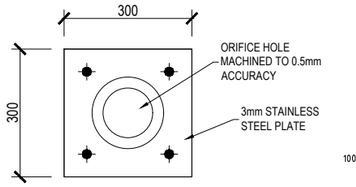


PIPE Φ	W	X_{min}	Y
100 - 150	300	75	75

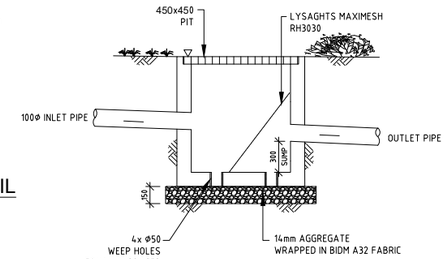
NOTES:

1. BACKFILL CRUSHED ROCK WETMIX. PLACED & COMPACTED IN MAX. 150mm LAYERS TO 95% MODIFIED MAX. DRY DENSITY.
2. REFER TO PIPE LAYING SPECIFICATIONS FOR DETAILS

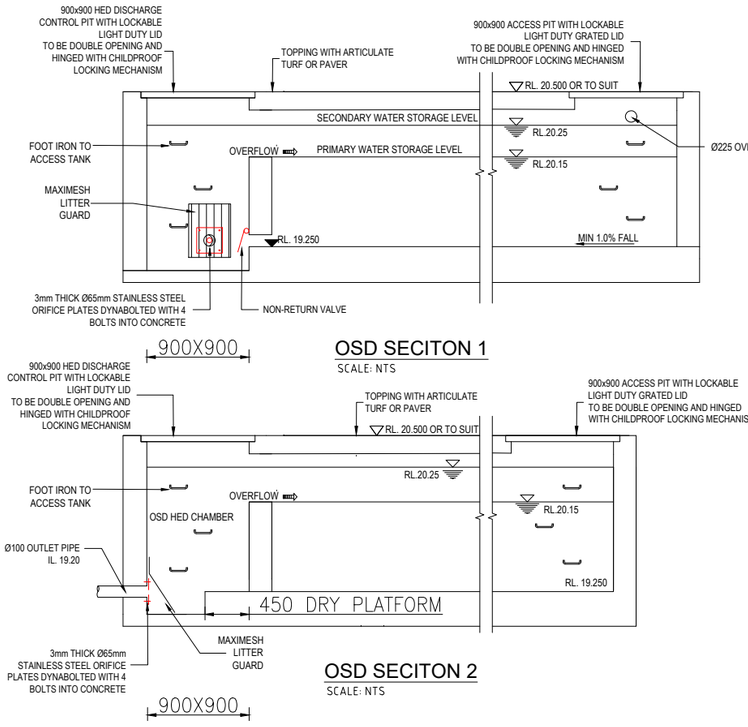
TYPICAL PIPE LAYING DETAILS
SCALE: NTS



TYPICAL ORIFICE PLATE DETAIL
SCALE: NTS



SILT ARRESTOR PIT
SCALE: NTS



OSD SECITON 1
SCALE: NTS

OSD SECITON 2
SCALE: NTS

SITE AREA	0.0741	ha *See Section 3.4.3 for dual occupancy [A]
Upstream catchment draining through site See Section 4.1.3 for assessment of external flows.	= 0	ha [AA]
Basic storage volume	325 x [A] 0.0741 = 24	m^3 [B]
Basic discharge	0.15 x [A] 0.0741 = 0.011	m^3/s [C]
Area of site drained to storage (Must be as much as possible and not be less than 85% of the total site without written Council approval).	= 0.0702	ha [D]
[D/ [A] + [0.0702]/[0.0741] x 100	= 94.7	% [E]
Storage per ha. of contributing area = [B]/[D]	= 333	[F]
Enter *volume/PSD adjustment chart* (Fig 5.1) using [F], and Read new PSD in litres/second/ha (l/s/ha).	= 129	l/s/ha [G]
Determine PSD =[G] x [D] 129 x 0.0702	= 9.0	l/s [H]
Maximum head to orifice centre	= 1.0	m [K]
Weir flow to storage $Q^{Weir} = CL(H^{Weir})^{1.5}$ ∴ H^{Weir}	=	m [I]
Selected orifice diameter: $d = (0.464 \times Q / \sqrt{h})^{0.5} = (0.464 \times [H]/\sqrt{[K]})^{0.5}$	= 0.065	m [J]
Maximum discharge	= 9.0	l/s [L]
Head for high early discharge	= 0.9	m [M]
High early discharge {[L] x $\sqrt{[M] / [K]}$ } (min 75% of [L])	= 8.1	l/s [N]
Approximate mean discharge = ([L]) + [N]) /2	= 8.55	l/s [P]
Average discharge/ha = [P] / [D] = 8.55 / 0.0702	= 122	l/s/ha [Q]
Enter *volume/P.S.D. adjustment chart* (Fig 5.1) using [Q] And read off final storage volume per hectare	= 344	m^3/ha [R]
Determine final SSR = [R] x [D] = 344 x 0.0702	= 24.15	m^3 [S]
Primary storage proportion = [S] x _____%	= 22.5	m^3 [T]
Secondary storage proportion = [S] x _____%	= 2.5	m^3 [U]
Tertiary storage proportion [S] x _____% RAINWATER TANK OFFSET	= 1.7	m^3 [V]
Check [T] + [U] + [V] = [S]	= 26.7	m^3

OSD CALCULATION



OCEANGUARD WITH OIL BAG

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D	UPDATE AS PER COUNCIL'S COMMENTS	20.03.2026	JG	JG
C	UPDATE AS PER COUNCIL'S COMMENTS	06.03.2026	KZ	JG
B	UPDATE ARCHITECTURAL PLAN	14.11.2025	KZ	JG
A	ISSUED FOR APPROVAL	06.11.2025	KZ	JG

DRAWING TITLE: STORMWATER DETAILS
PROJECT: PROPOSED CO-LIVING
ADDRESS: 16 BERNARD STREET LIDCOMBE NSW 2141
CLIENT: ACE LIDCOMBE PTY LTD
ARCHITECT / DESIGNER: marchesepartners
JOB NUMBER: SSCE-25136
DRAWING NUMBER: SW5
SCALE: N.T.S.
REV: E

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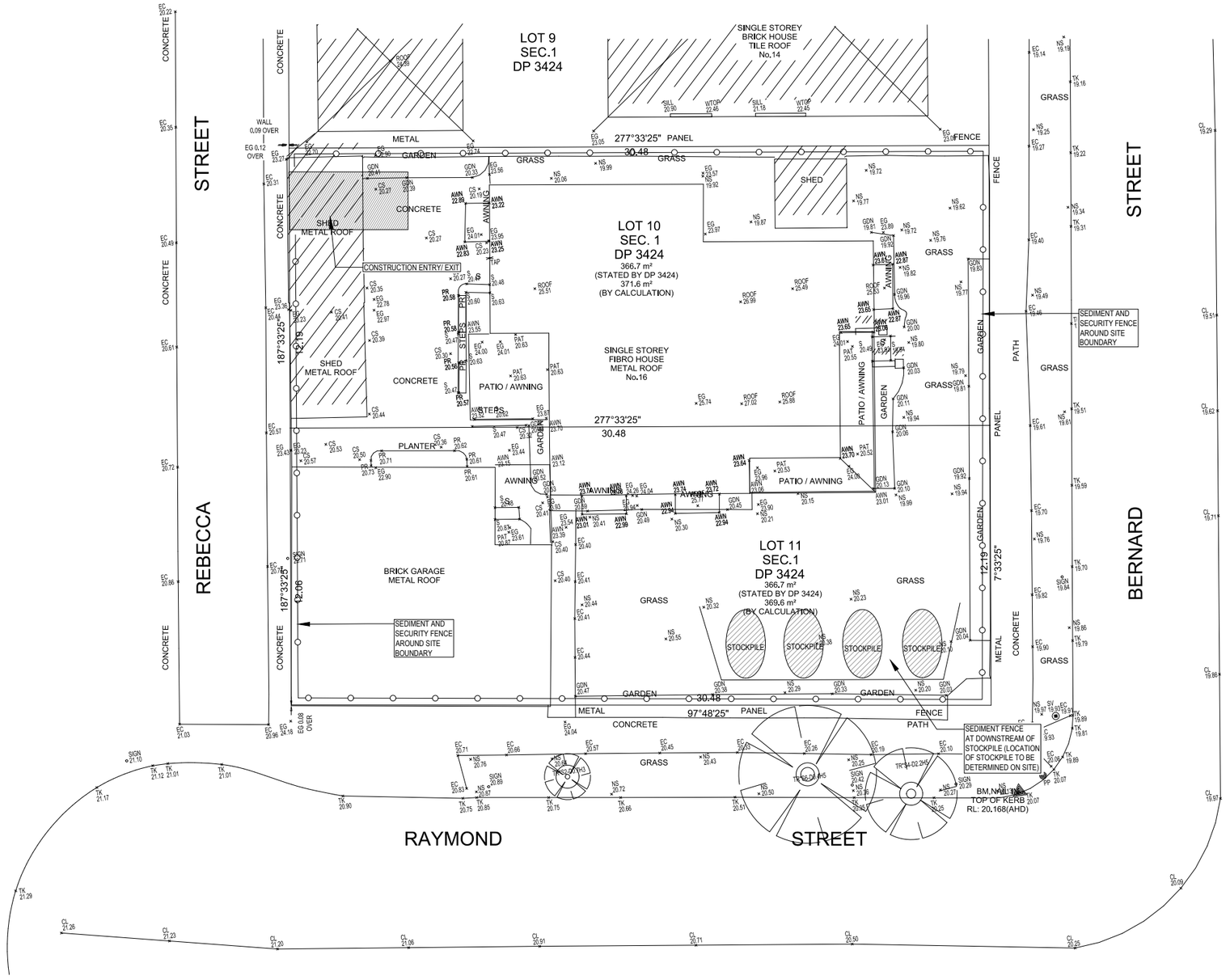
DON'T FORGET SAFETY

DIAL 1100 BEFORE YOU DIG



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B	UPDATE ARCHITECTURAL PLAN	14.11.2025	KZ	JG
A	ISSUED FOR APPROVAL	06.11.2025	KZ	JG

DRAWING TITLE: EROSION AND SEDIMENT CONTROL PLAN
PROJECT: PROPOSED CO-LIVING
ADDRESS: 16 BERNARD STREET LIDCOMBE NSW 2141
CLIENT: ACE LIDCOMBE PTY LTD
ARCHITECT / DESIGNER: marchesepartners
JOB NUMBER: SSCE-25136
DRAWING NUMBER: SW6
SCALE: 1:100
REV: E

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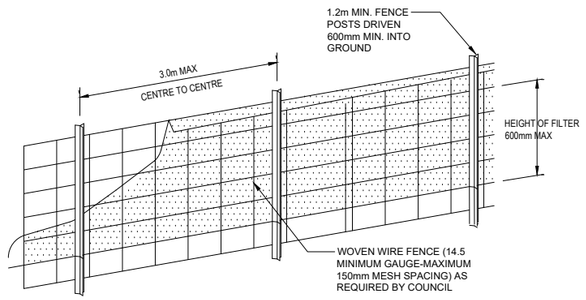
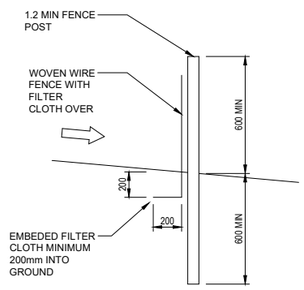
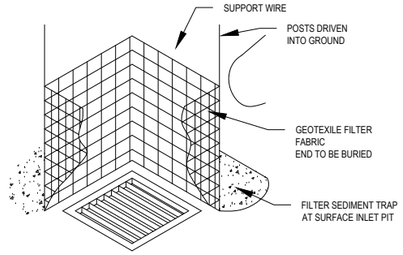


DIAGRAMMATIC VIEW

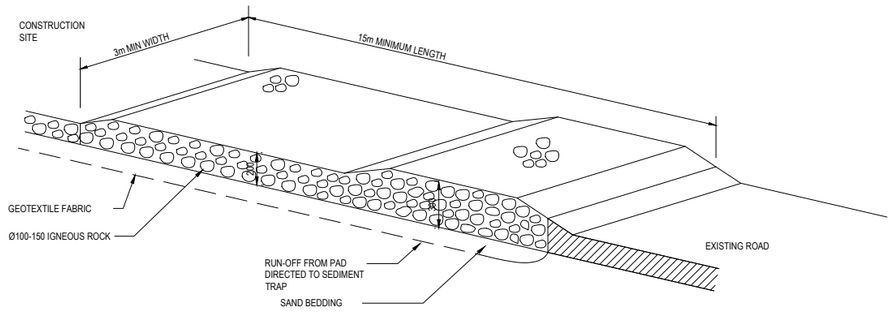


TYPICAL SECTION

SEDIMENT FENCE DETAIL
NOT TO SCALE



TYPICAL SEDIMENT TRAP AT SURFACE INLET PIT
N.T.S.



TEMPORARY CONSTRUCTION EXIT (RUBBLE ALTERNATIVE)
NOT TO SCALE

EROSION CONTROL:

BEFORE EARTHWORKS CAN COMMENCE THE EROSION & SEDIMENT CONTROL MEASURES MUST BE IN PLACE.

DURING THE CONSTRUCTION PERIOD, THESE CONTROL MEASURES WILL NEED TO BE INSPECTED & MAINTAINED REGULARLY, ESPECIALLY AFTER STORM EVENTS, BY THE CONTRACTOR.

ALL WORK IS TO BE CARRIED OUT TO PREVENT EROSION, CONTAMINATION & SEDIMENTATION OF THE STORAGE SITE, SURROUNDING AREAS & DRAINAGE SYSTEMS.

MINIMIZE DISTURBED AREA COVERED WITH NATURAL VEGETATION. ONLY THOSE AREAS DIRECTLY REQUIRED FOR CONSTRUCTION ARE TO BE DISTURBED.

INSTALL EROSION/SEDIMENT CONTROL MEASURES PRIOR TO COMMENCEMENT OF CONSTRUCTION OR EXCAVATION OPERATIONS.

PROVIDE SILT FENCE/STRAW BAIL BARRIERS TO THE LOW SIDE OF ALL EXPOSED EARTH EXCAVATIONS. TIE SEDIMENT FENCING MATERIAL TO CYCLONE WIRE SECURITY FENCE. SEDIMENT CONTROL FABRIC SHALL BE AN APPROVED MATERIAL (EG. HUMES PROPEX SILT STOP) STANDING 300mm ABOVE GROUND & EXTENDING 150mm BELOW GROUND.

ISOLATE EXISTING STORMWATER PITS WITH STRAW BALES OR SILT TRAPS TO FILTER ALL INCOMING FLOWS.

DO NOT STOCKPILE EXCAVATED MATERIAL ON THE ROAD WAY.

DIVERT CLEAN WATER FROM UNDISTURBED AREAS AROUND THE WORKING AREAS.

CONSTRUCTION ENTRY/EXIT SHALL BE VIA THE LOCATION NOTED ON THE DRAWING. CONTRACTOR SHALL ENSURE ALL DROPPABLE SOIL & SEDIMENT IS REMOVED PRIOR TO CONSTRUCTION TRAFFIC EXITING SITE. CONTRACTOR SHALL ENSURE ALL CONSTRUCTION TRAFFIC ENTERING AND LEAVING THE SITE DO SO IN A FORWARD DIRECTION.

TREAT THE STORMWATER RUNOFF WITH SUSPENDED SOLIDS SO THE DISCHARGE WATER QUALITY TO COUNCIL STORMWATER DRAINAGE SYSTEM HAS A MAXIMUM CONCENTRATION OF SUSPENDED SOLIDS THAT DOES NOT EXCEED 50 MILLIGRAMS PER LITRE IN ACCORDANCE WITH THE PROTECTION OF THE ENVIRONMENT OPERATION ACT (POEO 1997) AND SHALL BE APPROVED BY LOCAL COUNCIL.

ADOPT TEMPORARY MEASURES AS MAY BE NECCESSARY FOR EROSION & SEDIMENT CONTROL, INCLUDING BUT NOT LIMITED TO THE FOLLOWING:

DRAINS: TEMPORARY DRAINS AND CATCH DRAINS.
SPREADER BANKS OR OTHER STRUCTURES: TO DISPERSE CONCENTRATED RUNOFF.
SILT TRAPS: CONSTRUCTION AND MAINTENANCE OF SILT TRAPS TO PREVENT DISCHARGE OF SCOURED MATERIAL TO DOWNSTREAM AREAS.

AFTER RAIN, INSPECT, CLEAN, AND REPAIR IF REQUIRED, TEMPORARY EROSION & SEDIMENT CONTROL MEASURES.

REMOVE TEMPORARY EROSION &SEDIMENT CONTROL MEASURES WHEN THEY ARE NO LONGER REQUIRED.

COMPLY WITH THE REQUIREMENTS OF LANDCOM'S MANAGING URBAN STORMWATER - SOIL AND CONSTRUCTION 'THE BLUE BOOK' LATEST EDITION

THE EROSION & SEDIMENT CONTROL PLAN PROVIDED IS ONLY INDICATIVE. THE CONTRACTOR SHOULD PREPARE A DETAILED ESCP SUITABLE FOR THE SPECIFIC SITE CONDITIONS

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DRAWING TITLE: EROSION AND SEDIMENT CONTROL DETAILS
PROJECT: PROPOSED CO-LIVING
ADDRESS: 16 BERNARD STREET LIDCOMBE NSW 2141
CLIENT: ACE LIDCOMBE PTY LTD
ARCHITECT / DESIGNER: marchesepartners
JOB NUMBER: SSCE-25136
DRAWING NUMBER: SW7
SCALE: 1:100
REV: E

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DOCUMENTS ASSOCIATED WITH REPORT ELPP021/26

Attachment 5

Redacted submissions

From:
Sent: Wednesday, 28 January 2026 12:34 AM
To: Records Department
Cc:
Subject: [EXTERNAL] DA2025/0790

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi

residents on Raymond Street, and we have recently received the letter notification of the six storey development at 16 Bernard Street, Lidcombe.

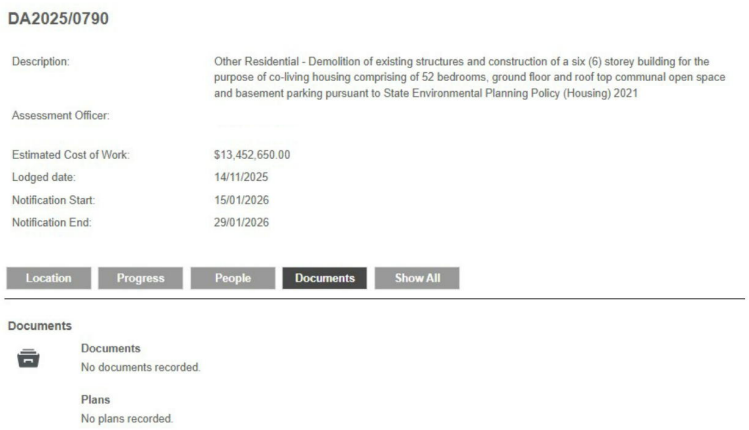
It's very disappointing to see that given you are aware of the diverse culture within Cumberland Council and of the amount of immigrant families living here, that you aren't giving sufficient time or opportunity to explain the situation (other than a generic letter, one page of plans only showing the facade, and a complete lack of detail once looking into the DA application) for impacted residents to have their voices heard. It feels like the application and notification has been intentionally vague, borderline deceptive about the true intentions of the build.

The term "co-living" and the use of the housing SEPP infers it's not for typical residential use - can we get clarity on the intended use, is this community housing, seniors housing, a boarding house?? Have the impacts of the development to the surrounding residents been assessed and what are the mitigating measures to limit negative impact?

very concerned with this DA proposal and lack of information provided to neighbouring properties, especially given the scale and cost of the work being $13.5m and the notification process being 2 weeks.

Our street parking on Raymond Street as well as Bernard Street is already overcrowded, with cars often impeding resident garages and Cumberland Council have done nothing to resolve this for residents. Introducing 52 additional bedrooms to this street will undoubtedly make this worse.

As mentioned, most concerningly, there is no documentation available on the portal cannot review impacts to our property including overshadowing, car parking, traffic and subsequent depreciation of our property.



DA2025/0790

Description:	Other Residential - Demolition of existing structures and construction of a six (6) storey building for the purpose of co-living housing comprising of 52 bedrooms, ground floor and roof top communal open space and basement parking pursuant to State Environmental Planning Policy (Housing) 2021
Assessment Officer:	
Estimated Cost of Work:	$13,452,650.00
Lodged date:	14/11/2025
Notification Start:	15/01/2026
Notification End:	29/01/2026

Location | Progress | People | Documents | Show All

Documents

Documents
No documents recorded.

Plans
No plans recorded.

has been in this property since and the development will definitely impact standard of living, our trust in how the development process is being handled by the current administration, and the value of our property.

request the following documents to be shared publicly and for there to be a new notification process providing the below documentation to **all** neighbouring properties:

- Disclosure of the purpose of the development, any plans of management.
- Statement of Environmental Effects
- Traffic Management Plans
- Shadow diagrams showing both summer and winter impacts
- Waste management plan

If you could please come back to me on next steps as soon as possible.

Thanks,

Address:
Please use as your means of contact

We request that our personal information is suppressed under Section 58 of the Privacy and Personal Information Protection Act 1998 ("PPIP Act")

From:
Sent: Thursday, 29 January 2026 4:53 PM
To: Records Department
Subject: [EXTERNAL] DA2025/0790

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Cumberland Council,

am writing in regards the proposed development involving the construction of a six-storey building with 52 new co-living bedrooms at 16 Bernard Street.

primary concern relates to parking availability and traffic congestion on Bernard Street, which is already heavily congested. Street parking is currently very limited for residents and visitors, and traffic flow is often impacted due to the high demand for on-street parking.

The addition of 52 new co-sharing rooms is likely to significantly increase parking demand and vehicle movements within the street. Even though it is stated some underground parking will be provided, it is reasonable to expect overflow parking and increased traffic on Bernard Street and the surrounding Rebecca and Raymond Streets, further exacerbating existing congestion/parking issues. This is something I would like council to take into consideration.

would also like to raise concerns regarding the potential impact on access to sunlight Given the proposed building height of approximately 20 metres and its close proximity am unsure if there is a risk that the development may reduce access to natural sunlight, particularly from the westerly sun. existing solar panels that rely on adequate solar access to function effectively. Any loss of sunlight due to overshadowing from the proposed development may negatively impact their performance and the sustainability benefits they provide. In this regard, is it possible to request an overshadowing and solar access study be made available as part of the assessment process to clearly demonstrate the extent of any potential impacts.

That said, would like to acknowledge and express appreciation for what appears, from the indicative plans provided, to be a considered approach to privacy adjoining property. The proposed design elements that address the overlook property are welcomed, and am grateful that this has been taken into account in the preliminary plans, especially children that frequently utilise for play, privacy and safety

respectfully request that Council carefully consider these matters as part of the assessment process and ensure that appropriate measures are in place to minimise adverse impacts to the surrounding neighbours.

I appreciate the opportunity to provide feedback on this development proposal, and may I please request that my personal information be suppressed under section 58 PPIP Act.

Thank you,

Kind Regards

From:
Sent: Sunday, 22 February 2026 1:42 AM
To: Records Department
Subject: DA2025/0790 – Kindly forward to

You don't often get email from Learn why this is important

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Dear Cumberland Council,

This email is in relation to DA2025/0790.

Kindly forward this correspondence to

writing regarding a document recently submitted to Council by One Realty and Think Planners, which is currently available for public viewing. After reviewing the submission, have identified several statements that are factually incorrect and do not accurately reflect the events or communications described.

in possession of call logs, and supporting text message records which clearly demonstrate that certain exchanges referred to in the submission did not occur as stated.

Given these inaccuracies, we respectfully request that Council carefully review the submission and consider our evidence before making any determinations based on the information provided. We are prepared to supply copies of all relevant correspondence to assist with clarification.

In particular, the public documentation submitted by One Realty contains inaccuracies regarding:

1. Property Land Size of

2. Negotiation Process

At no time were we presented with an initial offer from the buyer, apart from an intention to buy property. To initiate price discussion, stated a figure of purely as a starting point for conversation. This was documented through text on 19 February 2025. This was not a revised expectation, nor was it a change from any previously communicated amount.

The assertion that expectation 'suddenly changed to is factually incorrect. never communicated an initial expectation of , as suggested in the submission. Accordingly, there was no change in our position.

Negotiations did not conclude because altered expectations. Rather, declined the offer communicated via text message the day after on 20 February 2025, after which communications then ceased.

The current narrative within this document, inaccurately suggests that the buyer attempted to meet expectations and that subsequently changed position. This does not accurately represent what occurred and unfairly mischaracterises character and conduct, which is particularly concerning as it is recorded on a public forum and request that this be formally rectified.

Please feel free to forward this correspondence to the real estate agent concerned stand by the accuracy of the matters raised and are prepared to provide supporting documentation, including dated and timed text message exchanges and call logs.

Concerns regarding documentation submitted by Think Planners, Statement of Environmental Effects:

1. Alleged 'Formal' Offer

Public documents submitted refers to a 'formal' offer allegedly made on 5 February 2025. In reality, the only communication of a proposed offer was received by text message sent on 20 February 2025 from One Realty. At no stage were ever provided with a formal letter of offer as stated within the documentation, outlined in page 21 via Think Planners.

2. Market Valuation

were never informed that any market valuations were being conducted

respectfully request clarification as to whether an accurate and reliable market valuation can be undertaken without a physical site inspection of especially since the inaccuracies of land size stated via One Realty documentation. Additionally, we seek confirmation as to whether any such valuation took into account recent comparable sales in the immediate area, including 2 Bernard Street, Lidcombe. This is particularly important given the relevance of these sales in assessing current market value, especially where the proposed settlement period, suggested via text exchange, was twelve months from the buyer's initial offer.

While an above market offer may have been proposed at the time, it did not adequately reflect position or the buyer's intended time frame. the possibility of relocating within twelve months within the same suburb without any compromise in living standards, which simply did not translate with the amount proposed through text exchange. Market value of February 2025 obviously does not reflect market value of February 2026 and took this into consideration. felt the offer needed to reflect these circumstances, especially when we had no initial intention to move until approached by said buyer, and not going to compromise on an offer slightly above market value, in order to uproot our family.

To reiterate, however, never received a formal written letter of offer from any buyer, particularly on the stated documentation date of 5 February 2025.

In light of the above, request that a review of the inaccurate statements be corrected and that any claims regarding our position be supported by verifiable evidence.

Our intention is simply to ensure that the formal record reflects accurate and verifiable facts, without imparting inaccurate or misleading representation of character or conduct, particularly within the documentation provided by One Realty on a public forum.

Please kindly respond to let me know you have received my correspondence, and if you require screenshots of text exchange and call logs between One Realty and

Thank you

Kind regards,

DOCUMENTS ASSOCIATED WITH REPORT ELPP021/26

Attachment 6

Clause 4.6 Variation Request - Height of Building

think planners

Clause 4.6 Variation

BUILDING HEIGHT

16 BERNARD STREET, LIDCOMBE

13 NOVEMBER 2025



QUALITY ASSURANCE	
PROJECT:	4.6 Variation: Building Height Limit
ADDRESS:	16 Bernard Street, Lidcombe
LOT/DP:	Lots 10 & 11 in Section 1 DP3424
COUNCIL:	Cumberland City Council
AUTHOR:	Think Planners Pty Ltd

Document Management		
Prepared by:	Purpose of Issue:	Date:
Sean Riddell	Draft Issue	13 November 2025
Reviewed by:	Purpose of Issue:	Date:
Jonathon Wood	Submission Issue	13 November 2025

CONTENTS

HEIGHT DEPARTURE REQUEST 4

BACKGROUND 4

LAND AND ENVIRONMENT CASE LAW 5

ADDRESSING CLAUSE 4.6 PROVISIONS - HEIGHT 6

CONCLUSION 11

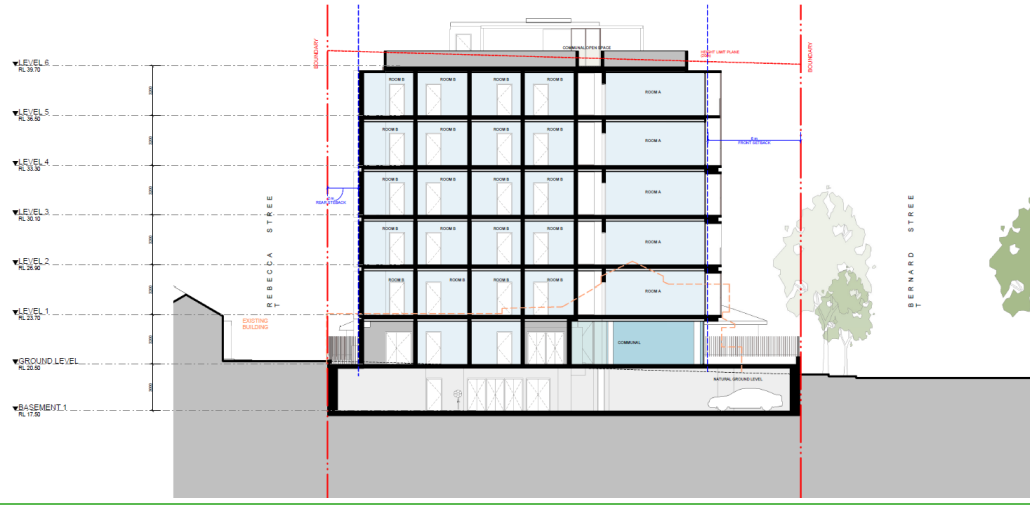
HEIGHT DEPARTURE REQUEST

BACKGROUND

This Clause 4.6 variation has been prepared in support of a development application that seeks approval for the construction of a 6 storey 'Co-Living' development with basement level parking at 16 Bernard Street, Lidcombe.

The site is prescribed a maximum building height limit of 20m under clause 4.3 Height of buildings of the Cumberland LEP 2021. The development proposes a six storey building, with all habitable floor areas compliant with the 20m maximum building height control. The rooftop services rooms, stairwell and lift overrun exceed the maximum building height limit, with a height of up to 22.3m for the lift overrun, resulting a variation of 11.5%. The proposed building elevation demonstrating the 20m maximum height limit is provided below.

Figure 1: Section illustrating height departure – (Source Advanced Architecture)



The proposal presents the following departures to the height controls:

Portion of Building	Height in metres	% Departure
Roof of level 6 (habitable floor space)	18.95m	Complies
Roof of rooftop areas	22.04m	10.2%
Lift Overrun	22.3m	11.5%

Given the proposed height, the proposal is noncompliant with Clause 4.3 – height of buildings that stipulates that the height of a building is not to exceed 20m on the subject site.

A detailed discussion against the relevant provisions of Clause 4.6 is provided below, with further discussion against the relevant case law 'tests' set down by the Land and Environment Court.

LAND AND ENVIRONMENT CASE LAW

The decision by Chief Judge Preston in a judgement dated 14 August 2018 in the matter of *Initial Action Pty Ltd v Woollahra Council* confirmed that the absence of impact was a suitable means of establishing grounds for a departure and also confirmed that there is no requirement for a development that breaches a numerical standard to achieve a '*better outcome'.* However more recent developments in the law in ***RebelMH Neutral Bay Pty Limited v North Canterbury Council*** **[2019] NSWCA 130** have set out to confirm that the approach taken in *Al Maha Pty Ltd v Huajun Investments Pty Ltd* [2018] NSWCA 245 ('***Al Maha***') is also relevant. In simple terms, Al Maha requires that a Clause 4.6 departure will have only adequately addressed Clause 4.6(3) if the consent authority is satisfied the matters have been demonstrated in the Clause 4.6 request itself- rather than forming a view by the consent authority itself. This Clause 4.6 request demonstrates the matters in Clause 4.6 (3).

The key tests or requirements arising from relevant court judgements are that:

- The consent authority be satisfied the proposed development will be in the public interest because it is "*consistent with*" the objectives of the development standard and zone is not a requirement to "*achieve*" those objectives. It is a requirement that the development be compatible with the objectives, rather than having to 'achieve' the objectives.

- Establishing that 'compliance with the standard is unreasonable or unnecessary in the circumstances of the case' does not always require the applicant to show that the relevant objectives of the standard are achieved by the proposal (Wehbe "test" 1). Other methods are available as per the previous 5 tests applying to SEPP 1, set out in Wehbe v Pittwater.

- When pursuing a clause 4.6 variation request it is appropriate to demonstrate environmental planning grounds that support any variation; and

- The proposal is required to be in 'the public interest'.

In relation to the current proposal the keys are:

- Demonstrating that the development remains consistent with the objectives of the maximum building height standard;
- Demonstrating consistency with existing streetscape;
- Demonstrating compliance with objectives of the R4 zone; and
- Satisfying the relevant provisions of Clause 4.6.

This Clause 4.6 Variation request deals with the maximum building height matters in turn below.

ADDRESSING CLAUSE 4.6 PROVISIONS - HEIGHT

Clause 4.6 of the Cumberland Local Environmental Plan 2021 provides that development consent may be granted for development even though the development would contravene a development standard. This is provided that the relevant provisions of the clause are addressed. An extract of clause 4.6 is provided below:

Exceptions to development standards
(1) The objectives of this clause are as follows—
(a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,
(b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.
(2) Development consent may, 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.
(3) Development consent must not be granted to development that contravenes a development standard unless the consent authority is satisfied the applicant has demonstrated that—
(a) compliance with the development standard is unreasonable or unnecessary in the circumstances, and
(b) there are sufficient environmental planning grounds to justify the contravention of the development standard.

Clause 4.6 does not fetter the consent authority's discretion as to the numerical extent of the departure from the development standard. Each of the relevant provisions of Clause 4.6 are addressed in turn below.

Clause 4.6(3)- Unreasonable and Unnecessary

In accordance with the provisions of this clause it is considered that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case as the underlying objectives of the control are achieved. The objectives of the building height development standard are stated as:

(1) The objectives of this clause are as follows—
- *(a) to establish a maximum height of buildings to enable appropriate development density,*
- *(b) to ensure that the height of buildings is compatible with the character of the locality,*
- *(c) to minimise the visual impact of development,*

(d) to ensure sufficient solar access and privacy for neighbouring properties.

The current development proposal is consistent with the underlying intent of the control based on the following key points:

- The overall building height is compatible with the evolving high-density residential character of the locality, where recent approvals and developments reflect a transition toward six-storey and higher residential forms. The limited elements exceeding the height control, namely the rooftop communal open space structures and lift overrun, are set back and recessed behind the main building façade, effectively reducing their visual prominence and ensuring the development presents a well-proportioned and cohesive built form when viewed from the public domain.

- The portion of the building that exceeds the 20-metre height standard does not contain any habitable floor space and is limited to rooftop communal areas and building services. The development therefore presents as a well-proportioned six-storey form, with the minor height variation having no perceivable bulk or scale impact. The exceedance does not constitute an overdevelopment of the site but instead reflects a measured and contextually appropriate design response to the site's corner position and surrounding high-density character.

- The proposed development incorporates a complying floor space ratio as per the provisions of the CLEP 2021 and the Housing SEPP, which will ensure that the scale of the proposed development will be appropriate and will be visually consistent with the permitted building height with the rooftop building components recessed, screened by rooftop landscape planters, and designed using a lighter design style to ensure a positive streetscape presentation.

- The additional height does not generate any additional amenity impacts given the location of the site and the surrounding site context.

- The proposal has been carefully designed to ensure that no adverse visual or acoustic amenity impacts will be created by the proposed building height along site boundaries as the upper levels are substantially recessed behind the building perimeter and buffered by rooftop landscaping.

- The proposed articulation of the built form will ensure that the additional building height will not be discernably noticeable from street level and that the proposed development will provide a strong and identifiable building line that will pronounce the site's prominent location at the edge of the Lidcombe Town Centre.

- The proposed built form achieves a superior planning and urban design outcome compared to a fully compliant alternative. While a similar residential density could theoretically be accommodated within a bulkier five-storey building, such an outcome would necessitate a larger floor plate with reduced articulation and setbacks, resulting in a more visually dominant and less contextually sensitive form. In contrast, the proposed design distributes the building mass more efficiently across six storeys, allowing for increased

separation to boundaries, improved façade modulation, enhanced natural light penetration, and greater internal and external amenity for future residents.

- The proposal has been designed to ensure that privacy impacts are mitigated against and that the proposal will not obstruct existing view corridors.

Clause 4.6(3) Environmental Planning Grounds

The variation has a number of distinct environmental planning benefits including that:

- The proposal provides residential accommodation opportunities, the proposal will strongly contribute towards revitalising the subject area, as it will increase employment opportunities both during the construction phase and at the completion of the proposal. The 52 co-living suites will provide increased patronage in the locality thus both components will contribute towards boosting the local economy of Lidcombe.

- The 52 co-living suites will provide diverse housing for a range of residents that may not otherwise be able to live in this location including students, key workers and employees with low incomes;

- Australia is experiencing a housing crisis and the provision of co-living development will increase the supply of compact rental accommodation for a range of occupants in a very accessible location;

- The development proposes a modest development that has been designed to minimise impacts on adjoining properties. The revised development will not have an unacceptable impact on surrounding properties;

- The proposal will provide affordable accommodation for key workers and university students in an accessible location that has ready access to the Lidcombe Town Centre and employment centres such as the Parramatta CBD;

- The development is consistent with the Cumberland Council Affordable Housing Strategy 2020 as it will marginally reduce the level of rental housing stress experienced by residents across Cumberland Council so that they can thrive socially and economically by increasing the provision of affordable rental housing. More affordable rental housing will allow more residents to live closer to work, or close to good public transport links that make the journey to work cheaper, faster and easier; and

- The proposal will provide for a number of distinct public benefits:
    - Delivery of additional housing and a childcare facility within close proximity to the Employment Precinct of the Lidcombe Town Centre;
    - Creation of jobs during the construction stage and the ongoing use of the premises;
    - Activation of the street level;
    - Provision of appropriate solar access to residents of the development;

- Amenity impacts to adjoining properties are mitigated and the distribution of additional floor space across the site will not be discernibly different to a built form that is compliant with the height control.
- The scale and intensity of the development is appropriate noting that the proposal complies with the maximum FSR, which demonstrates an appropriate development outcome.

As outlined above the proposal remains consistent with the underlying objectives of the control and as such compliance is considered unnecessary or unreasonable in the circumstances. The above discussion demonstrates that there are sufficient environmental planning grounds to justify the departure from the control.

In accordance with the provisions of Clause 4.6(4) Council can be satisfied that this written request has adequately addressed the matters required to be demonstrated by Clause 4.6(3). As addressed the proposed development is in the public interest as it remains consistent with the objectives of the building height control. In addition, the proposal is consistent with the objectives of the R4 zone, being:

- *To provide for the housing needs of the community within a high density residential environment.*
- *To provide a variety of housing types within a high density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To ensure that non-residential land uses are located in a setting that minimises impacts on the amenity of a high density residential environment.*
- *To encourage residential development that maintains the amenity of the surrounding area*

The proposal is consistent with the objectives of the R4 High Density Residential zone as it delivers a high-quality co-living development that increases housing supply and diversity within an accessible, high-density setting close to Lidcombe Town Centre. The development provides affordable dwellings that broaden housing choice, while incorporating on-site communal spaces, landscaping, and facilities that support day-to-day resident needs. The built form is well-articulated and sensitively scaled to its three-street frontage, maintaining residential amenity through appropriate setbacks, deep soil planting, and basement parking, ensuring a design that enhances both the site and the surrounding neighbourhood.

Clause 4.6(5)

The Secretary (of Department of Planning and Environment) can be assumed to have concurred to the variation. This is because of Department of Planning Circular PS 18–003 'Variations to development standards', dated 21 February 2018. This circular is a notice under 64(1) of *the Environmental Planning and Assessment Regulation 2000*. A consent granted by a consent authority that has assumed concurrence is as valid and effective as if concurrence had been given.

The points contained in Clause 4.6 (5) are a matter for consideration by the consent authority, however the following points are made in relation to this clause:

a) The contravention of the height control does not raise any matter of significance for State or regional environmental planning given the nature of the development proposal and the site specific design response to the allotment configuration and orientation.

b) There is no public benefit in maintaining the development standard as it relates to the current proposal when noting that the area of non-compliance is so minor that it is indistinguishable from a compliant height. The departure from the control is acceptable in the circumstances given the underlying objectives of the control are achieved and it will not set an undesirable precedent for future development within the locality as any future development on another site would require consideration of the relevant merits and circumstances of the individual application.

CONCLUSION

The proposed development meets the underlying intent of the control and is a compatible form of development that does not result in unreasonable environmental amenity impacts.

The design response aligns with the intent of the control and provides for an appropriate transition to the adjoining properties.

The proposal promotes the economic use and development of the land consistent with its zone and purpose.

The objection is well founded and taking into account the absence of adverse environmental, social or economic impacts, it is requested that Council support the development proposal.

Strict compliance with the prescriptive maximum height requirement is unreasonable and unnecessary in the context of the proposal and its circumstances. The proposed development meets the underlying intent of the control and is a compatible form of development that does not result in unreasonable environmental amenity impacts.

The objection is well founded and considering the absence of adverse environmental, social or economic impacts, it is requested that Council support the development including the departure to the maximum height control.

DOCUMENTS ASSOCIATED WITH REPORT ELPP021/26

Attachment 7

Clause 4.6 Variation Request - Communal Living Areas

Clause 4.6 Variation

COMMUNAL LIVING AREA

16 BERNARD STREET, LIDCOMBE

30 APRIL 2026



QUALITY ASSURANCE	
PROJECT:	*4.6 Variation: Communal Living Area – Co-Living Housing*
ADDRESS:	*16 Bernard Street, Lidcombe*
LOT/DP:	*Lots 10 & 11 in Section 1 DP3424*
COUNCIL:	*Cumberland City Council*
AUTHOR:	*Think Planners Pty Ltd*

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Prepared by:	**Purpose of Issue:**	**Date:**
Sean Riddell	*Draft Issue*	*30 April 2026*
Reviewed by:	**Purpose of Issue:**	**Date:**
Jonathon Wood	*Submission Issue*	*30 April 2026*

CONTENTS

CLAUSE 4.6 DEPARTURE – COMMUNAL LIVING AREA 4

VARIATION TO THE DEVELOPMENT STANDARD 4

RELEVANT CASE LAW 8

ASSESSMENT 10

CL.4.6 (3) (A) COMPLIANCE WITH THE DEVELOPMENT STANDARD IS UNREASONABLE OR UNNECESSARY IN THE CIRCUMSTANCES 10

CLAUSE 4.6 (3) (B) ENVIRONMENTAL PLANNING GROUNDS 12

CONCLUSION 14

CLAUSE 4.6 DEPARTURE – COMMUNAL LIVING AREA

VARIATION TO THE DEVELOPMENT STANDARD

This written request has been prepared pursuant to clause 4.6 of the Cumberland Local Environmental Plan 2021 in support of a development application seeking consent for the demolition of existing structures and the construction of a six-storey co-living housing development with basement parking at 16 Bernard Street, Lidcombe.

The development standard sought to be varied relates to the communal living area requirements for co-living housing under clause 68 of the State Environmental Planning Policy (Housing) 2021. The relevant control requires co-living housing containing more than 6 private rooms to provide:

- a total of at least 30m² of communal living area plus at least a further 2m² for each private room in excess of 6 private rooms; and
- minimum dimensions of 3 metres for each communal living area.

This request does not seek to vary the permissibility of co-living housing or the overall suitability of the use. It is confined to the minimum dimension requirement for communal living areas, noting that the proposal exceeds the required total quantum of communal living area.

Numerical Variation to the Communal Living Area Requirement

The proposed development contains 52 private rooms. The minimum communal living area requirement is therefore calculated as follows:

Requirement	Calculation	Required area
Base communal living area requirement	—	30m²
Additional area for rooms above 6	46 rooms x 2m²	92m²
Total required communal living area	30m² + 92m²	122m²

The amended proposal provides 153.6m² of communal areas, comprising 100.2m² at ground level and 10.7m² on each of Levels 1 to 5. The proposal therefore exceeds the minimum total communal living area requirement by 31.6m², representing approximately 25.9% above the required minimum.

The numerical issue does not arise from a shortfall in the overall amount of communal living area. Rather, the variation arises because the communal living areas on Levels 1 to 5 include 3m x 3m functional areas, but portions of those areas also accommodate circulation, including access points to residential rooms and electrical / communications cupboard doors. On that basis, Council has identified that the communal living areas on Levels 1 to 5 do not strictly satisfy the minimum 3 metre dimension requirement.

The ground floor communal living area is not affected by this dimensional non-compliance. The non-compliance is therefore limited to the smaller communal living areas on Levels 1 to 5 and does not apply to the principal ground floor communal area.

The variation is therefore technical and dimensional in nature. It does not represent a deficiency in the total amount of communal living area, nor does it indicate that the communal spaces are unusable or incapable of supporting resident interaction.

Nature and Extent of the Variation

The proposal has been designed to provide communal living areas distributed throughout the building, including a substantial ground floor communal area and additional communal spaces on Levels 1 to 5. This distribution provides convenient access to shared internal spaces for residents across the development, rather than concentrating all communal living area in a single location.

The ground floor communal area provides 100.2m² and is not subject to the dimensional non-compliance. The issue is confined to the communal living areas on Levels 1 to 5, each of which is identified as 10.7m² and has been designed with a 3m x 3m functional area. However, certain portions of those areas overlap with circulation and access functions, including access to residential rooms and electrical / communications cupboard doors. For this reason, Council has identified that the communal living areas on Levels 1 to 5 do not strictly satisfy the minimum 3 metre dimension requirement. This is illustrated by the figures below and overleaf.

Figure 1: Ground Floor Communal Living Area – 100.2m² Principal Communal Area Not Subject to Dimensional Non-Compliance

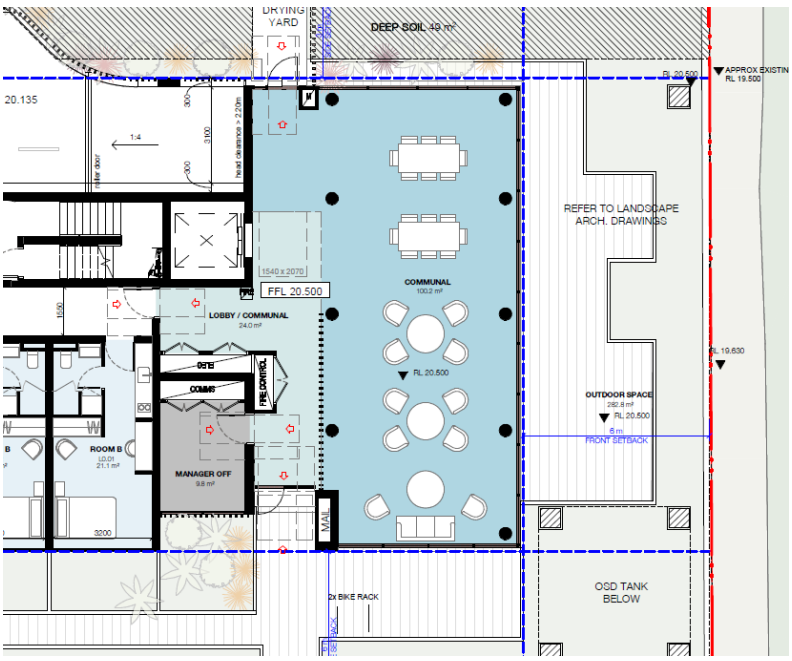


Figure 2: Level 1–3 Communal Living Area – 10.7m² Resident Lounge Showing 3m x 3m Functional Area and Circulation Interface

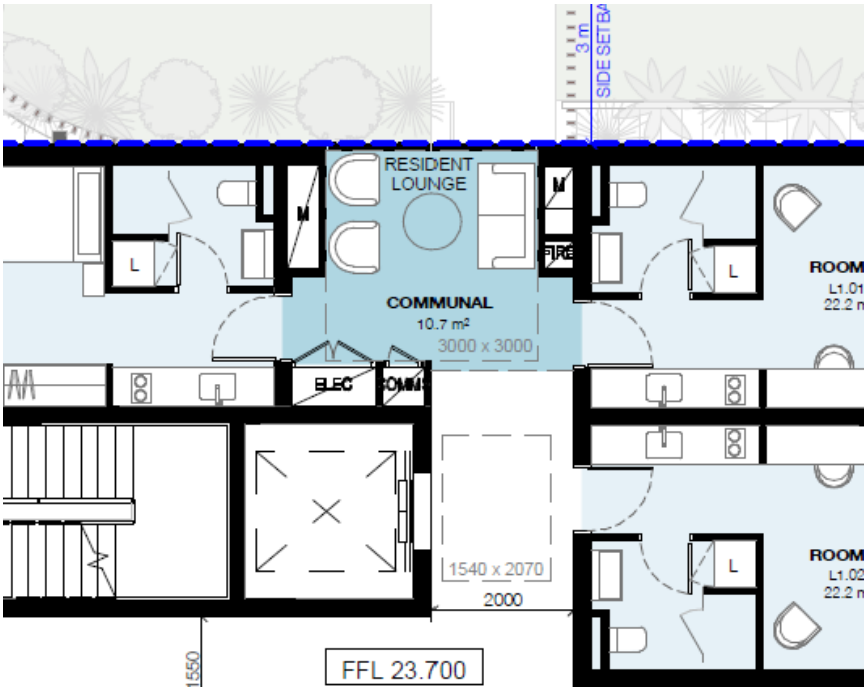
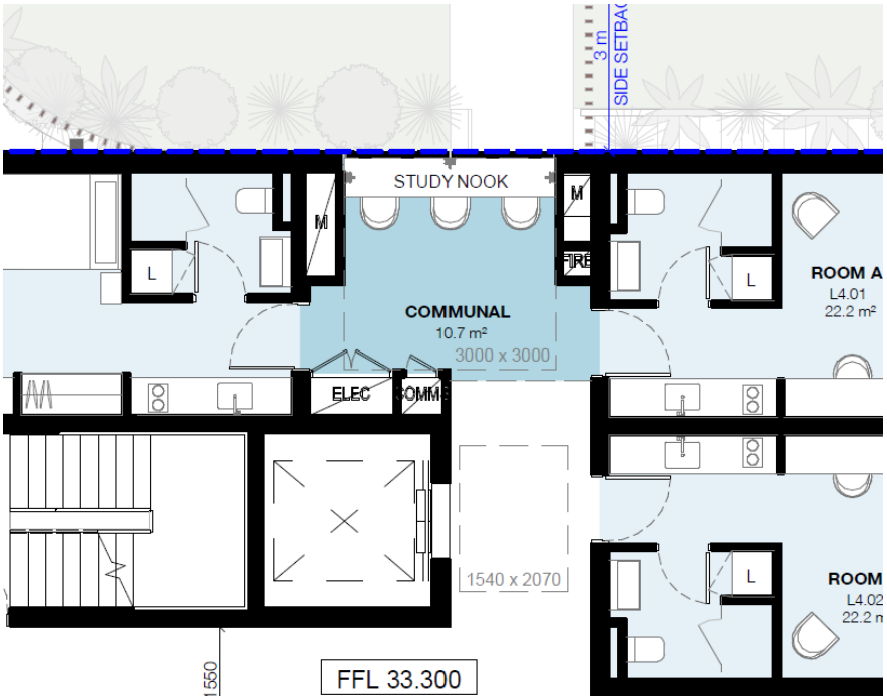


Figure 3: Level 4–5 Communal Living Area – 10.7m² Study Nook Showing 3m x 3m Functional Area and Access Interface



Importantly, the proposal exceeds the minimum total communal living area requirement, providing 153.6m² where 122m² is required. The development also complies with the communal open space requirement under the Housing SEPP, providing additional shared resident amenity beyond the internal communal living areas.

This written request seeks to justify the variation on the basis that:

- the proposal provides 153.6m² of communal areas, exceeding the minimum 122m² requirement for 52 private rooms;
- the proposal exceeds the minimum total communal living area requirement by 31.6m², or approximately 25.9%;
- the ground floor communal area provides 100.2m² and is not subject to the dimensional non-compliance;
- the variation is confined to the communal living areas on Levels 1 to 5;
- each Level 1 to 5 communal living area has been designed with a 3m x 3m functional area;
- the variation arises because parts of the 3m x 3m areas on Levels 1 to 5 also accommodate circulation, including access to residential rooms and electrical / communications cupboard doors;
- the variation is technical and dimensional in nature, rather than a shortfall in the overall quantum of communal living area;
- the communal living areas remain usable, legible and capable of supporting resident interaction- that would be uninterrupted by users given the location is tucked in a discreet location at the end of the corridor with only 2 rooms in proximity.
- the distribution of communal living areas across multiple levels improves accessibility and convenience for residents;
- the proposal complies with the communal open space requirement under the SEPP, providing additional shared amenity beyond the internal communal living areas;
- the proposal also includes substantial rooftop and ground-level communal open space, contributing to overall resident amenity;
- strict compliance would not materially improve the amenity or functionality of the communal spaces; and
- the proposal achieves the underlying planning intent of the communal living area control by providing sufficient, accessible and functional communal spaces for residents.

Clause 4.6 permits development consent to be granted for development that contravenes a development standard where the consent authority is satisfied that compliance with the development standard is unreasonable or unnecessary in the circumstances, and that there are sufficient environmental planning grounds to justify the contravention.

For the reasons set out in this written request, it is submitted that the proposed variation satisfies the relevant requirements of clause 4.6 and that the departure from the communal living area dimension standard is appropriate in this instance.

RELEVANT CASE LAW

The proper approach to the assessment of a written request under clause 4.6 is well established.

In Wehbe v Pittwater Council [2007] NSWLEC 827, Preston CJ identified a number of ways in which compliance with a development standard may be shown to be unreasonable or unnecessary in the circumstances of a particular case. Relevantly, one of those approaches is where the objectives or underlying purpose of the development standard are achieved notwithstanding non-compliance with the standard. That approach is directly applicable to this request.

In the present case, the applicant relies principally on that reasoning. The issue is not whether the communal living areas on Levels 1 to 5 strictly satisfy the 3 metre dimensional requirement when circulation and service cupboard access areas are excluded. The relevant question is whether, despite that dimensional departure, the proposal achieves the planning outcomes sought by the communal living area control, including the provision of sufficient, usable and accessible shared internal spaces that support resident amenity and social interaction.

The applicant submits that those outcomes are achieved.

The proposal provides 153.6m² of communal areas, exceeding the required 122m² minimum communal living area requirement for 52 private rooms by 31.6m², or approximately 25.9%. The ground floor communal area provides 100.2m² and is not subject to the dimensional non-compliance. The variation is confined to the smaller communal living areas on Levels 1 to 5, each of which has been designed with a 3m x 3m functional area but includes some overlap with circulation, residential room access and electrical / communications cupboard doors.

Clause 4.6 does not require a consent authority to be satisfied that compliance is impossible, nor does it require that a variation be justified only in exceptional or unique circumstances. Rather, the clause requires a planning assessment directed to whether compliance is unreasonable or unnecessary in the circumstances and whether there are sufficient environmental planning grounds to justify the contravention.

The applicant relies on those principles in support of this written request.

In particular, this request is advanced on the basis that:

- the proposal exceeds the total communal living area requirement;
- the dimensional non-compliance is confined to the communal living areas on Levels 1 to 5 and does not apply to the principal ground floor communal area;
- the communal living areas on Levels 1 to 5 are provided as additional distributed resident amenity spaces, rather than being relied upon as the sole communal living area for the development;
- the spaces remain usable, legible and capable of supporting resident interaction notwithstanding the circulation and access interfaces;
- the proposal complies with the communal open space requirement under the Housing SEPP, providing additional shared amenity beyond the internal communal living areas;
- strict numerical compliance would not materially improve the amenity or functionality of the communal spaces; and
- there are sufficient environmental planning grounds specific to the site, the design and the nature of the variation to justify the departure.

For those reasons, the applicant submits that the proper exercise of clause 4.6 in this instance is available and appropriate.

ASSESSMENT

CL.4.6 (3) (A) COMPLIANCE WITH THE DEVELOPMENT STANDARD IS UNREASONABLE OR UNNECESSARY IN THE CIRCUMSTANCES

The applicant submits that compliance with the communal living area dimension requirement is unreasonable or unnecessary in the circumstances of this case.

That conclusion is reached having regard to the well-established principle in *Wehbe v Pittwater Council* [2007] NSWLEC 827 that compliance may be unreasonable or unnecessary where the objectives or planning purpose of the development standard are achieved notwithstanding non-compliance. The applicant relies on that reasoning here.

The communal living area requirement is intended to ensure that co-living housing provides residents with sufficient, accessible and functional shared internal spaces that support resident amenity, social interaction and day-to-day communal living.

Clause 68 of the SEPP (Housing) 2021 does not contain express objectives for the communal living area control. However, as the control forms part of the co-living housing provisions, the broader principles of the Housing SEPP are relevant and are addressed below.

Principle	Comment
Enabling the development of diverse housing types, including purpose-built rental housing	The proposal provides 52 co-living rooms, contributing to housing diversity and purpose-built rental accommodation in an accessible high-density residential location. The communal living area variation does not undermine the delivery of this housing form.
Encouraging housing that meets the needs of vulnerable members of the community, including very low to moderate income households, seniors and people with a disability	The proposal provides smaller-format rental accommodation in a co-living model, supporting housing choice for a range of household types and income levels. Accessible rooms are also provided within the development.
Ensuring new housing development provides residents with a reasonable level of amenity	The proposal provides 153.6m² of communal areas, exceeding the minimum 122m² requirement by 31.6m², or approximately 25.9%. The ground floor communal area is not affected by the dimensional non-compliance, and the upper-level communal spaces remain usable and functional notwithstanding the circulation and access interfaces.
Promoting housing in locations that make good use of existing and planned infrastructure and services	The site is zoned R4 High Density Residential and is located close to Lidcombe Town Centre, public transport, services and open space. The proposal makes efficient use of existing infrastructure in an accessible urban location.
Minimising adverse climate and environmental impacts of new housing development	The proposal includes communal living areas distributed throughout the building, reducing reliance on larger private rooms and supporting a more efficient co-living housing

	model. The amended plans also provide compliant communal open space and increased deep soil provision.
Reinforcing the importance of designing housing in a way that reflects and enhances its locality	The proposal adopts a six-storey built form consistent with the emerging high-density character of the locality. The communal living areas are integrated into the building layout and provide shared resident amenity across multiple levels.
Supporting short-term rental accommodation as a home-sharing activity and contributor to local economies, while managing social and environmental impacts from this use	This principle is not directly applicable, as the proposal is for co-living housing rather than short-term rental accommodation.
Mitigating the loss of existing affordable rental housing	The proposal will deliver 52 co-living rooms and therefore contributes positively to rental housing supply in the locality.

The proposal achieves the planning purpose of the communal living area requirement notwithstanding the dimensional departure. The development is required to provide 122m² of communal living area and provides 153.6m², exceeding the minimum requirement by 31.6m², or approximately 25.9%. There is therefore no shortfall in the total amount of communal living area.

The ground floor communal area provides 100.2m² and is not subject to the dimensional non-compliance. The variation is confined to the communal living areas on Levels 1 to 5, which have each been designed with a 3m x 3m functional area, but also accommodate circulation and access functions including access to residential rooms and electrical / communications cupboard doors.

The non-compliance is therefore technical and dimensional in nature, rather than a substantive shortfall in communal amenity. The upper-level communal areas remain usable and functional, and are supplemented by compliant communal open space at ground and rooftop levels. Strict compliance would not materially improve the functionality or amenity of the development, as the proposal already provides sufficient, accessible and well-distributed communal spaces for residents.

For these reasons, compliance with the communal living area dimension requirement is unreasonable or unnecessary in the circumstances. The planning purpose of the standard is achieved notwithstanding the non-compliance, and the proposed variation is appropriately supported under clause 4.6(3)(a).

CLAUSE 4.6 (3) (B) ENVIRONMENTAL PLANNING GROUNDS

The applicant submits that there are sufficient environmental planning grounds to justify the contravention of the communal living area dimension requirement in this instance.

Those grounds are not generic to co-living housing development or to residential redevelopment generally. Rather, they arise from the particular circumstances of the proposal, including the fact that the development exceeds the total communal living area requirement, the dimensional non-compliance is confined to the smaller communal areas on Levels 1 to 5, and the proposal provides a broader package of communal amenity including compliant communal open space.

The relevant environmental planning grounds are as follows:

- the proposal provides 153.6m² of communal areas, exceeding the minimum 122m² requirement for 52 private rooms by 31.6m², or approximately 25.9%;
- the principal ground floor communal area provides 100.2m² and is not subject to the dimensional non-compliance;
- the variation is confined to the communal living areas on Levels 1 to 5, which are supplementary distributed communal spaces within the overall development;
- each Level 1 to 5 communal living area has been designed with a 3m x 3m functional area, with the variation arising because parts of those spaces also accommodate circulation and access functions, including access to residential rooms and electrical / communications cupboard doors;
- the non-compliance is technical and dimensional in nature and does not represent a shortfall in the total quantum of communal living area or a failure to provide usable resident amenity;
- the distribution of communal living areas across multiple levels improves convenience and accessibility for residents by providing shared spaces close to residential rooms;
- the proposal complies with the communal open space requirement under the Housing SEPP and provides substantial ground-level and rooftop communal open space, reinforcing the overall adequacy of shared resident amenity;
- strict compliance with the 3 metre dimension requirement would not materially improve the functionality or amenity of the communal spaces, as the proposal already provides sufficient, accessible and well-distributed communal areas; and
- the proposal remains consistent with the planned high-density residential character of the locality and supports the delivery of diverse rental housing in a well-serviced location.

Taken together, these matters provide sufficient environmental planning grounds to justify the contravention of the communal living area dimension requirement. The grounds relied upon are specific to the site, the design, the nature of the variation and

the overall communal amenity package provided within the development. They are therefore sufficient for the purposes of clause 4.6(3)(b).

Accordingly, the proposed variation is supportable from an environmental planning perspective, and there is merit in varying the communal living area dimension requirement to achieve an appropriate balance between housing delivery, resident amenity, functionality and efficient internal planning. The departure therefore furthers the objects of the Environmental Planning and Assessment Act 1979 and provides suitable environmental planning grounds that satisfy clause 4.6(3)(b).

CONCLUSION

This written request demonstrates that the proposed variation to the communal living area dimension requirement is appropriately justified under clause 4.6 of the Cumberland Local Environmental Plan 2021.

The variation relates to clause 68 of the State Environmental Planning Policy (Housing) 2021. The proposal is required to provide 122m² of communal living area for 52 private rooms and provides 153.6m², exceeding the minimum requirement by 31.6m², or approximately 25.9%.

The dimensional non-compliance is confined to the communal living areas on Levels 1 to 5. The principal ground floor communal area provides 100.2m² and is not affected by the variation. The Level 1 to 5 communal areas have each been designed with a 3m x 3m functional area, with the variation arising because parts of those spaces also accommodate circulation and access functions, including access to residential rooms and electrical / communications cupboard doors.

The non-compliance is therefore technical and dimensional in nature and does not represent a shortfall in the overall quantum, distribution or usability of communal space. The proposal also complies with the communal open space requirement under the Housing SEPP and provides additional ground-level and rooftop communal open space, reinforcing the adequacy of resident amenity.

For these reasons, the applicant submits that:

- compliance with the communal living area dimension requirement is unreasonable or unnecessary in the circumstances for the purposes of clause 4.6(3)(a); and
- there are sufficient environmental planning grounds to justify the contravention for the purposes of clause 4.6(3)(b).

It is further submitted that the variation is in the public interest because the proposal remains consistent with the planning purpose of the communal living area control, the principles of the Housing SEPP and the objectives of the R4 High Density Residential zone.

Council is therefore requested to be satisfied with this written request and grant development consent to the proposed variation pursuant to clause 4.6.

DOCUMENTS ASSOCIATED WITH REPORT ELPP021/26

Attachment 8

Clause 4.6 Variation Request - Building Separation

think planners

Clause 4.6 Variation

BUILDING SEPARATION

16 BERNARD STREET, LIDCOMBE

30 APRIL 2026



QUALITY ASSURANCE	
PROJECT:	*4.6 Variation: Building Separation for Co-living housing*
ADDRESS:	*16 Bernard Street, Lidcombe*
LOT/DP:	*Lots 10 & 11 in Section 1 DP3424*
COUNCIL:	*Cumberland City Council*
AUTHOR:	*Think Planners Pty Ltd*

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Prepared by:	**Purpose of Issue:**	**Date:**
Sean Riddell	*Draft Issue*	*30 April 2026*
Reviewed by:	**Purpose of Issue:**	**Date:**
Jonathon Wood	*Submission Issue*	*30 April 2026*

CONTENTS

CLAUSE 4.6 DEPARTURE – BUILDING SEPARATION 4

VARIATION TO THE DEVELOPMENT STANDARD 4

RELEVANT CASE LAW 8

ASSESSMENT 10

CL.4.6 (3) (A) COMPLIANCE WITH THE DEVELOPMENT STANDARD IS UNREASONABLE OR UNNECESSARY IN THE CIRCUMSTANCES 10

CLAUSE 4.6 (3) (B) ENVIRONMENTAL PLANNING GROUNDS 12

CONCLUSION 14

CLAUSE 4.6 DEPARTURE – BUILDING SEPARATION

VARIATION TO THE DEVELOPMENT STANDARD

This written request has been prepared pursuant to clause 4.6 of the Cumberland Local Environmental Plan 2021 in support of a development application seeking consent for the demolition of existing structures and the construction of a six-storey co-living housing development with basement parking at 16 Bernard Street, Lidcombe.

The development standard sought to be varied relates to building separation for co-living housing under clause 69(2)(b) of the State Environmental Planning Policy (Housing) 2021. Clause 69(2)(b) requires the consent authority, in considering development for the purposes of co-living housing of at least three storeys, to consider whether the building will comply with the minimum building separation distances specified in the Apartment Design Guide.

This request does not seek to vary the permissibility of co-living housing or the overall suitability of the use. It is confined to the building separation matter arising under clause 69(2)(b) of the Housing SEPP.

Numerical Variation to the ADG Building Separation Requirement

The relevant building separation guidance is contained in the Apartment Design Guide, which provides minimum separation distances from buildings to side and rear boundaries to assist in achieving visual privacy between windows and balconies. The relevant ADG design criteria are summarised below:

Building height	Habitable rooms and balconies	Non-habitable rooms
Up to 12m (4 storeys)	6m	3m
Up to 25m (5–8 storeys)	9m	4.5m
Over 25m (9+ storeys)	12m	6m

In this case, the northern elevation has been specifically designed with privacy mitigation measures, including obscured glazing up to 1.8 metres and vertical screening. On that basis, the relevant separation assessment is appropriately undertaken against the non-habitable / privacy-treated separation distances, rather than the full habitable room separation distances- as it creates a non-habitable condition to that northern setback.

For the lower four storeys, the relevant ADG separation distance is 3 metres, being the non-habitable separation distance applying to the part of the building up to 12 metres in height. The proposal provides a 3 metre separation to the northern boundary at these levels and therefore achieves numerical compliance for the lower four storeys if treated as a non-habitable condition. If it is treated as a habitable condition the variation is 3m and equates to a 100% departure- however given the design treatment this is not considered the appropriate measure of building separation- particularly in the context of a 3m permissible setback under the CDCP 2021 and the non-habitable design elements.

For the upper two residential storeys, the relevant ADG separation distance is 4.5 metres, being the non-habitable separation distance applying to the part of the building between 12 metres and 25 metres in height. The proposal provides a 3 metre separation to the northern boundary at these levels, resulting in a numerical variation of 1.5 metres. *This represents a variation of 33.3% to the 4.5 metre ADG separation distance.*

The numerical variation is therefore limited to the upper two residential levels of the northern elevation. It does not apply to the lower four storeys, which achieve the applicable 3 metre separation, and it does not affect the site's three street frontages. The variation is further mitigated by the proposed privacy treatment, the existing single-storey form of the adjoining dwelling to the north, and the absence of elevated habitable windows or balconies directly opposite the relevant northern elevation.

Nature and Extent of the Variation

As the proposal comprises a six-storey co-living development, the building separation considerations in clause 69(2)(b) of the Housing SEPP are engaged. The relevant departure relates to the northern interface of the proposed building with the adjoining property at 14 Bernard Street, Lidcombe. The remaining elevations address the site's three street frontages to Bernard Street, Raymond Street and Rebecca Street and do not give rise to the same direct adjoining residential interface.

The amended architectural plans have been revised to specifically respond to the building separation and visual privacy relationship at the northern boundary. In particular, the northern-facing window associated with the communal open space is provided with obscured glazing up to 1.8 metres, with clear glazing above and vertical battens as an additional privacy measure.

Figure 1: Northern elevation privacy treatment showing obscured glazing and screening (Source: Marchese Partners).

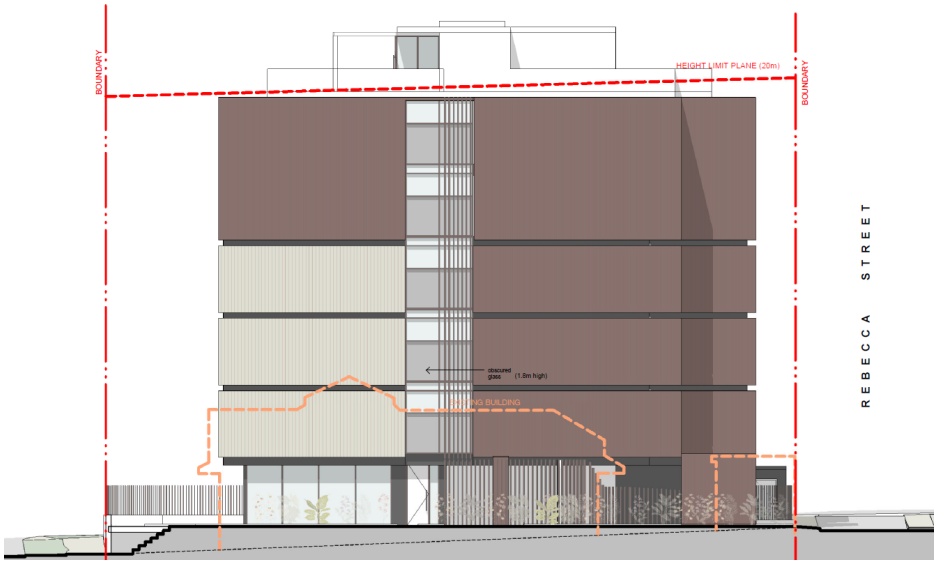
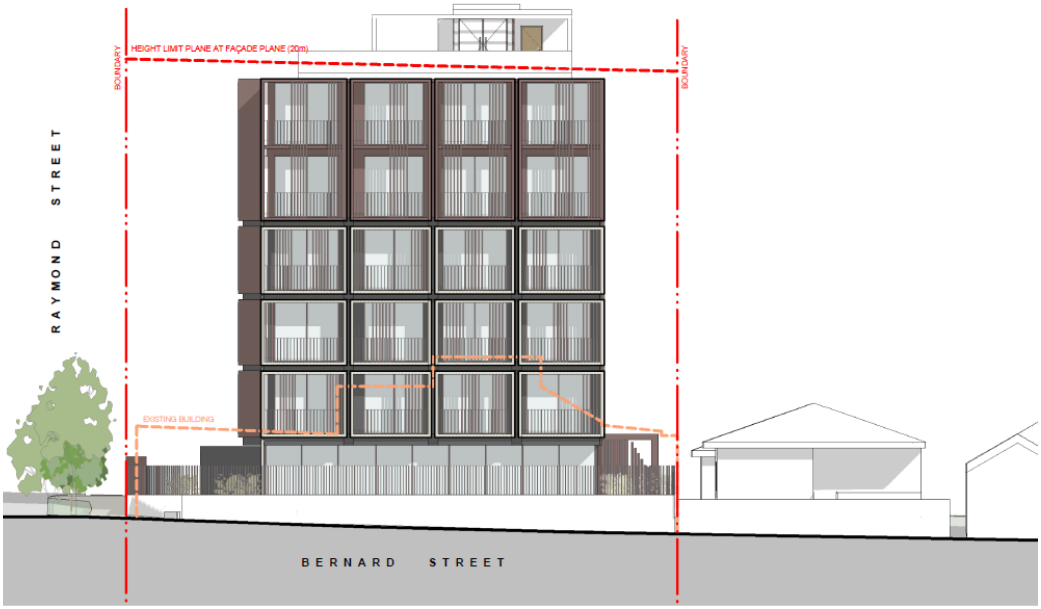


Figure 2: East Elevation Showing Building Separation and Relationship to Adjoining Northern Property at 14 Bernard Street (Source: Marchese Partners).



While the proposal does not achieve strict numerical compliance with the relevant building separation distance to the northern boundary, the non-compliance is limited and has been addressed through a considered architectural and amenity response. The privacy measures incorporated into the amended plans ensure that the development can provide appropriate outlook and daylight for residents while managing potential overlooking impacts to the adjoining northern property.

This written request seeks to justify the variation on the basis that:

- the proposal is fully compliant with the DCP setback control of 3m that applies to the development under the Cumberland DCP 2021.
- the variation is confined to the upper two residential levels of the northern interface with 14 Bernard Street and does not affect the site's three street frontages;
- the lower four storeys achieve the applicable 3 metre ADG separation distance for non-habitable / privacy-treated openings;
- the upper two residential storeys provide a 3 metre separation where 4.5 metres is identified by the ADG, resulting in a 1.5 metre variation, or 33.3%;
- the adjoining property to the north is currently occupied by a single-storey dwelling, meaning there are no elevated habitable windows or balconies directly opposite the proposed northern elevation;
- the existing single-storey built form to the north limits the practical visual privacy impacts arising from the building separation variation;
- the proposal incorporates specific privacy mitigation measures, including obscured glazing up to 1.8 metres, clear glazing above and vertical battens;
- the amended design maintains daylight, outlook and internal amenity for future residents while appropriately managing potential overlooking to the adjoining northern property;
- the variation does not prevent the adjoining northern site from being reasonably redeveloped in the future with its own building separation and privacy responses;
- strict numerical compliance would not materially improve the planning outcome in circumstances where the adjoining development is single storey and the amended plans incorporate targeted privacy measures that directly address the relevant amenity impact; and
- the proposal achieves the underlying planning intent of the building separation control by maintaining acceptable residential amenity and managing visual privacy impacts.

Clause 4.6 permits development consent to be granted for development that contravenes a development standard where the consent authority is satisfied that compliance with the development standard is unreasonable or unnecessary in the circumstances, and that there are sufficient environmental planning grounds to justify the contravention.

For the reasons set out in this written request, it is submitted that the proposed variation satisfies the relevant requirements of clause 4.6 and that the departure from the building separation standard is appropriate in this instance.

RELEVANT CASE LAW

The proper approach to the assessment of a written request under clause 4.6 is well established.

In *Wehbe v Pittwater Council [2007] NSWLEC 827*, Preston CJ identified a number of ways in which compliance with a development standard may be shown to be unreasonable or unnecessary in the circumstances of a particular case. Relevantly, one of those approaches is where the objectives of the development standard are achieved notwithstanding non-compliance with the standard. That approach is directly applicable to this request.

In the present case, the applicant relies principally on that reasoning. The issue is not whether the proposal achieves strict numerical compliance with the building separation distances referenced by clause 69(2)(b) of the Housing SEPP. The relevant question is whether, despite the departure, the proposal achieves the planning outcomes sought by the building separation control, including appropriate visual privacy, residential amenity, outlook, daylight access and an acceptable relationship with adjoining land.

The applicant submits that those outcomes are achieved.

The variation is confined to the northern interface with 14 Bernard Street, which is presently occupied by a single-storey dwelling. The existing adjoining built form does not contain elevated habitable windows, balconies or upper-level private open space directly opposite the proposed northern elevation. This substantially limits the practical privacy consequences of the variation in the existing context.

Further, the amended plans incorporate specific privacy mitigation measures, including obscured glazing up to 1.8 metres, clear glazing above and vertical battens. Those measures demonstrate that the proposal has been designed to respond directly to the amenity purpose of the building separation control, rather than simply relying on numerical separation.

Clause 4.6 does not require a consent authority to be satisfied that compliance is impossible, nor does it require that a variation be justified only in exceptional or unique circumstances. Rather, the clause requires a planning assessment directed to whether compliance is unreasonable or unnecessary in the circumstances and whether there are sufficient environmental planning grounds to justify the contravention.

The applicant relies on those principles in support of this written request.

In particular, this request is advanced on the basis that:

- the objectives and planning intent of the building separation control are achieved notwithstanding the non-compliance;

- the variation is limited to the northern interface and does not affect the site's three street frontages;
- the adjoining northern property is presently occupied by a single-storey dwelling, limiting the practical privacy impacts of the variation;
- the amended architectural plans incorporate specific visual privacy measures, including obscured glazing and vertical battens;
- the proposal maintains an acceptable level of amenity for future residents and adjoining properties;
- the variation does not prevent the adjoining northern site from being reasonably redeveloped in the future; and
- there are sufficient environmental planning grounds specific to the site, the design and the nature of the variation to justify the departure.

For those reasons, the applicant submits that the proper exercise of clause 4.6 in this instance is available and appropriate.

ASSESSMENT

CL.4.6 (3) (A) COMPLIANCE WITH THE DEVELOPMENT STANDARD IS UNREASONABLE OR UNNECESSARY IN THE CIRCUMSTANCES

The applicant submits that compliance with the building separation requirement is unreasonable or unnecessary in the circumstances of this case.

That conclusion is reached having regard to the well-established principle in *Wehbe v Pittwater Council* that compliance may be unreasonable or unnecessary where the objectives or planning purpose of the development standard are achieved notwithstanding non-compliance. The applicant relies on that reasoning here.

The building separation requirement is intended to ensure that development provides an appropriate spatial relationship between buildings, maintains reasonable levels of visual privacy, supports residential amenity, and avoids unacceptable overlooking or adverse impacts between adjoining properties.

The proposal achieves that planning purpose notwithstanding the numerical departure, as outlined below:

- The numerical non-compliance is confined to the upper two residential levels, where a 3 metre separation is provided in lieu of the 4.5 metre ADG separation distance, resulting in a 1.5 metre variation, or 33.3%.
- The variation is limited to the northern interface with 14 Bernard Street and does not affect the site's three street frontages.
- The adjoining northern property is presently occupied by a single-storey dwelling, which limits the practical privacy impacts of the departure because there are no upper-level habitable windows or balconies directly opposite the proposed northern elevation.
- The amended design also includes obscured glazing to 1.8 metres, clear glazing above and vertical battens to the relevant northern-facing window, thereby restricting direct overlooking while maintaining daylight and outlook for future residents.

The proposal therefore achieves the underlying intent of the building separation requirement by providing an acceptable amenity relationship between the development and adjoining land. The variation does not result in unreasonable overlooking, does not compromise the continued residential use of the adjoining property, and does not prevent that land from being reasonably redeveloped in the future with its own appropriate building separation and privacy responses.

As clause 69 of the SEPP (Housing) 2021 forms part of the co-living housing provisions, the broader principles of the Housing SEPP are also relevant:

Principle	Comment
Enabling the development of diverse housing types, including purpose-built rental housing	The proposal provides 52 co-living rooms, contributing to housing diversity and purpose-built rental accommodation in an accessible high-density residential location.
Encouraging housing that meets the needs of vulnerable members of the community, including very low to moderate income households, seniors and people with a disability	The proposal provides a co-living housing model that supports smaller-format and more affordable rental accommodation. Accessible rooms are also provided within the development.
Ensuring new housing development provides residents with a reasonable level of amenity	The amended design provides communal areas, rooftop communal open space, landscaped areas, and internal amenity for residents. The building separation variation does not prevent the development from achieving a reasonable level of privacy, daylight, outlook and amenity.
Promoting housing in locations that make good use of existing and planned infrastructure and services	The site is zoned R4 High Density Residential and is located close to Lidcombe Town Centre, public transport, services and open space. The proposal makes efficient use of existing infrastructure in an accessible urban location.
Minimising adverse climate and environmental impacts of new housing development	The amended plans increase deep soil provision and incorporate landscape and sustainability measures, including rooftop photovoltaic panels, contributing to improved environmental performance.
Reinforcing the importance of designing housing in a way that reflects and enhances its locality	The proposal adopts a six-storey built form consistent with the emerging high-density character of the locality. The design includes articulation, material variation and privacy treatments to ensure an appropriate contextual response.
Supporting short-term rental accommodation as a home-sharing activity and contributor to local economies, while managing social and environmental impacts from this use	This principle is not directly applicable, as the proposal is for co-living housing rather than short-term rental accommodation.
Mitigating the loss of existing affordable rental housing	The proposal will deliver 52 co-living rooms and therefore contributes positively to rental housing supply in the locality.

In light of the above, the proposal remains consistent with the broader principles of the SEPP (Housing) 2021 and achieves the planning purpose of the building separation requirement notwithstanding the variation. Accordingly, strict compliance with the development standard is unreasonable or unnecessary in the circumstances of the case.

CLAUSE 4.6 (3) (B) ENVIRONMENTAL PLANNING GROUNDS

The applicant submits that there are sufficient environmental planning grounds to justify the contravention of the building separation requirement in this instance.

Those grounds are not generic to co-living housing development or to redevelopment of high-density residential land generally. Rather, they arise from the particular circumstances of the site, the limited nature of the variation, the existing single-storey built form on the adjoining northern property, and the amended architectural response that has been incorporated to manage visual privacy impacts.

The relevant environmental planning grounds are as follows:

- the development proposal is compliant with the 3m setback control contained in the Cumberland DCP 2021.
- the variation is confined to the upper two residential levels of the northern interface with 14 Bernard Street. The lower four storeys achieve the applicable 3 metre ADG separation distance for non-habitable / privacy-treated openings, meaning the numerical non-compliance is not a whole-building separation departure;
- the numerical variation is limited to 1.5 metres from the 4.5 metre ADG separation distance applicable to the upper two residential levels, representing a 33.3% variation. This is a confined and clearly identifiable departure, rather than a broad or unresolved building separation issue;
- the subject site benefits from three street frontages to Bernard Street, Raymond Street and Rebecca Street, meaning the building separation issue is limited to one adjoining boundary condition rather than being a broader site-wide separation concern;
- the adjoining northern property is presently occupied by a single-storey dwelling and does not contain upper-level habitable windows, balconies or elevated private open space directly opposite the proposed northern elevation. This substantially limits the practical privacy impacts of the numerical departure in the current context;
- the amended design incorporates specific and effective privacy mitigation measures. Obscured glazing is provided up to 1.8 metres to the relevant northern-facing window associated with the communal open space, with clear glazing above and vertical battens provided as an additional screening element. These measures respond directly to the planning purpose of the building separation control and ensure potential overlooking impacts are appropriately managed;
- the variation allows the proposal to maintain resident amenity while also managing neighbour amenity. Strict compliance would likely require a more constrained internal planning outcome and may reduce the functionality, daylight access and usability of communal areas. The amended design achieves an appropriate balance by maintaining usable communal space and outlook while incorporating physical privacy measures to protect adjoining land;

- the variation does not compromise the orderly and economic development of adjoining land. Any future redevelopment of 14 Bernard Street would be capable of responding to the established built form on the subject site through its own building separation, orientation, window placement, screening and privacy measures. The proposal therefore does not sterilise or unreasonably constrain adjoining land;
- the proposal remains consistent with the planned high-density residential character of the locality. The site is zoned R4 High Density Residential and is located in an area where more intensive residential forms are anticipated. The variation does not result in excessive bulk, unreasonable overlooking or an unacceptable amenity relationship, but forms part of a considered design response to an urban infill site; and
- strict compliance would not deliver a materially superior planning outcome. The planning purpose of the building separation requirement is achieved through the combination of site context, design response and privacy mitigation measures, such that insistence on strict numerical compliance would impose unnecessary design constraints without a corresponding amenity benefit.

Taken together, these matters provide sufficient environmental planning grounds to justify the contravention of the building separation requirement. The grounds relied upon are specific to the site, the design response, the adjoining context and the nature of the variation. They are therefore sufficient for the purposes of clause 4.6(3)(b).

Accordingly, the proposed variation is supportable from an environmental planning perspective, and there is merit in varying the building separation requirement to achieve an appropriate balance between housing delivery, resident amenity, visual privacy and orderly development. The departure therefore furthers the objects of the Environmental Planning and Assessment Act 1979 and provides suitable environmental planning grounds that satisfy clause 4.6(3)(b).

CONCLUSION

This written request demonstrates that the proposed variation to the building separation requirement is appropriately justified under clause 4.6 of the Cumberland Local Environmental Plan 2021.

The variation relates to clause 69(2)(b) of the State Environmental Planning Policy (Housing) 2021 and the building separation guidance referenced through the Apartment Design Guide. The lower four storeys achieve the applicable 3 metre separation distance to the northern boundary. The numerical variation is confined to the upper two residential levels, where a 3 metre separation is provided in lieu of 4.5 metres, resulting in a 1.5 metre variation, or 33.3%.

The variation is limited to the northern interface with 14 Bernard Street and does not affect the site's three street frontages. The adjoining northern property is currently occupied by a single-storey dwelling, which limits the practical visual privacy impacts of the variation. The amended plans further mitigate potential impacts through obscured glazing up to 1.8 metres, clear glazing above and vertical battens to the relevant northern-facing window associated with the communal open space.

The proposal achieves the underlying planning purpose of the building separation requirement by maintaining an acceptable amenity relationship between the subject site and adjoining land. It does not result in unreasonable overlooking, excessive bulk, or a compromised relationship with adjoining development, and does not prevent the orderly redevelopment of 14 Bernard Street in the future.

For these reasons, the applicant submits that:

- compliance with the building separation requirement is unreasonable or unnecessary in the circumstances for the purposes of clause 4.6(3)(a); and
- there are sufficient environmental planning grounds to justify the contravention for the purposes of clause 4.6(3)(b).

It is further submitted that the variation is in the public interest because the proposal remains consistent with the planning purpose of the building separation control, the principles of the Housing SEPP and the objectives of the R4 High Density Residential zone.

Council is therefore requested to be satisfied with this written request and grant development consent to the proposed variation pursuant to clause 4.6.

DOCUMENTS ASSOCIATED WITH REPORT ELPP021/26

Attachment 9

Clause 4.6 Variation Request - Minimum Lot Size

think planners

Clause 4.6 Variation

MINIMUM ALLOTMENT SIZE

16 BERNARD STREET, LIDCOMBE

23 MARCH 2025



QUALITY ASSURANCE	
PROJECT:	4.6 Variation: Minimum lot size for Co-living housing
ADDRESS:	16 Bernard Street, Lidcombe
LOT/DP:	Lots 10 & 11 in Section 1 DP3424
COUNCIL:	Cumberland City Council
AUTHOR:	Think Planners Pty Ltd

Document Management		
Prepared by:	Purpose of Issue:	Date:
Sean Riddell	Draft Issue	13 November 2025
Reviewed by:	Purpose of Issue:	Date:
Jonathon Wood	Submission Issue	23 March 2025

CONTENTS

CLAUSE 4.6 DEPARTURE – MINIMUM ALLOTMENT SIZE 4

VARIATION TO THE DEVELOPMENT STANDARD 4
SITE ISOLATION 6

RELEVANT CASE LAW 8

ASSESSMENT 10

CL.4.6 (3) (A) COMPLIANCE WITH THE DEVELOPMENT STANDARD IS UNREASONABLE OR UNNECESSARY IN THE CIRCUMSTANCES 10
CLAUSE 4.6 (3) (B) ENVIRONMENTAL PLANNING GROUNDS 14

CONCLUSION 16

CLAUSE 4.6 DEPARTURE – MINIMUM ALLOTMENT SIZE

VARIATION TO THE DEVELOPMENT STANDARD

This written request has been prepared pursuant to **clause 4.6 of the Cumberland Local Environmental Plan 2021** in support of a development application seeking consent for the demolition of existing structures and the construction of a **six-storey co-living housing development with basement parking** at **16 Bernard Street, Lidcombe**.

The development standard sought to be varied is contained in **clause 69(1)(b)(ii) of the State Environmental Planning Policy (Housing) 2021**, which requires that development consent must not be granted for co-living housing unless the consent authority is satisfied that the minimum lot size is not less than:

800m² for development on land other than land in Zone R2 Low Density Residential.

The subject site has an area of **741m²**. Accordingly, the proposal departs from the minimum lot size requirement by **59m²**, representing a variation of approximately **7.4%** from the development standard.

This written request seeks to justify that variation under clause 4.6 on the basis that:

- the shortfall is modest in numerical terms;
- the variation arises in circumstances where the site functions as an **isolated allotment**;
- genuine attempts have been made to acquire and amalgamate the adjoining land to achieve compliance with the standard;
- those attempts have not been successful despite valuation advice, a formal written offer and follow-up correspondence;
- the site remains capable of accommodating an orderly and appropriate form of co-living housing development;
- the proposal is consistent with the planning framework applying to the land and does not undermine the intent of the minimum lot size control.

Clause 4.6 permits development consent to be granted for development that contravenes a development standard where the consent authority is satisfied that:

1. **compliance with the development standard is unreasonable or unnecessary in the circumstances**, and

2. **there are sufficient environmental planning grounds to justify the contravention of the development standard**.

For the reasons set out in this written request, it is submitted that the proposed variation satisfies those requirements and that the application of clause 4.6 is appropriate in this instance.

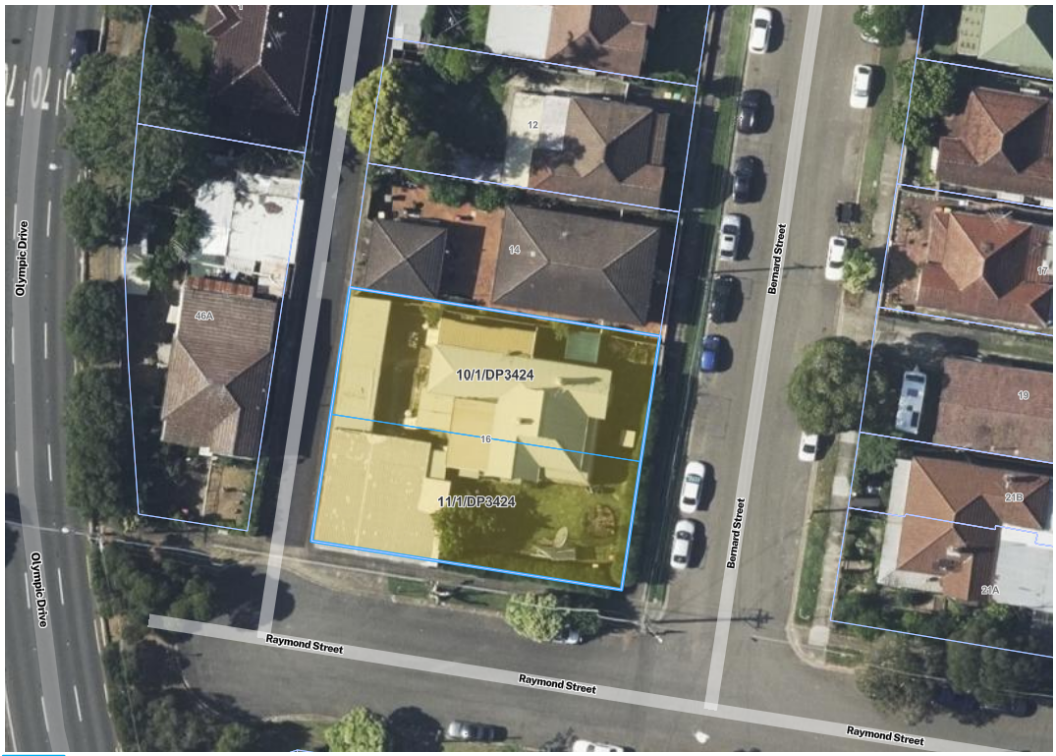
SITE ISOLATIION AND AMALGAMATION ATTEMPTS

The variation to the minimum lot size requirement arises as a consequence of the subject site functioning as an **isolated allotment** for the purposes of redevelopment. The site has an area of **741m²**, representing a shortfall of **59m²** or approximately **7.4%** from the **800m²** minimum lot size required for co-living housing under clause 69(1)(b)(ii) of the Housing SEPP.

The non-compliance is not the result of an arbitrary subdivision pattern or a deliberate attempt to avoid the application of the standard. Rather, it arises because the subject site is physically constrained by its existing allotment boundaries and is unable to achieve the prescribed minimum lot size without amalgamation of adjoining land.

The subject site at **16 Bernard Street, Lidcombe** is bounded by **14 Bernard Street** to the north, **Bernard Street** to the east, **Raymond Street** to the south and **Rebecca Street** to the west. It is therefore a prominent allotment with **three street frontages** and a single non-street interface to the north. That site configuration is relevant not only to the built form response, but also to the question of whether the site can reasonably be expected to comply with the minimum lot size requirement in the absence of acquisition of adjoining land.

Figure 1: Aerial Map Extract of Subject Site (Six Maps).



- Subject Site

In order to pursue compliance with the minimum lot size requirement, the applicant has made genuine attempts to acquire and amalgamate the adjoining property at **14 Bernard Street, Lidcombe**. Those efforts have included obtaining valuation advice in relation to the adjoining land, issuing a formal written offer to the adjoining owner, and undertaking follow-up correspondence and negotiations.

Importantly, the applicant's attempts to acquire the adjoining property have not been merely informal or exploratory. The adjoining owner was provided with valuation-supported material and a formal written offer at a purchase price exceeding the assessed market value contained in one of the valuation reports. Despite those efforts, acquisition has not been achieved.

In those circumstances, the subject site must be assessed on the basis of the land presently available to the applicant, rather than on the assumption that amalgamation is reasonably available or likely to occur. The relevant planning question is therefore whether the site, as it presently exists, is capable of accommodating an orderly and appropriate form of development notwithstanding the modest shortfall in lot size.

The applicant submits that it is.

The site is not an undersized or irregular remnant incapable of redevelopment. It is a substantial urban allotment of **741m²** with generous street frontage dimensions and a clear capacity to support a coordinated development outcome. The site's dimensions, zoning and location permit a coherent built form response notwithstanding the minor shortfall to the prescribed minimum site area. The proposal has been designed having regard to those physical characteristics and is capable of delivering an orderly co-living housing development outcome on the site.

Further, the inability to secure amalgamation does not mean that the adjoining land is sterilised or that orderly future development of surrounding land is compromised. The amended plans and associated contextual material demonstrate that the proposal does not preclude a reasonable future redevelopment outcome on the adjoining northern site. Rather, the proposal and the adjoining land remain capable of orderly development within the broader planning framework applying to the locality.

Accordingly, the applicant submits that the variation should be considered in the context of a site which functions as an isolated allotment despite genuine efforts to achieve amalgamation. The minimum lot size shortfall is modest, arises from circumstances beyond the applicant's control, and does not prevent the site from accommodating an appropriate and orderly form of development.

RELEVANT CASE LAW

The proper approach to the assessment of a written request under **clause 4.6** is well established.

In ***Wehbe v Pittwater Council*** **[2007] NSWLEC 827**, Preston CJ identified a number of ways in which compliance with a development standard may be shown to be **unreasonable or unnecessary** in the circumstances of a particular case. Relevantly, one of those approaches is where the **objectives of the development standard are achieved notwithstanding non-compliance with the standard**. That approach remains directly applicable to the present request.

In the present case, the applicant relies principally on that reasoning. The issue is not whether the site numerically satisfies the **800m²** minimum lot size requirement. Plainly, it does not. The relevant question is whether, despite that modest shortfall, the proposal remains consistent with the purpose of the minimum lot size control and whether the planning outcomes sought by that control are nonetheless achieved.

The applicant submits that they are.

The present request also arises in the context of a site which functions as an **isolated allotment**. In that regard, the reasoning in decisions concerning isolated sites and orderly redevelopment is relevant. Those authorities recognise that the planning system should not operate in a way that indefinitely prevents the redevelopment of land merely because amalgamation with adjoining land has not been achievable, provided that genuine attempts have been made to acquire adjoining land and provided that the resulting development does not unreasonably compromise the orderly and economic development of surrounding land.

That is the circumstance here. The applicant has made genuine efforts to acquire and amalgamate the adjoining northern property. Despite those efforts, amalgamation has not been secured. The site must therefore be assessed in its present form, with the relevant question being whether a suitable and orderly development outcome can occur on the land notwithstanding the departure from the minimum lot size requirement.

Further, clause 4.6 does not require a consent authority to be satisfied that compliance is impossible, nor does it require that a variation be justified only in exceptional or unique circumstances. Rather, the clause requires a careful planning assessment directed to whether compliance is unreasonable or unnecessary in the circumstances and whether there are sufficient environmental planning grounds to justify the contravention.

The applicant relies on those principles in support of this written request.

In particular, this request is advanced on the basis that:

- the **objectives of the minimum lot size control are achieved notwithstanding the non-compliance**;
- the extent of the variation is **modest**;
- the site functions as an **isolated allotment** despite genuine attempts to achieve amalgamation;
- the proposal does not compromise the **orderly and economic development** of the locality; and
- there are **sufficient environmental planning grounds** specific to the site and the development to justify the variation.

For those reasons, the applicant submits that the proper exercise of clause 4.6 in this instance is not only available, but appropriate.

ASSESSMENT

CL.4.6 (3) (A) COMPLIANCE WITH THE DEVELOPMENT STANDARD IS UNREASONABLE OR UNNECESSARY IN THE CIRCUMSTANCES

The applicant submits that compliance with the minimum lot size requirement is **unreasonable or unnecessary in the circumstances** of this case.

That conclusion is reached having regard to the well-established principle in *Wehbe v Pittwater Council* that compliance may be unreasonable or unnecessary where the **objectives of the development standard are achieved notwithstanding non-compliance**. The applicant relies on that reasoning here.

The minimum lot size requirement is intended to ensure that land proposed to be developed for co-living housing is of sufficient size and dimension to accommodate an appropriate built form outcome, provide a satisfactory level of residential amenity, and avoid development outcomes that are constrained, ad hoc or incompatible with the planning framework applying to the land.

In the present case, those outcomes are achieved notwithstanding the variation.

Firstly, the extent of the non-compliance is **modest**. The site has an area of **741m²**, resulting in a shortfall of **59m²** from the required **800m²** minimum. This equates to a variation of approximately **7.4%**. In numerical terms, the departure is minor and does not, of itself, indicate that the site is incapable of accommodating a suitable development outcome.

Secondly, the subject site is not an undersized remnant or an irregular parcel incapable of supporting orderly redevelopment. It is a substantial urban allotment with frontage to **Bernard Street, Raymond Street and Rebecca Street**, and a single non-street interface to the north. The site has sufficient area, frontage and depth to accommodate a coherent built form outcome and has been designed accordingly. The amended proposal demonstrates that the site is capable of supporting co-living housing in a manner that is orderly, legible and responsive to its context notwithstanding the modest shortfall in site area.

Thirdly, the variation arises in circumstances where the site functions as an **isolated allotment**. The applicant has made genuine attempts to acquire and amalgamate the adjoining northern site in order to achieve compliance with the minimum lot size requirement. Those attempts have included obtaining valuation advice, making a formal written offer and pursuing follow-up correspondence. Despite those efforts, amalgamation has not been achieved. In those circumstances, strict compliance with the development standard would have the practical effect of preventing redevelopment of the site unless and until land outside the applicant's control became available. In the circumstances of this case, that outcome would be unreasonable.

Fourthly, the proposal does not undermine the planning purpose of the lot size standard. The shortfall in site area has not resulted in a disordered, over constrained or site-specific outcome that would be contrary to the planning framework. To the contrary, the amended proposal demonstrates that the site is capable of accommodating a development outcome that responds to the site's three-street frontage condition, provides the required amenity and servicing outcomes, and remains consistent with the broader planning controls applying to the land.

Importantly, the departure from the minimum lot size standard does not give rise to the planning mischief that the standard is intended to avoid. The proposal is not dependent on an artificial or compromised design response brought about solely by site deficiency. Rather, the scheme has been developed having regard to the actual characteristics of the site and has been amended to address issues raised during Council's assessment, including floor space ratio, communal area, deep soil provision, resident amenity, traffic and stormwater management. Those amendments reinforce that the site is capable of accommodating an appropriate development outcome notwithstanding the lot size variation.

Fifthly, the variation does not prejudice the **orderly and economic development** of adjoining land. The amended proposal does not sterilise the northern site or preclude a reasonable future redevelopment outcome. The accompanying architectural material demonstrates that the subject development and the adjoining northern land remain capable of orderly development within the broader planning framework applying to the locality. This is a significant consideration in the context of a site isolation case. The variation should not be refused merely because amalgamation has not been achievable, where the site can still be developed appropriately and adjoining land is not unreasonably constrained.

Finally, the site's planning and locational context supports the conclusion that strict compliance is unnecessary in this case. The land is within an **R4 High Density Residential** zone and is located in an area where more intensive residential forms are anticipated. The proposal represents a logical and efficient use of the site in a manner consistent with that planning context. Requiring strict compliance with the minimum lot size standard in the particular circumstances of this site would not produce a superior planning outcome. Rather, it would operate to unnecessarily prevent redevelopment of a site which is otherwise suitable for the proposed form of development.

For those reasons, the applicant submits that compliance with the minimum lot size development standard is **unreasonable or unnecessary in the circumstances**. The objectives of the standard are achieved notwithstanding the non-compliance, and the proposed variation is therefore appropriately supported under clause 4.6(3)(a).

In accordance with the provisions of Cl.4.6(3)(a) it is considered that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case as:

- **The underlying objectives of the control are achieved**

Clause 69 of the SEPP (Housing) 2021 has no listed objectives.

Whilst there is no direct objective for the minimum lot size provision, the principles of the Housing SEPP 2021 are relevant as discussed in the table below:

Principle	Comment
a) enabling the development of diverse housing types, including purpose-built rental housing,	The proposal provides co-living housing units contributing to both diversity and supply of purpose-built rental housing within the locality.
b) encouraging the development of housing that will meet the needs of more vulnerable members of the community, including very low to moderate income households, seniors and people with a disability,	The proposal provides co-living housing which provides for new housing that meets the needs of vulnerable community members, including those on very low and moderate incomes. Accessible housing is provided, further ensuring that all community member needs are met.
c) ensuring new housing development provides residents with a reasonable level of amenity,	The proposal provides high level of amenity within units and with areas of communal open space and living areas that meet Housing SEPP 2021 requirements. The objectives of the SEPP are therefore achieved, despite the minor lot size variation.
d) promoting the planning and delivery of housing in locations where it will make good use of existing and planned infrastructure and services,	The site is located within an established high-density residential zone (R4) and is well serviced by existing urban infrastructure. It is situated within walking distance of the Lidcombe Town Centre, Lidcombe train station, frequent bus services, public open space, and a wide range of retail, community, and employment services. These attributes make the site highly suitable for increased residential intensity, particularly for alternative housing forms such as co-living, which respond to changing housing needs and demographic trends. The proposal represents an efficient and appropriate use of urban land that capitalises on existing infrastructure investment and supports the strategic planning direction for infill housing in accessible locations.

e)	minimising adverse climate and environmental impacts of new housing development,	The proposal includes sustainability features, along with appropriate landscaping, water management measures. A Section J Report confirms that the building itself has been designed to minimise the risk of climatic extremes.
f)	reinforcing the importance of designing housing in a way that reflects and enhances its locality,	The proposal provides a well balanced design solution and scale for the site, along with being consistent with its context. Appropriate landscaping is provided which ensures that the overall character of the locality is significantly enhanced above its existing character.
g)	supporting short-term rental accommodation as a home-sharing activity and contributor to local economies, while managing the social and environmental impacts from this use,	The proposal has a positive social benefit by providing homes to all members of the community within an accessible location. Further, density in an accessible location maximises infrastructure use along with reducing the land area taken for housing, thus having a positive environmental impact.
h)	mitigating the loss of existing affordable rental housing.	The proposal provides 52 rooms which represents a positive benefit in terms of provision of affordable rental housing.

In light of the above, the proposal is clearly consistent with the principles of the Housing SEPP 2021, despite the minor departure from the minimum lot size requirement.

It is also noted that the Cumberland LEP 2021 does not include a minimum lot size for co-living housing, therefore confirming that the minimum lot size within the Housing SEPP is an appropriate and relevant guide for co-living housing.

CLAUSE 4.6 (3) (B) ENVIRONMENTAL PLANNING GROUNDS

The applicant submits that there are **sufficient environmental planning grounds** to justify the contravention of the minimum lot size development standard in this instance. Those grounds are not generic to co-living housing development or to redevelopment of residential land generally. Rather, they arise from the **particular circumstances of the site**, the **modest extent of the variation**, the **genuine but unsuccessful attempts to achieve amalgamation**, and the fact that the proposal is capable of delivering an orderly and appropriate development outcome notwithstanding the shortfall in site area.

1. The first environmental planning ground is the **isolated nature of the subject site**. As set out above, the site cannot achieve compliance with the minimum lot size standard without acquisition of adjoining land. The applicant has taken genuine steps to pursue that outcome, including obtaining valuation advice, issuing a formal written offer and undertaking follow-up negotiations. Despite those efforts, amalgamation has not been achieved. In those circumstances, the site must be assessed on its present merits. This is a site-specific planning circumstance which directly informs the justification for the variation.

2. The second environmental planning ground is the **modest extent of the contravention**. The variation is limited to **59m²**, or approximately **7.4%** below the prescribed minimum. This is not a substantial or transformative departure from the standard. The shortfall does not alter the essential development capacity of the site or prevent it from accommodating an appropriate co-living housing outcome.

3. The third environmental planning ground is that the **site remains physically capable of supporting an orderly and suitable development outcome** notwithstanding the variation. The site is a substantial urban allotment with three street frontages and sufficient dimensions to accommodate a coherent built form response. The amended proposal demonstrates that the development can achieve the relevant planning outcomes for the land, including an appropriate built form, residential amenity, serviceability and environmental performance, despite the site area shortfall.

4. The fourth environmental planning ground is that the variation does not compromise the **orderly and economic development of surrounding land**. The amended proposal does not sterilise adjoining sites or unreasonably constrain their future development potential. The accompanying plans demonstrate that an orderly future development outcome remains achievable on adjoining land, including to the north. This is a relevant and important site-specific planning consideration in circumstances where the variation arises in the context of an isolated allotment.

5. The fifth environmental planning ground is that strict compliance with the minimum lot size requirement in this particular case would produce an **unnecessary planning inefficiency** without delivering a corresponding planning benefit. The result of insisting on strict compliance would be to prevent redevelopment of a site that is otherwise suitable for the proposed form of development, despite the fact that the site is capable of accommodating an orderly and appropriate outcome and despite the applicant having made genuine attempts to secure compliance through amalgamation.

Taken together, these matters provide sufficient environmental planning grounds to justify the contravention of the development standard. The grounds relied upon are specific to the site, the variation, and the circumstances in which the proposal is brought forward. They are therefore sufficient for the purposes of clause 4.6(3)(b).

Therefore, the proposed development is a preferred outcome from an environmental planning perspective and there is merit in varying the lot size control to achieve a better design response on the site. Hence, the departure to the development standard furthers the objects of the Environmental Planning and Assessment Act 1979 and therefore provides suitable environmental planning grounds that satisfies the provisions of Clause 4.6 (3).

CONCLUSION

This written request demonstrates that the proposed variation to the **minimum lot size** development standard is appropriately justified under **clause 4.6** of the Cumberland Local Environmental Plan 2021.

The subject site has an area of **741m²**, resulting in a variation of **59m²** or approximately **7.4%** from the **800m²** minimum lot size required for co-living housing under clause 69(1)(b)(ii) of the Housing SEPP. The variation is modest in numerical terms and does not give rise to the planning outcomes that the standard is intended to prevent.

The applicant has made genuine attempts to achieve compliance with the standard through acquisition and amalgamation of adjoining land. Those attempts have included obtaining valuation advice, issuing a formal written offer and undertaking follow-up negotiations. Despite those efforts, amalgamation has not been achieved. In those circumstances, the site must be assessed on the basis of the land presently available to the applicant.

The proposal demonstrates that the site is capable of accommodating an orderly and appropriate co-living housing development notwithstanding the shortfall in site area. The variation does not result in a disordered or unsuitable built form outcome, does not undermine the planning purpose of the standard, and does not prejudice the orderly and economic development of surrounding land.

For those reasons, the applicant submits that:

- **compliance with the development standard is unreasonable or unnecessary in the circumstances** for the purposes of clause 4.6(3)(a); and
- there are **sufficient environmental planning grounds** to justify the contravention of the development standard for the purposes of clause 4.6(3)(b).

It is further submitted that the variation is **in the public interest** because it is consistent with the objectives of the development standard and the objectives of the **R4 High Density Residential** zone, and because it facilitates an orderly and appropriate development outcome on a site that is otherwise suitable for redevelopment.

Accordingly, the applicant requests that Council be satisfied with this written request and grant development consent to the proposed variation pursuant to clause 4.6.

DOCUMENTS ASSOCIATED WITH REPORT ELPP021/26

Attachment 10

State Environmental Planning Policy (Housing) 2021 Assessment

ATTACHMENT A- State Environmental Planning Policy (Housing) 2021 - Assessment

Section	Controls/objectives	Comments	Complies
Chapter 1 Preliminary			
Section 3 Principles of Policy	The principles of this Policy are as follows— (a) enabling the development of diverse housing types, including purpose-built rental housing, (b) encouraging the development of housing that will meet the needs of more vulnerable members of the community, including very low to moderate income households, seniors and people with a disability, (c) ensuring new housing development provides residents with a reasonable level of amenity, (d) promoting the planning and delivery of housing in locations where it will make good use of existing and planned infrastructure and services, (e) minimising adverse climate and environmental impacts of new housing development, (f) reinforcing the importance of designing housing in a way that reflects and enhances its locality, (g) supporting short-term rental accommodation as a home-sharing activity and contributor to local economies, while managing the social and environmental impacts from this use, (h) mitigating the loss of existing affordable rental housing.	The proposal provides residents with a reasonable level of amenity, enables diverse housing types and is delivered in a location where co living housing will make good use of existing and planned infrastructure and services within the Lidcombe locality. The proposed development is a form of diverse housing which meets the needs of more vulnerable members of the community. The proposal generally complies with the principles of this SEPP.	Yes.
Chapter 3 Diverse Housing			
Part 3 Co-living housing			
Section 67 Co-living housing may be carried out on certain land with consent	Development for the purposes of co-living housing may be carried out with consent on land in a zone in which— (a) development for the purposes of co-living housing is permitted under another environmental planning instrument, or (b) development for the purposes of residential flat buildings or shop top housing is permitted under Chapter 5, Chapter 6 or another environmental planning instrument. **Example—** Co-living housing may be used as off-campus student accommodation.	The land is zoned R4 High Density Residential under the Cumberland LEP 2021, within which co-living housing is permitted with consent and is within a zone that permits residential flat buildings and shop-top housing.	Yes
Section 68	(1) The object of this section is to identify development standards for particular matters relating to	Noted	Noted.

Non-discretionary development standards	development for the purposes of co-living housing that, if complied with, prevent the consent authority from requiring more onerous standards for the matters. **Note—** See the Act, section 4.15(3), which does not prevent development consent being granted if a non-discretionary development standard is not complied with.		
	(2) The following are non-discretionary development standards in relation to development for the purposes of co-living housing—		
	(a) for development in a zone in which residential flat buildings are permitted—a floor space ratio that is not more than— (i) the maximum permissible floor space ratio for residential accommodation on the land, and (ii) an additional 10% of the maximum permissible floor space ratio if the additional floor space is used only for the purposes of co-living housing,	The maximum FSR under Cumberland LEP 2021 is 2:1 (1,482.4 square metres) of gross floor area. With additional FSR under the Housing SEPP 2021, the maximum FSR applies to the site is 2.2:1 (1,630.64 square metres) of gross floor area.	Yes.
	(b) for co-living housing containing 6 private rooms— (i) a total of at least 30sqm of communal living area, and (ii) minimum dimensions of 3m for each communal living area,	The proposal is for 52 rooms.	Not applicable.
	(c) for co-living housing containing more than 6 private rooms— (i) a total of at least 30sqm of communal living area plus at least a further 2sqm for each private room in excess of 6 private rooms, and (ii) minimum dimensions of 3m for each communal living area,	**Required:** 52 Co-living rooms –122 square metres. Given the proposal is for 52 rooms, a total of at least 122 square metres of communal living area/s with minimum dimensions of 3m must be provided. The proposal provides internal communal living areas totalling an area of 100.4sqm with minimum internal dimensions of 3m which complies with this standard.	No, refer to clause 4.6 under main body of assessment report.
	(1)(d) communal open spaces— (i) with a total area of at least 20% of the site area, and (ii) each with minimum dimensions of 3m,	A total area of at least 20% of the site area (125.58sqm) of communal open spaces each with minimum dimensions of 3 metres communal open spaces must be provided. The proposal provides ground floor communal open space opportunities for up to 129.2sqm on the ground floor which complies with this non-	Yes.

		discretionary development standard. Required: COS: 171.94 sqm COS is provided within the Ground floor, Level 8 and level 9. Proposed: 379.7 square metres (44%) with minimum dimensions of 3 metres.	
	(1)(e) unless a relevant planning instrument specifies a lower number— (i) for development on land in an accessible area—0.2 parking spaces for each private room, or (ii) otherwise—0.5 parking spaces for each private room,	There are no car parking rates for co-living housing prescribed in the Cumberland LEP 2021. The site is within an accessible area (within 100m of Lidcombe Railway Station). Number of rooms: 52 **Required:** 52 rooms x 0.2 = 10.4 car spaces. **Proposed:** 11 car spaces (including one accessible space) Accordingly, a minimum 11 car parking spaces is required. The proposal provides 11 car parking spaces within the basement level which demonstrate compliance with this standard.	Yes.
	(2)(f) for development on land in Zone R2 Low Density Residential or Zone R3 Medium Density Residential—the minimum landscaping requirements for multi dwelling housing under a relevant planning instrument,	The land is zoned R4 High Density Residential under the Cumberland LEP 2021.	Not applicable.
	(2)(g) for development on land in Zone R4 High Density Residential—the minimum landscaping requirements for residential flat buildings under a relevant planning instrument.	Since there are no minimum landscaping requirements for residential flat buildings prescribed in the Cumberland LEP 2021 and Cumberland DCP 2021, the landscaping requirements for residential flat buildings are indirectly under Part 3E Deep soil zones of the Apartment Design Guide. Accordingly, at least 7% (43.95sqm) of the site area is required as deep soil zone.	Yes.

		The proposal provides 56.2sqm of deep soil zones on site which equates to 8.95% of the site. This demonstrates compliance with the minimum landscaping requirement for co-living housing.	
Section 69 Standards for co-living housing	(1) Development consent must not be granted for development for the purposes of co-living housing unless the consent authority is satisfied that—		
	(a) each private room has a floor area, excluding an area, if any, used for the purposes of private kitchen or bathroom facilities, that is not more than 25sqm and not less than— (i) for a private room intended to be used by a single occupant—12sqm, or (ii) otherwise—16sqm.	Adequate room sizes have been provided for all the single and double rooms when excluding 1 square metres areas used for kitchen use purposes, like cooking and food prep areas	Yes.
	(1)(b) minimum lot size for the co-living housing is not less than— (i) for development on land in Zone R2 Low Density Residential—600sqm, or (ii) for development on other land—800sqm.	The land is zoned R4 High Density Residential zone with a site area of 741.2 square metres.	No, see discussion in body of report.
	(1)(c) for development on land in Zone R2 Low Density Residential or an equivalent land use zone, the co-living housing— (i) will not contain more than 12 private rooms, and (ii) will be in an accessible area,	The land is zoned R4 High Density Residential under the Cumberland LEP 2021.	Not applicable.
	(1)(d) the co-living housing will contain an appropriate workspace for the manager, either within the communal living area or in a separate space,	The proposal includes an appropriate workspace for the manager within the ground floor level separate to the communal living area.	Yes.
	(1)(e) for co-living housing on land in a business zone—no part of the ground floor of the co-living housing that fronts a street will be used for residential purposes unless another environmental planning instrument permits the use,	The land is zoned R4 High Density Residential under the Cumberland LEP 2021.	Not applicable.
	(1)(f) adequate bathroom, laundry and kitchen facilities will be available within the co-living housing for the use of each occupant,	Each room is provided with a private bathroom. Each room is provided with adequate kitchen facilities.	Yes.

		A common laundry area is proposed in the basement level	
	(1)(g) each private room will be used by no more than 2 occupants, and	Having considered the floor area of the private room, each private room will be used by 1 occupant only. Capable of complying and will be verified with a condition of consent if consent was being recommended.	Yes.
	(1)(h) the co-living housing will include adequate bicycle and motorcycle parking spaces.	The proposal provides 14 bicycle spaces and 2 motorcycle spaces which is appropriate for the size of the development and provided at ground floor and basement. Further, noting the site's proximity to Lidcombe station, it is considered that such parking facilities are adequate.	Yes.
	(2) Development consent must not be granted for development for the purposes of co-living housing unless the consent authority considers whether—		
	(a) the front, side and rear setbacks for the co-living housing are not less than— (i) for development on land in Zone R2 Low Density Residential or Zone R3 Medium Density Residential—the minimum setback requirements for multi dwelling housing under a relevant planning instrument, or (ii) for development on land in Zone R4 High Density Residential—the minimum setback requirements for residential flat buildings under a relevant planning instrument, and	The following required setbacks as identified under Part B3 of the Cumberland DCP 2021 apply to the site are: - 6m to the front boundary; - 3m to the side boundary; and - 11.1m-12.48m to the rear boundary (30% the length of the site). The proposed development provides a front setback of 6m to Raymond Street East and Bernard Street which complies.	Complies on merit, see justification in body of report.
	(2)(b) if the co-living housing has at least 3 storeys—the building will comply with the minimum building separation distances specified in the Apartment Design Guide, Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are as follows:		

<table>
<tr><td></td><td><table>
<tr><td>Building height</td><td>Habitable rooms & balconies</td><td>Non habitable rooms</td></tr>
<tr><td>Up to 12m (4 storeys)</td><td>6m</td><td>3m</td></tr>
<tr><td>Up to 25m (5-8 storeys)</td><td>9m</td><td>4.5m</td></tr>
<tr><td>Over 25m (9 + storeys)</td><td>12m</td><td>6m</td></tr>
</table></td><td></td><td></td></tr>
<tr><td></td><td>(2)(c) at least 3 hours of direct solar access will be provided between 9am and 3pm at mid-winter in at least 1 communal living area, and</td><td>The ground floor communal living room will have access to at least 3 hours direct sunlight between 9am-3pm in mid winter.</td><td>Yes.</td></tr>
<tr><td></td><td>(2)(f) the design of the building will be compatible with—

(i) the desirable elements of the character of the local area, or

(ii) for precincts undergoing transition—the desired future character of the precinct.</td><td>The area is undergoing transition as R4 High Density Residential zone and developments with higher density.

The development is compatible with similar residential developments in the precinct and satisfies the key site controls of the DCP.

The proposed development is designed to be consistent with the desired future character of the precinct.</td><td>Yes.</td></tr>
<tr><td></td><td>(3) Subsection (1) does not apply to development for the purposes of minor alterations or additions to existing co-living housing.</td><td>The development is for a new co-living housing development.</td><td>Not applicable.</td></tr>
<tr><td></td><td>(4) In this section, a storey does not include a storey used for car parking that is below ground level (existing), or less than 1.2m above ground level (existing).</td><td>Noted.</td><td>Not applicable.</td></tr>
<tr><td>Section 70
No subdivision</td><td>Development consent must not be granted for the subdivision of co-living housing into separate lots.</td><td>Subdivision is not proposed.</td><td>Yes.</td></tr>
</table>

DOCUMENTS ASSOCIATED WITH REPORT ELPP021/26

Attachment 11

Cumberland LEP 2021 Assessment

Attachment x – Cumberland Local LEP 2021 Assessment

Clause	Comments	Compliance
Section 1.2 Aims of Plan.	The particular aims of this Plan are as follows: (aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts, (a) to provide a comprehensive planning framework for the sustainable development of land in Cumberland, (b) to provide for a range of land uses and development in appropriate locations to meet community needs, (c) to facilitate economic growth and employment opportunities within Cumberland, (d) to conserve and maintain the natural, built and cultural heritage of Cumberland, (e) to provide for community facilities and services in Cumberland to meet the needs of residents, workers and visitors, (f) to promote development that is environmentally sustainable. The proposal is suitably located on a parcel of land and is environmentally sustainable which minimises impacts to adjoining properties and satisfies the aims of Section 1.2 of the CLEP 2021.	Yes
Section 2.3 Zone objectives and Land Use Table	The proposed development is defined as co-living housing which is a sub-class of residential accommodation. Development. Co-living housing is an innominate land use which is permissible in the R4 High Density Residential land use zone pursuant to Section 67 of the SEPP (Housing) 2021. The definition of the use is: ***co-living housing*** *means a building or place that—* *(a) has at least 6 private rooms, some or all of which may have private kitchen and bathroom facilities, and* *(b) provides occupants with a principal place of residence for at least 3 months, and* *(c) has shared facilities, such as a communal living room, bathroom, kitchen or laundry, maintained by a managing agent, who provides management services 24 hours a day,* *but does not include backpackers' accommodation, a boarding house, a group home, hotel or motel accommodation, seniors housing or a serviced apartment.* ***Note—*** *Co-living housing is a type of* ***residential accommodation****—see the definition of that term in this Dictionary.*	Yes.

	Pursuant to Section 67 of SEPP (Housing) 2021, co-living housing development may be carried out with consent on land in a zone which development for the purposes of co-living housing, residential flat buildings and shop top housing is permitted under another environmental planning instrument. Residential Flat Buildings and shop-top housing are permitted with consent in an R4 High Density Residential zone under the CLEP 2021, and therefore the proposed development is permissible pursuant to Section 67 of the SEPP (Housing) 2021. The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone. The objectives of R4 zone are: • To provide for the housing needs of the community within a high density residential environment. • To provide a variety of housing types within a high density residential environment. • To enable other land uses that provide facilities or services to meet the day to day needs of residents. • To ensure that non-residential land uses are located in a setting that minimises impacts on the amenity of a high density residential environment. • To encourage residential development that maintains the amenity of the surrounding area. The proposed development is consistent with the R4 zone objectives as the proposal provides housing in the form of a co-living housing which is a different housing type in itself within a high density residential environment land use whilst maintaining and enhancing the amenity of the surrounding area.	
Section 2.6 Subdivision – consent requirements	Subdivision is not proposed under this application. It is noted that development consent must not be granted for the subdivision of co-living housing into separate lots.	N/A.
Section 2.7 Demolition requires development consent	The proposal seeks demolition of the existing on-site structures which is permissible with consent.	Yes, subject to conditions.
Section 4.3 Height of buildings	The permissible building height limit of **20 metres** applies to the site. The proposed maximum building height to the development is approximately **22.3 metres** (lift overrun structure) which does not comply with Clause 4.3 of CLEP 2021.	**No**
Section 4.4 Floor space ratio	The maximum permissible FSR is **2:1** (**1482.4 square metres**) under the CLEP 2021. If the additional floor space is used only for the purposes of co-living housing, there is a bonus 10% (0.2:1) under the SEPP (Housing) 2021. In this regard the maximum FSR is **2.2:1** (**1,630.64 square metres**) under the SEPP (Housing) 2021.	Yes.

	The development provides a total gross floor area (GFA) of **1,630.5 square metres** which equates to a total FSR of **2.199:1**, which complies with Clause 4.4 of CLEP 2021.	
Clause 4.6 Exceptions to Development Standards	The application seeks to vary the development standard for height of building under clause 4.3 of the Cumberland Local Environmental Plan 2021. The application seeks to vary the development standard for minimum 800 square metres lot size for the co-living housing under section 69(1)(b)(ii) of the SEPP (Housing) 2021. The application seeks to vary the development standard for communal living areas under section 68(2)(c) of the SEPP (Housing) 2021. The application seeks to vary the development standard for minimum building separation distances under section 69(2)(b) of the SEPP (Housing) 2021 and as specified in the Apartment Design Guide (ADG).	See main body of assessment report
Section 5.10 Heritage Conservation	The site is not identified as a heritage listed item and is not located within a heritage conservation area. The site is not located in close proximity to nearby archaeological and heritage item sites and complies with this clause.	Yes
Section 5.21 Flood Planning	The site is not identified as flood affected property or within the flood planning area.	N/A
Section 6.1 Acid Sulfate soils	The site is identified as affected by 'Class 5' acid sulfate soils. Conditions are imposed ensuring measures are made to satisfy the objectives of this clause.	Yes, subject to conditions
Section 6.2 Earthworks	Significant excavation up to 3.5 metres below the natural ground level including up to the eastern and western boundaries is proposed for the basement car parking level. The cut and landfill are not considered to be excessive within a high density residential setting or excessively beyond the building footprint. The proposal has been assessed by Council's Senior Development Engineer and no objections were raised. Suitable earthwork-related conditions are imposed ensuring measures are made to satisfy the objectives of this clause.	Yes, subject to conditions
Section 6.4 Essential Services	Council is satisfied that adequate arrangements for the supply of water and electricity, the disposal and management of sewage, stormwater drainage and suitable vehicular access can be made available when required. Council's Senior Development Engineer and Endeavour Energy have reviewed the proposal and raised no objections subject to conditions.	Yes, subject to conditions.
Section 6.7 Stormwater Management	The proposal has been assessed by Council's Senior Development Engineer and no stormwater management objections were raised. Suitable stormwater management related conditions are imposed.	Yes, subject to conditions.
Section 6.9 Salinity	The site is not identified as affected by 'salinity'.	N/A
Section 6.12 Urban Heat	The proposed development incorporates landscape elements, given the limited opportunities for deep soil zones,	Yes

	along the southern, eastern and northern areas of the site to mitigate urban heat. A Section J report was provided. The proposed development is considered to be satisfactory with regard to the provisions of this clause.	

DOCUMENTS ASSOCIATED WITH REPORT ELPP021/26

Attachment 12

Cumberland DCP 2021 Assessment

Attachment x – Cumberland DCP 2021

Relevant Control		Compliance with Requirements	Complies
Part A – General Controls			
Part A3 – Site Amalgamation & Isolated Sites			
3. Process	Site amalgamation shall be considered and/or required if: • the adjoining site will become isolated by the proposed development; • the subject site cannot satisfy the minimum lot width and size requirements; • there is a likely environmental impact of a proposed development upon the amenity and enjoyment of land locked and/or isolated sites; • if there is a better streetscape amenity outcome to be achieved that would also reduce the number of access points along a street frontage; and • the subject site and adjoining site(s) cannot achieve a satisfactory form of development that is consistent with the planning controls. If site amalgamation is not feasible, documentation with the development application. The documentation should demonstrate that a reasonable attempt has been made by the applicant(s) to purchase the isolated site(s). Documentation shall, at least, include: • two independent valuations; and • evidence that a genuine and reasonable offer(s) has been made by the applicant to the owner(s) of the affected adjoining site(s). Note: A reasonable offer shall be of current fair market value and shall be the higher of the two independent valuations and include for all expenses that would be incurred by the owner in the sale of the affected site. To assist in this assessment, an envelope for the isolated site should be prepared which indicates the following: • height; • setbacks; • pedestrian and carparking access;	The subject site is only 741.2sqm which demonstrate a shortfall of 58.8sqm from the minimum lot size requirement for co-living housing identified in section 69(1)(b)(ii) of the Housing SEPP 2021. Accordingly, amalgamation with the adjoining properties would be required to satisfy the minimum lot size requirements for co-living housing development under the Housing SEPP 2021. The site is not considered isolated in this instance as it is bounded to the west, south and east by 3 street frontages. Documents including mobile phone screen shots and valuation reports relating to acquiring 14 Bernard Street were produced. It was considered the documentation did not demonstrate that a reasonable attempt has been made by the applicant to purchase 14 Bernard Street. Further, the owner of 14 Bernard Street indicated that if a reasonable offer was made by the applicant it would be considered. The applicant and owners of 14 Bernard Street provided documentation including two (2) independent valuations and evidence that a genuine and reasonable offer has been made by the applicant to the owner(s) of 14 Bernard Street. However, on the 12th April 2026, the owners of 14 Bernard Street advised via email correspondence they had received *"…a formal offer via*	Yes.

<table>
<tr><td></td><td>• site coverage (both building and basement);
• constructability;
• envelope separation; and
• open space and landscaping.

This should be schematic but of sufficient detail to understand the relationship between the subject application and the isolated site and the likely impacts the developments will have on each other.</td><td>email on 27 February 2026, we were unable to accept this offer…”.

In this case, amalgamation is not considered reasonable or necessary.</td><td></td></tr>
<tr><td colspan="4">Part B – Development in Residential Zones</td></tr>
<tr><td colspan="4">Part B3 – Residential Flat Buildings
The ADG takes precedence over a DCP. Therefore, the DCP provisions do not repeat or seek to vary any controls under the ADG. Where there are inconsistencies between the controls set out in this DCP and the ADG, the ADG shall prevail.</td></tr>
<tr><td>3.1 Building envelope</td><td>C2. Residential flat building development shall be provided in accordance with Table 7 for RFB Setbacks.

<table><tr><td>Front setbacks (min)</td><td>No less than 6m or correspond with the existing prevalent building setback or with emerging setbacks in areas undergoing transition</td></tr><tr><td>Secondary street setbacks (min)</td><td>2m for laneways and 4m for other roads</td></tr><tr><td>Side setback (min)</td><td>3m</td></tr><tr><td>Rear setback (min)</td><td>Up to 4 storeys: 20% the length of the site, or 6m, whichever is greater

5 storeys or more: 30% the length of the site</td></tr><tr><td>Site area</td><td>1,000m²</td></tr><tr><td>Street frontage</td><td>24m</td></tr></table></td><td>The required setbacks that applicable to the site are:

- 6m to the eastern boundary (Bernard Street).
- 6m to the southern boundary (Raymond Street).
- 2m to the western boundary (Rebecca Street).
- 3m to the northern side boundary.

The front setback complies to both Bernard Street and Raymond Street. The site’s western boundary has a frontage to Rebecca Street which functions as a laneway being devoid of raised kerb and gutter and any future provision for a pedestrian path. For this reason and for purposes of the functionality, Rebecca Street is considered and treated as a laneway.

Whilst the proposed northern side setback complies with the 3m control, the proposal fails to comply with the minimum building separations to the northern side boundary under Part 3F of the Apartment Design Guide, the proposal is considered acceptable on merit, as discussed in the body of this report.</td><td>Yes.</td></tr>
<tr><td></td><td>C3. For residential flat building not captured by SEPP 65, the development</td><td>This residential flat building is captured by SEPP 65 which is</td><td>Not applicable.</td></tr>
</table>

	is also to achieve the objectives and design criteria of the ADG.	now part of the Housing SEPP 2021.	
3.3 Car parking	C1. Refer to Part G3 of this DCP, or section 3J-1 of the ADG for car parking provision requirements.	The car parking rates identified in section 68(2)(e)(i) of the Housing SEPP 2021 prevails. Refer to the Housing SEPP 2021 assessment in Appendix 9.	
Part B5 Adaptable housing and housing mix			
2.1 Adaptable housing	C1. Adaptable housing complying with AS 4299 is to be provided in multi-dwelling housing, residential flat buildings, and the residential component of mixed-use developments.	The proposal relates to co-living housing only.	Not applicable.
Part G – General Controls			
Part G3 – Traffic, Parking, Transport & Access (Vehicle)			
3. Parking rate	Development is to provide on-site parking in accordance with the following minimum rates in Table 1. Where a parking rate has not been specified in the table, the Guide to Traffic Generating Developments shall be used to calculate the parking requirements for the proposed development. Alternatively, a parking study may be used to determine the parking, subject to prior approval by Council. Additional parking objectives and controls are provided in Section 4 of this DCP.	There are no car parking rates for co-living housing prescribed in the Cumberland LEP 2021 or in the Guide to Transport Impact Assessment (TS 00085) version 1.1. As such, section 68(2)(e)(i) of the Housing SEPP 2021 prevails which requires: - 0.2 parking spaces for each private room. The site is within an accessible area (approximately 600m walking distance to the Lidcombe Railway Station) and a minimum 11 car parking spaces is required. The proposal provides 11 basement level car parking spaces with access off Rebecca Street which demonstrate compliance with this control.	Yes.
4.1 Development in residential zones	*Driveways*		
	C1. Only one driveway crossover shall be permitted per residential property where the property frontage is less than 15m.	One vehicular crossing proposed.	Yes.
	C2. A maximum of 2 driveway crossovers shall be permitted for residential properties with a residential frontage of 15m or more.	1 driveway crossover is proposed to service co-living housing development proposed on site.	Yes.
	C3. Single vehicle driveways shall be a maximum width of 3.5m along the front property boundary.	Proposed double width driveway.	Not applicable.

	C4. Driveways which service a double garage shall be a maximum width of 6m.	Driveway does not service a double garage.	Not applicable.
	C5. All new driveways shall be located a minimum of 1m from the side property boundaries.	The driveway is setback 2m at the front boundary where it is at street level. Where the driveway reaches the basement level away from the street it is nil.	Yes
	C6. Where rear access is available, driveway access shall be located at the rear of the site.	Rebecca Street is the suitable driveway access to the site which has 3 street frontages.	Yes.
	C7. Driveways servicing car parking including manoeuvring areas to the parking bays shall comply with AS2890 Parking Facilities unless otherwise specified by Council.	The proposal has been reviewed by Council's Senior Development Engineer who identified the proposed manoeuvring area within the basement, ramp gradient and access design is tight but may be supported by Council subject to conditions to comply with AS2890.1 requirement.	No but acceptable subject to conditions.
	C8. Maximum gradient for a driveway shall be 20% or 1:5. However, in extreme circumstances, gradients up to 25% or 1:4 may be considered by Council, subject to individual merit.		
	C9. Minimum clearance of 1.2m shall be provided to structures.	The crossover is setback from any trees and structures.	Yes.
	C10. Vehicular access points and parking areas are to be: • easily accessible and recognisable to motorists; • located to minimise traffic hazards; and • located to minimise the loss of on-street car parking.	The location of the proposed vehicular crossing is satisfactory.	Yes.
	C11. The area between the driveway and the property boundary shall be suitably landscaped to minimise the visual impacts of vehicular access points and to maximise the visual quality of the streetscape.	Adequate landscaping are proposed along the property boundary to screen the driveway and car parking area from public domain.	Yes.
	C12. Driveways shall be designed and constructed in materials to avoid glare and large expanses of plain concrete, whilst ensuring the driveway colour does not detract from the development and character of the street.	Satisfactory construction materials are proposed for the new driveway is proposed.	Yes.
4.7 Other land use	C2. All vehicles shall be able to enter and leave the site in a forward direction.	Whilst the manoeuvring within the basement level and the ramp gradient is tight, it is believed that all vehicles would be able to enter and exit the site in a forward direction.	Yes.
4.9 Electric vehicle charging points	C2. The installation of a 'Level 2' electric vehicle charging point is encouraged for all new residential and non-residential development where possible.	No electric vehicle charging point is proposed on site. Having considered the scale and type of development, the provision of a electric vehicle charging point is	No, but acceptable subject to condition to provide 1 of

		required in this instance. To assist in the NSW government and Transport for NSW's vision to reach zero emissions by 2050, a condition shall be recommended to provide 1 of the 11 car spaces with a 'Level 2' electric vehicle charging point.	the 11 car spaces with a 'Level 2' electric vehicle charging point.
Part G4 – Stormwater & Drainage			
2.2 Method of stormwater disposal from the site	C1. All stormwater collecting as a result of the carrying out of development under this DCP must be directed by a gravity fed or charged system to: (a) a public drainage system, or (b) an inter-allotment drainage system, or (c) an on-site disposal system.	Stormwater drainage is considered satisfactory by Council's Development Engineers subject to conditions.	Yes, subject to conditions.
2.6 Flood Risk Management	C1. The proposed development does not result in any increased risk to human life and does not increase the potential flood affectation on other development or properties.	Satisfactory.	Yes.
	C7. The filling of flood prone land, where acceptable and permitted by this Part, must involve the extraction of the practical maximum quantity of fill material from that part of the site adjoining the waterway.	No major fill is proposed.	Yes.
	C8. The proposed development shall comply with Council's Flood Risk Management Policy.	Considered satisfactory by Council's Development Engineers.	Yes.
2.7 Water Sensitive Urban Design, water quality and water re-use	*Water Sensitive Urban Design (WSUD)*		
	C1. All development applications for sites of 2,500sqm, or more in area must be supported by a Water Sensitive Urban Design Strategy, prepared by a qualified civil engineer with suitable experience.	The subject site is 741.2sqm only.	Not applicable.
	C2. Development for the subdivision of sites of 2,500sqm or more in area must achieve the stormwater flow targets in the Water Sensitive Urban Design Strategy, unless public water quality and flow structures downstream of the site allow these targets to be met. Details of compliance must be included in the Water Sensitive Urban Design Strategy supporting the development application.		
	C3. All other developments shall provide appropriate water sensitive treatments.	Considered satisfactory by Council's Development Engineers subject to conditions.	Yes.
	Water quality		
	C4. Water quality devices are required to prevent pollutants from commercial, industrial developments and car	Considered satisfactory by Council's Development Engineers subject to conditions.	Yes.

	parking areas entering the waterways in order to improve waterway health and to develop and maintain ecologically sustainable waterways.		
	Water reuse		
	C5. For all developments (excluding single dwellings and dual occupancies), rainwater tanks or a water reuse device shall be incorporated into the stormwater drainage system with a minimum storage size of 5,000L (for site area less than 1,500sqm) and 10,000L (for site area greater than 1,500sqm).	Considered satisfactory by Council's Development Engineers subject to conditions.	Yes.
	C10. The ESCP shall be in accordance with the standards outlined in Managing Urban Stormwater: Soils and Construction by the NSW Department of Housing.		
Part G5 – Sustainability, Biodiversity & Environmental Management			
2.1 Groundwater	C1. Operating practices and technology, including dewatering, shall not contaminate groundwater or adversely impact on adjoining properties and infrastructure. Any dewatering activities may require concurrence from the NSW Government. Any application to discharge ground and surface water to Council's stormwater system must be accompanied by a Dewatering Management Plan.	Satisfactory, subject to conditions.	Yes.
	C2. Groundwater is to be recharged, where possible, while still protecting and/or enhancing groundwater quality, using water sensitive urban design.	Satisfactory, subject to conditions.	Yes.
	C3. Protection measures for groundwater are to be proportional to the risk the development poses. Where the potential risk to groundwater is high, a separate Groundwater Impact and Management Report will be required.	Satisfactory, subject to conditions.	Yes.
	C4. The applicant must demonstrate that there will be no adverse impacts on surrounding or adjacent properties, infrastructure or groundwater dependant ecosystems as a result of: • changes in the behaviour of groundwater created by the method of construction chosen; and/or • changes to the behaviour of groundwater of the surrounding area, created by the nature of the constructed form and groundwater management system used.	Satisfactory, subject to conditions.	Yes.
2.3 Land contamination	C1. Prior to the submission of a development application, an	Refer to Resilience and Hazards SEPP 2021 assessment.	Yes.

	assessment is to be made by the applicant under Clause 7 of SEPP No. 55 as to whether the subject land is contaminated prepared in accordance with the relevant Department of Planning, Industry and Environment Guidelines and the Guideline to Asbestos Management in Cumberland Council 2018.		
	C2. In accordance with Clause 7 (1) of SEPP No. 55 Council will not consent to development unless it has considered whether land is contaminated, and if the land is contaminated is suitable for the proposed purpose or is satisfied that the land will be appropriately remediated. Where land is proposed to be subject to remediation, adequate documentation is to be submitted to Council supporting the categorisation.		
2.5 Biodiversity	C1. Development is to be sited and designed to minimise the impact on indigenous flora and fauna, including canopy trees and understorey vegetation, and on remnant native ground cover species.	Trees identified for removal from the site does not contains any biodiversity value as discussed in the Biodiversity and Conservation SEPP 2011.	Yes.
2.6 Energy efficiency and renewables	C1. New development shall implement energy efficient design and promote renewable energy sources through the inclusion of solar panels, skylights, cross ventilation and other such measures.	This is achieved where required.	Yes.
Part G7 – Tree Management & Landscaping			
2.1 Preservation of trees	C1. The following are not considered to be substantive criteria for tree removal: • flower, leaf or fruit fall causing nuisance; • to increase general natural light; • to enhance views; • to reduce shade created by a tree; • tree not suiting existing or proposed landscape; • unsubstantiated fear of tree failure; • a tree being too large or high; and • to increase direct sunlight onto solar panels or pool heating apparatus.	Council's Senior Tree Management and Landscape Officer reviewed the proposal and recommended tree preservation conditions and confirmed the *Fraxinus excelsior* and *Malus sylvestris* within the Council nature strip are to be retained.	Yes, subject to conditions.
2.2 Tree management and proposed development	C1. Development shall be designed to incorporate existing trees that are identified as being suitable for retention, with adequate setbacks to any works and protection measures stipulated in accordance with AS4970-2009 to ensure their long-term survival.	Council's Senior Tree Management and Landscape Officer raised no issue with the proposed landscape plan on the site. Conditions of development consent be imposed should the application to be supported by the local planning panel.	Yes, subject to conditions.

	C2. Development proposals must consider existing trees situated on adjacent properties with adequate setbacks to any works and protection measures stipulated in accordance with AS4970-2009 to ensure their long-term survival.	As noted above, the existing street trees on Council's nature strip are to be retained and protected during the course of works as recommended by Council's Senior Tree Management and Landscape Officer. Conditions in the consent will be imposed to ensure all measures recommended in the arborist report will be adopted accordingly should the application to be supported by the local planning panel	Yes, subject to conditions.
2.3 Landscaping	C1. Where a landscape plan is required, it shall be prepared by an appropriately qualified person such as an experienced Landscape Architect/Landscape Designer. The landscape plan shall be prepared at a minimum scale of 1:100, be fully documented with the inclusion of a plant schedule and show sufficient detail to enable construction.	Revised landscape plans prepared by a suitably qualified professional were submitted. Council's Senior Tree Management and Landscape Officer reviewed the landscape plans and raised no objections subject to conditions.	Yes, subject to conditions.
Part G8 – Waste Management			
3.3 Residential	*Bin requirements*		
	C1. The waste service requirements for residential developments shall comply with Table 2.	The application was referred to Council's Senior Resource Recovery Officer who has advised that the development proposal is satisfactory and therefore can be supported subject to conditions should the application to be supported by Council.	Yes, subject to conditions.
	Bin storage area requirements		
	C5. Waste and recycling bin storage areas must be constructed in accordance with the requirements of the Building Code of Australia (BCA).	Council's Senior Resource Recovery Officer reviewed the waste management plan and noted that *"…whilst it is preferred that the collections be carried out behind the boundary line, the bins and bulky waste can be transferred by the caretaker to the kerbside and returned behind the boundary lines safely."*. Council's Senior Resource Recovery Officer raised not objections to the proposal subject to conditions.	Yes, subject to conditions.
	C6. All developments must ensure separate residential and commercial bin storage areas, which shall be located behind the primary building line and adequately screened.	Not proposing any mixed-use development on site.	Not applicable.

	Multi-dwelling housing and residential flat buildings		
	C10. The minimum door width needs to be greater than 1.4m to allow movability of bins and disabled access.	Adequate bin storage room access door widths are provided.	Yes.
	Location and appearance		
	C23. The bin storage area must be located and designed to reduce adverse impacts upon the residents of any dwelling on the site and upon neighbouring properties.	Bin storage room is proposed on the ground floor.	Yes.
	Bulk waste storage area requirements		
	C28. Low rise medium density housing and residential flat building developments must provide a bulky household waste storage area and needs to be that is located adjacent to the communal bin storage area.	Adequate bulky waste storage room is provided. Further, Council's Senior Resource Recovery Officer noted that despite *"…standard residential site should have a chute…single occupancy room generation rates are lower and have less movements of materials. Plus, they have a caretaker to assist with the movements of waste materials…."*. Council's Senior Resource Recovery Officer raised not objections to the proposal subject to conditions.	Yes, subject to conditions.
3.5 Bin transfer requirements	C1. Waste and recycling bins shall be positioned in locations that permit easy, direct and convenient access for users of the facility and permit easy transfer of bins to the collection point.	The bin storage area is located on the ground floor with direct access from the pedestrian footpath for ease of transfer to Rebecca Street frontage (near Raymond Street cul-de-sac) for kerbside collection.	Yes.
	C6. An electric portable bin tug device must be used for bin movement where the grade exceeds 1:14. Specifications for a typical portable bin tug device are provided as a guide in Table 3.	No bin tug required to transfer the bins and waste for kerbside collection from the ground floor level.	Not applicable.
3.6 Collection area requirements	C1. All developments must allocate a suitable collection point for collection of waste and recycling bins from either inside the development (on-site) or from kerbside (off-site).	Suitable collection space is proposed on the ground floor of the co-living housing development.	Yes.
3.7 Collection vehicle requirements	C1. All proposed developments will need to accommodate a Heavy Rigid Vehicle (HRV) for all waste collection.	Proposed kerbside collection off Rebecca Street frontage.	Not applicable.

Item No: ELPP022/26

DEVELOPMENT APPLICATION - 11 JOHN STREET, LIDCOMBE

Directorate: Environment and Planning
Responsible Officer: Acting Executive Manager City Planning and Development

Application lodged	23 December 2025.
Applicant	Mr Aaron Wang.
Owner	Proprietors of SP 100536 / See Win Holds Pty Ltd.
Application No.	DA2025/0911.
Description of Land	11 John Street Lidcombe. SP 100536.
Proposed Development	Alteration and additions to an approved 9-storey mixed use building under DA-219/2011 including reconfigurations to the 4 basement levels, new service penetrations and stair pressurisation works to 13 levels of the building, new awning over retail shop 9, installation of sprinkler feeders to 80 apartments, changes to apartment doors, internal layout and walls to levels 1 to 8, replace all non-structural face brick parapet wall with glazed balustrades to the rooftop level and associated reconfiguration of the rooftop level.
Site Area	1,779 square metres.
Zoning	E1 Local Centre Zone.
Disclosure of political donations and gifts	Nil disclosure.
Cost of works	$4,223,061.70 (excluding GST).
Heritage	Yes - The site is identified to contain a local heritage item, I181 (Former Lidcombe Police Station), which is located to the west of the development and known as 11A John Street, Lidcombe.
Principal Development Standards	Floor Space Ratio (FSR) Permissible: 5.0:1. Proposed: 4.23:1 Height of Building Permissible: 38 metres. Proposed: 32.1 metres (to the roof over the lift overrun).
Issues	Car parking. Prohibition Order.

SUMMARY:

1. Development Application No. DA2025/0911 was lodged on 23 December 2025 for the alteration and additions to an approved 9-storey mixed use building under DA-219/2011 including reconfigurations to the 4 basement levels, new service penetrations and stair pressurisation works to 13 levels of the building, new awning over retail shop 9, installation of sprinkler feeders to 80 apartments, changes to

apartment doors, internal layout and walls to levels 1 to 8, replace all non-structural face brick parapet wall with glazed balustrades to the rooftop level and associated reconfiguration of the rooftop level.

2. The application was publicly notified to occupants and owners of the adjoining properties for a period of 14 days between 15 January 2026 and 29 January 2026. In response, no submissions were received.

3. The subject site is listed as a heritage item in the Cumberland Local Environmental Plan 2021 as Heritage Item I181. The heritage item is identified as a heritage item of local significance titled 'Lidcombe Police Station' on land at Lot 300 in DP 1142325, 11 John Street, Lidcombe.

4. The application is referred to the Panel as the proposal is considered to be sensitive development as Chapter 4 of the State Environmental Planning Policy (Housing) 2021 applies to the development.

5. The application is recommended approval subject to the conditions as recommended in the Council's assessment report.

REPORT:

Subject Site and Surrounding Area

The subject site is legally known as SP 100536, 11 John Street, Lidcombe. Prior to subdivision of 11 John Street, the site was formerly known as Lot 300 in DP 1142325 which partly included the Lidcombe Police Station, a heritage item of local significance, and was located on the western third of the site at the corner of John Street and Mary Street.

The site being SP 100536, 11 John Street Lidcombe has the following dimensions:

- Southern (Mary Street) street frontage boundary 59.59 metres.
- Eastern boundary 30.05 metres.
- Northern boundary 58.88 metres.
- Western boundary 30.04 metres.

The site has an area of 1,779 square metres and the site has a fall approximately 2.19 metres from the southeastern corner to the northwestern corner of the site.

The site is currently occupied by a 9-storey mixed use development addressing Mary Street approved under the original development consent no. DA-219/2011.

To the west, at 11A John Street, the site adjoins a single-storey building being the former Lidcombe Police Station which is a heritage listed building of local significance (Item I181) under the Cumberland Local Environmental Plan 2021.

Surrounding developments located in the immediate vicinity consists of a large open car parking area to the north of the site, accessed via two driveways with entry from

John Street and exit via Mary Street. Three smaller lots comprising single-storey retail uses are located along the John Street frontage to complete the parcel of land to the north.

To the east of the property is the access driveway of the car park, separating the subject site from a two-storey townhouse development at 2-4 Mary Street.

To the south of Mary Street, the adjacent developments comprise of a mix of land uses including retail, commercial, residential, a church, nursing home and residential allotments along Mary Street and Church Street frontages.

To the west of John Street, the adjacent developments comprise of retail, commercial, residential, a catholic club and residential allotments along John and Church Street frontages.

The subject site is zoned E1 Local Centre under the Cumberland Local Environmental Plan 2021. The site is situated within the part of Lidcombe Town Centre.

The site is approximately 180 metres walking distance from the Lidcombe Railway Station.

The location of the site is shown below edged in red.



Figure 1 - Aerial base map of the site (highlighted in red) and locale. Source: Council's IntraMaps

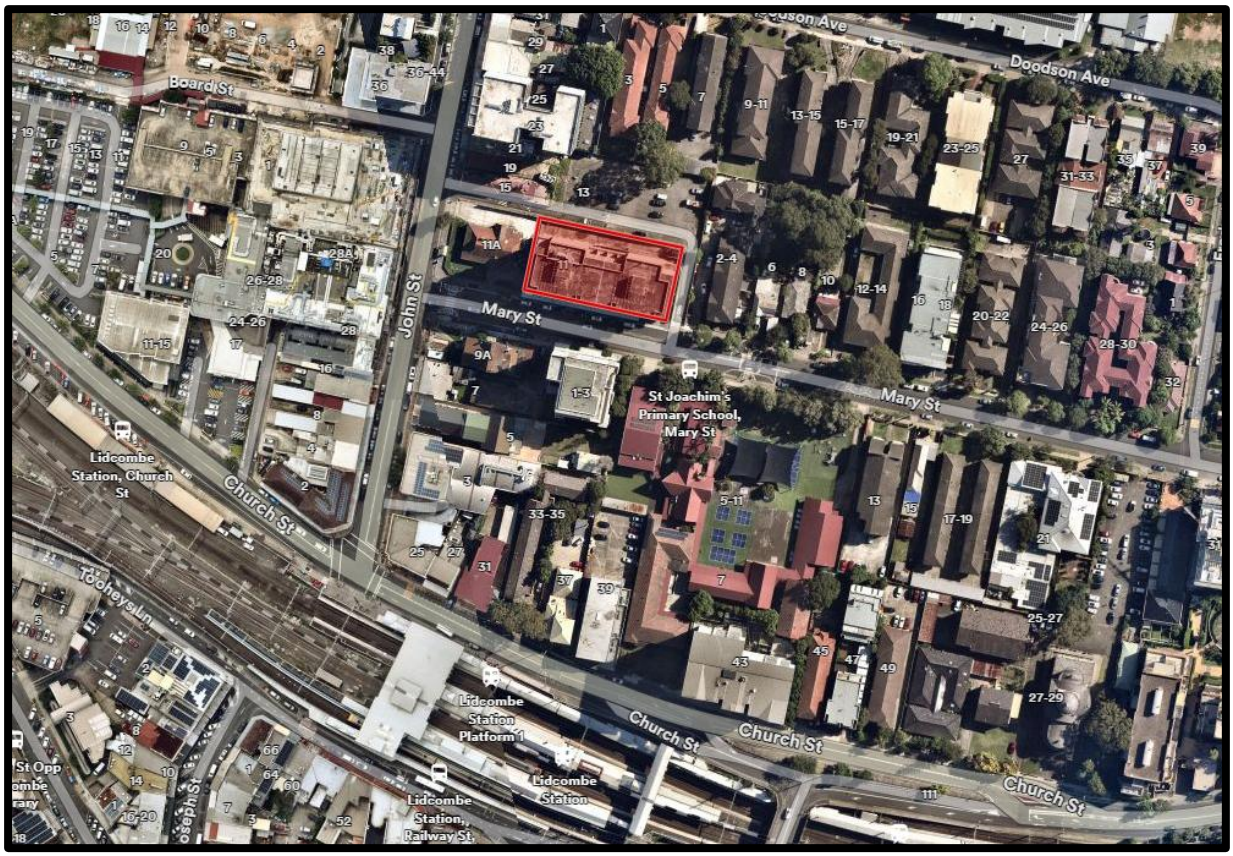


Figure 2 - Aerial view of the site (highlighted) and locale. Source: Nearmap dated 17 March 2026

Photos of the site are provided below taken during a site inspection.



Figures 3 and 4 - View of the site (left) with retained former Lidcombe Police Station under DA-219/2011 known as 11A John Street and view of site looking north from Mary Street (right) as constructed under DA-219/2011.



Figures 5 and 6 - Other ground level views including one showing a pedestrian link that is covered and the northern elevation.

Description of The Development

The development application is proposing alteration and additions to an approved 9-storey mixed use building under DA-219/2011 including reconfigurations to the 4 basement levels, new service penetrations and stair pressurisation works to 13 levels of the building, new awning over retail shop 9, installation of sprinkler feeders to 80 apartments, changes to apartment doors, internal layout and walls to levels 1 to 8, replace all non-structural face brick parapet wall with glazed balustrades to the rooftop level and associated reconfiguration of the rooftop level.

The detailed breakdown of the proposal is shown below:

Basement 4 (RL 7.40 – RL 8.90)

- Conversion of residential carparking space R101 into visitor carparking space.
- Installation of two (2) storage cages 79 and 80 (relocated from basement 1).
- Install give way line marking and convex mirrors.
- New service penetrations and stair pressurisation works.

Basement 3 (RL 10.40 – RL 11.90)

- Conversion of residential carparking space R61 into visitor carparking space.
- Install give way line marking and convex mirrors.
- New service penetrations and stair pressurisation works.

Basement 2 (RL 13.40 – RL 14.90)

- Conversion of residential carparking space R19 into visitor carparking space.
- Install give way line marking and convex mirrors.
- New service penetrations and stair pressurisation works.

Basement 1(RL 16.40 – RL 17.90)

- Conversion of a retail parking space 16 into visitor carparking space.
- Installation of two (2) electric vehicle (EV) car charging parking spaces.
- Deletion of three (3) retail carparking spaces to provide an enlarged sprinkler pump room.
- Install give way line marking and convex mirrors.
- Reduction of a shared space due to previous installation of a grease arrestor.
- Demolition of garbage room walls and reconstruction of new wall to make space for bicycle parking.
- Removal of storage cages and installation of 12 residential bicycle parking spaces.
- Removal of 1 residential car parking space and installation of 12 visitor bicycle parking spaces.
- Installation of an airlock to the existing pump room.
- New service penetrations and stair pressurisation works.

Ground floor (RL 22.03 – RL 20.87)

- New awning over retail 09.
- Removal of one (1) external ramp, (1) external stairs and associated doors within the turning bay.
- Installation of steps, a handrail and tactile indicators to rear ramp.
- Demolition of existing toilet to create passageway for new external door opening and ramp.
- Replacement of shopfront doors with shopfront glazing.
- Relocation of retail doorway to accommodate ramp.
- Construction of a ramp.

- Reduction in retail space (Retail 4) to provide a services cupboard.
- Extension of two (2) fire passage and relocation of two (2) fire stairs door.
- Removal of three (3) retail doors and walls and installation of two (2) fire related party walls.
- Mirror shopfront doors;
- New service penetrations and stair pressurisation works.
- Removal of gas regulator wall recess and replacement with shopfront glazing (retail 7).
- Reduction in shopfront and installation of an awning over Retail 9.
- Bricking up of opening and installation of a new gate towards south-eastern boundary.
- New service penetrations and stair pressurisation works.

Level 1 (RL 25.49 – RL 25.50)

- Ten (10) apartments/units including one (1) x 1-bed and study unit, six (6) x 2-bed units and three (3) x 3-bed units.
- Retrospective approval for unauthorised internal wall and layout re-configurations to units 1, 2, 4, 5, 36, 37 and 39.
- Re-construct walls to units 36, 37, 40 to achieve minimum 1500mm wide corridor width.
- Replace all non-structural face-brick balustrades to balconies of units 1, 2, 4, 5, 36, 37 and 40 with glazed aluminium balustrades to minimum 1000mm high above finished balcony floor levels.

Level 2 (RL 28.38 – RL 28.40)

- Ten (10) apartments/units including one (1) x 1-bed unit, eight (8) x 2-bed units and one (1) x 3-bed unit.
- Retrospective approval for unauthorised internal wall and layout re-configurations to units 6, 7, 8, 9, 10, 41, 42, 43, 44 and 45.
- Re-construct walls to units 6, 10, 41, 42, 45 to achieve minimum 1500mm wide corridor width.

Level 3 (RL 31.27 – RL 31.28)

- Ten (10) apartments/units including one (1) x 1-bed unit, eight (8) x 2-bed units and one (1) x 3-bed unit.

- Retrospective approval for unauthorised internal wall and layout re-configurations to units 11, 12, 13, 14, 15, 46, 47, 48, 49 and 50.
- Re-construct walls to units 11, 15, 46, 47, 50 to achieve minimum 1500mm wide corridor width.

Level 4 to level 8

- Minor reconfigurations to ten (10) apartments/units.
- Retrospective approval for unauthorised internal wall and layout re-configurations to units.
- Re-construct walls to units to achieve minimum 1500mm wide corridor width.

Rooftop (RL 48.94)

- Installation of four (4) 150mm high x 175mm wide reinforced concrete hob.
- Replacement of all non-structural face brick parapet walls with glazed aluminium balustrade minimum 1 metre high.
- Provide new reinforced concrete hobs and new rendered block wall and aluminium gate to plant area.
- Installation of aluminium safety balustrade.
- Installation of new rendered block wall and gate to the new plant area.
- Removal of all ramps and replacement with level tiled finish to roof deck.
- Removal of ductwork and divert vertically to roof.
- Landscaping including the installation of fixed furniture, a chess board and planter boxes.
- Installation of solar photovoltaic cells within service areas.
- New service penetrations and stair pressurisation works.

There are no changes to the number of apartments and the number of approved bedrooms across the entire apartment building.

History

Date	Proposal	Determination
1 December 2011.	The Joint Regional Planning Panel (JRPP) granted approval to Development Application 219/2011 for demolition of the Lidcombe Children's Court building and ancillary structures, alterations and additions to the Police	Approved subject to conditions.

	Station Building and the construction of an eight storey mixed use building containing seven (7) commercial tenancies and seventy (70) residential units over three levels of basement carparking with associated subdivision on land at Lot 300 in DP 1142325, 11 John Street, Lidcombe.	
21 March 2012.	Development application 444/2011. Demolition of a heritage building (Lidcombe Police Station) on land at Lot 300 in DP 1142325, 11 John Street, Lidcombe.	Refused.
21 November 2013.	Construction certificate was issued for bulk excavation, shoring and piling in respect to development consent 219/2011 on land at Lot 300 in DP 1142325, 11 John Street, Lidcombe by private certifier.	Approved.
16 July 2014	Section 96(2) modification application 219/2011/A for the construction of an additional floor to the building, construction of an additional basement level and increasing the number of apartments from 70 to 80 and increasing the number of car parking spaces from 121 to 153.	Approved.
23 November 2015	Section 96(1A) modification application 219/2011/B to modify the external wall finishes, the northern walls of shops & delete the children play area at roof level.	Approved.
11 August 2017	Section 96(2) modification application 219/2011/C to introduce an electrical substation and hydrant booster to the site, amend on-site tank detention location, alteration to passageways and stairways and modification to the lift lobby and air-conditioning plant areas.	Approved.
27 March 2029	Land and Environment Court of NSW (Case number/title 2018/00268096 approved development application no. DA-531/2017 for Torrens Title Subdivision of one lot into two lots, creation of access easement and Strata Tile subdivision of the existing mixed use development at 11 John Street, Lidcombe.	Approved by the Court.

2019 May 2019	A construction certificate was issued for awnings and miscellaneous external works in respect to development consent 219/2011, section 96 modification applications no. DA-219/2011/A, DA-219/2011/B and DA-219/2011/C on land at Lot 300 in DP 1142325, 11 John Street, Lidcombe by a private certifier.	Approved.
20 September 2019	Section 96(1A) modification application 219/2011/D to amend the internal layout of residential units across levels 1 to 8, including the provision of additional storage rooms and deletion of bedrooms.	Approved.
17 February 2020	Council issues a building information certificate application no. HBC2020/0018 for unauthorised construction of a high rise building, containing sole occupancy units, shops and basement car parking for whole of building at 11 John Street, Lidcombe.	Approved.
5 August 2020	Council's authorised person endorsed subdivision certificate no. SC2020/29 for plan of subdivision of Lot 300 in DP 1142325 into Lot 301 in DP 1258463 and Lot 302 in DP 1258463.	Approved.
17 September 2020	The plan of subdivision of Lot 300 in DP 1142325 is registered with the NSW Land and Registry Service.	Torrens title subdivision completed.
19 August 2021	Section 4.56 modification MOD2021/0204 to development consent 531/2017 to create a title restriction for fire separation on land at Lot 301 in DP 1258463, 11A John Street, Lidcombe.	Approved.
13 December 2021	The NSW Fair Trading Department of Customer Service issued a Prohibition Order under section 9 of the *Residential Apartment Buildings (Compliance and Enforcement Powers) Act 2020* that prohibits the issue of an occupation certificate in relation to the building at SP 100536, 11 John Street, Lidcombe until the Order is revoked by the Secretary.	Noted by Council.
23 December 2025	Development application 2025/0911 was lodged as per Regulations which is the subject of this development application.	-

Applicants Supporting Statement

The applicant has provided a Statement of Environmental Effects, Revision 2 prepared by DFP Planning Pty Limited, dated 18 December 2025 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

Development Engineering

The development application was referred to Council's Senior Development Engineer for comment who has advised that the development proposal is satisfactory and therefore can be supported subject to recommended conditions of consent.

Environmental Health

The development application was referred to Council's Environmental Health team for comment who has advised that the proposal is satisfactory and therefore can be supported subject to recommended conditions of consent.

Tree Management

The development application was referred to Council's Tree Management Officer for comment who has advised that the proposal is satisfactory and therefore can be supported subject to recommended conditions of consent.

Building Surveying

The development application was referred to Council's Building Assessment team for comment who has advised that the proposal is satisfactory and therefore can be supported subject to recommended conditions of consent.

Heritage

The development application was referred to Council's Heritage Committee on 14 January 2026 for comment. No response has been received. The application does not involve work on the land formerly known as Lidcombe Police Station. As no further building or development work is proposed, no heritage conservation assessment is required in this instance.

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:

State Environmental Planning Policies (SEPPs)	Relevant Clause(s)	Compliance with Requirements
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Chapter 2 - Vegetation in non Rural Areas.	The development application does not seek the removal of any trees. Council's Senior Tree Management Officer reviewed the proposal and raised no objections subject to conditions. The proposed vegetation removal is considered acceptable. As such, an assessment under Chapter 2 is not required in this instance.
	Chapter 6 - Water Catchments. Sydney Harbour Catchment.	It is determined that given the location of the site, a detailed assessment is not required given that there is no direct impact upon the catchment and no direct impact upon watercourses. As such, the development is acceptable under the provisions that came into effect on Monday 21 November 2022.
State Environmental Planning Policy (Housing) 2021	Chapter 4 - Design of residential apartment development	The proposed development seeks design changes to the shop top housing component of the approved mixed-use development (DA-219/2011). As such, an assessment against the relevant provisions of Chapter 4 of SEPP (Housing) 2021 and the Apartment Design Guide (ADG) was undertaken. The proposal is compliant with the relevant requirements of the Policy and the ADG as detailed in the discussion following this table. A compliance table is provided at Attachment 7.

State Environmental Planning Policy (Resilience and Hazards) 2021	Chapter 2 - Coastal Management.	The subject site is not identified as a coastal wetland or 'land identified as "proximity area for coastal wetlands" or coastal management area.
	Chapter 4 - Remediation of Land. Part 4.6.	The development was found to be compliant with the relevant provisions of Part 4.6 of Chapter 4 as part of the assessment of the previously approved amending DA (DA-219/2011). This conclusion remains valid with respect to the subject development application. The site is considered suitable for the proposed development. The application was referred to Council's Environmental Health team who did not raise any objections to the proposal. As such, it is considered that the development application is satisfactory under Part 4.6 of Chapter 4 of the SEPP.
State Environmental Planning Policy (Sustainable Buildings) 2022	Chapter 2 - Standards for residential development - BASIX	An amended BASIX Certificate (Certificate number: 1808936M_06 dated 19 May 2026) was submitted in response to the proposed changes to the residential component of the development and is deemed to be compliant with the relevant provisions of the Policy.
State Environmental Planning Policy (Transport and Infrastructure) 2021	Chapter 2 – Infrastructure Clause 2.48	The development site is not located within 5m of an overhead electricity power line. Noting the setback of the development at all levels remains unchanged, Council is satisfied that the conditions imposed as part of the previously approved DA-219/2011 remain valid to the proposed DA2025/0911. Noting that no referral to the provider was sent DA-219/2011, the proposed design changes to the development remains compliant with the provisions of clause 2.48 of the Policy.

(a) State Environmental Planning Policy (Housing) 2021 (SEPP (Housing) 2021) – Chapter 4 Design of residential apartment development

Chapter 4 of SEPP (Housing) 2021 applies to the development as the building is 3 storeys or more and contains more than 4 dwellings. As the building was approved under DA-219/2011, a design verification statement from the design architect with a comparison of the building against the Residential Flat Design Code (RFDC) and the Apartment Design Guide (ADG) shall be provided that the existing building complies with the applicable controls of the site. The Design Report prepared H3 Architects includes a Design Verification Statement and a detailed assessment of the quality of the design of the development, evaluated in accordance with the design principles for residential apartment development set out in Schedule 9 of SEPP Housing and the relevant provisions of the ADG.

Following a detailed assessment of the proposal against the provisions of Chapter 4 of the SEPP (Housing 2021) and the ADG, the proposal is generally considered compliant and therefore performs satisfactorily. A comprehensive assessment against Chapter 4 of SEPP (Housing) 2021 and the ADG is contained in Attachment 7.

Local Environmental Plans

Cumberland Local Environmental Plan 2021

The provision of the Cumberland Local Environmental Plan 2021 is applicable to the development proposal. It is noted that the development achieves compliance with the key statutory requirements of the Cumberland Local Environmental Plan 2021 and the objectives of the E1 Local Centre zone.

(a) Permissibility:

The provision of the Cumberland Local Environmental Plan 2021 is applicable to the development proposal.

The proposed development is defined as a 'shop top housing' and is permissible in the E1 Local Centre zone with consent.

The proposed development is defined as 'shop top housing'.

> ***"shop top housing** means one or more dwellings located above the ground floor of a building, where at least the ground floor is used for commercial premises or health services facilities.*
>
> ***Note.***
>
> *Shop top housing is a type of **residential accommodation**—see the definition of that term in this Dictionary."*

The relevant matters to be considered under Cumberland LEP 2021 and the applicable clauses for the proposed development are summarised below. A comprehensive Cumberland LEP 2021 assessment is contained in Attachment 8.

DEVELOPMENT STANDARD	COMPLIANCE	DISCUSSION

Clause 4.3 Height of Buildings Maximum 38m	Yes	The proposed maximum building height to the development is **32.1 metres** (to the roof over the lift overrun) which complies with Clause 4.3 of Cumberland LEP 2021.
Clause 4.4 Floor Space Ratio Max. 5.0:1	Yes	The development provides a total gross floor area (GFA) of **7,525.1 square metres** which equates to a total FSR of **4.23:1**, which complies with Clause 4.4 of Cumberland LEP 2021.

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

Council has received a Gateway Determination from the Department of Planning, Housing and Infrastructure for the Draft Woodville Road Corridor Planning Proposal. As part of this approval, public exhibition of the Draft Woodville Road Corridor Planning Proposal has commenced. The public exhibition was carried out between the 4 March 2025 to 17 April 2025.

The Draft Planning Proposal seeks to revitalise Woodville Road by amending planning controls in the Cumberland Local Environmental Plan (CLEP) 2021 for 31 sites located around the three (3) precincts of Woodville North, Merrylands East and Woodville South.

The subject application was received on 23 December 2025 and the site does not fall within the Draft Woodville Road Corridor. Therefore, no further consideration is required.

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

The Cumberland Development Control Plan 2021 is relevant to the development proposal.

The development has been assessed using the following chapters:

- Part B3 Residential Flat Building.
- Part C Development in Business Zones.
- Part F2-5 Lidcombe Town Centre.
- Part G3 Traffic, Parking, Transport and Access (Vehicles).
- Part G4 Stormwater and Drainage.
- Part G5 Sustainability, Biodiversity and Environmental Management.
  iii) Part G7 Tree Management and Landscaping.
- Part G8 Waste Management.

The proposed development complies with the provisions of Council's relevant parts B3, C, F2-5, G3, G4, G5, G7 and G8 of the Cumberland Development Control Plan

2021and is considered acceptable from an environmental planning viewpoint. A comprehensive Cumberland DCP 2021 assessment is contained in Attachment 9.

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)(iiia))

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 Regulation 2021 (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 (Website) ☒ Mail ☒ Sign ☒ Not Required ☐

In accordance with Council's Notification requirements contained within the Cumberland Development Control Plan 2021, the proposal was publicly notified for a period of 14 days between 15 January 2026 and 29 January 2026. The notification generated no submissions.

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.

CUMBERLAND LOCAL INFRASTRUCTURE CONTRIBUTIONS PLANS 2020

The development would require the payment of contributions in accordance with Cumberland Local Infrastructure Contributions Plan 2020.

In accordance with the Contribution Plan a contribution is payable, pursuant to section of the EP&A Act, calculated on the cost of works. A total contribution of $42,231.00 would be payable prior to the issue of a Construction Certificate.

HOUSING AND PRODUCTIVITY OF CONTRIBUTION (HPC)

In accordance with s7.24, s7.26 and s7.28 of the Environmental Planning and Assessment Act, 1979, the proposed development is not subject to the payment of the Housing and Productivity Contribution (HPC) as there is no additional gross floor area associated with DA2025/0911.

DISCLOSURE OF POLITICAL DONATIONS AND GIFTS

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

CONCLUSION:

The development application has been assessed in accordance with the relevant requirements of the Environmental Planning and Assessment Act 1979, State Environmental Planning Policy (Housing) 2021, Cumberland LEP 2021 and the Cumberland DCP 2021. The proposed development is appropriately located within the E1 Local Centre zone under the relevant provisions of the Cumberland LEP 2021. The proposal is consistent with all statutory and non-statutory controls applying to the development. 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:

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

FINANCIAL IMPLICATIONS:

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

POLICY IMPLICATIONS:

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

COMMUNICATION / PUBLICATIONS:

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

REPORT RECOMMENDATION:

That Development Application 2025/0911 for alteration and additions to an approved 9-storey mixed use building under DA-219/2011 including reconfigurations to the 4 basement levels, new service penetrations and stair pressurisation works to 13 levels of the building, new awning over retail shop 9, installation of sprinkler feeders to 80 apartments, changes to apartment doors,

internal layout and walls to levels 1 to 8, replace all non-structural face brick parapet wall with glazed balustrades to the rooftop level and associated reconfiguration of the rooftop level on land at 11 John Street, Lidcombe be approved subject to conditions listed in the attached schedule.

ATTACHMENTS

1. Draft Notice of Determination ⇩
2. Architectural Plans ⇩
3. Landscape Plans ⇩
4. Notice of Determination under DA-219/2011 ⇩
5. Approved Architectural and Stormwater Plans under DA-219/2011/A ⇩
6. Prohibition Order for SP 100536, 11 John Street, Lidcombe ⇩
7. State Environmental Planning Policy (Housing) 2021 - Apartment Design Guide Assessment ⇩
8. Cumberland LEP 2021 Assessment Table ⇩
9. Cumberland DCP 2021 Assessment Table ⇩

DOCUMENTS ASSOCIATED WITH REPORT ELPP022/26

Attachment 1

Draft Notice of Determination

CUMBERLAND CITY COUNCIL

DEVELOPMENT APPLICATION
DRAFT CONDITIONS OF CONSENT

Under the *Environmental Planning and Assessment Act, 1979*

Application No:	DA2025/0911
Applicant:	A Wang C/- DFP Planning Pty Ltd PO Box 230 NORTH RYDE BC NSW 1670
Property Description:	11 John Street, LIDCOMBE NSW 2141, SP 100536
Development:	Alteration and additions to an approved 9-storey mixed use building under DA-219/2011 including reconfigurations to the 4 basement levels, new service penetrations and stair pressurisation works to 13 levels of the building, new awning over retail shop 9, installation of sprinkler feeders to 80 apartments, changes to apartment doors, internal layout and walls to levels 1 to 8, replace all non-structural face brick parapet wall with glazed balustrades to the rooftop level and associated reconfiguration of the rooftop level
Determined by:	Local Planning Panel

CONDITIONS OF CONSENT

General Conditions

1. **DAGCA01- General**
This consent shall lapse five years after the date from which it operates unless building, engineering or construction work has physically commenced.

(Reason: Advisory)

2. **DAGCA02 - Approved Plans and Supporting Documents**
The development must be carried out in accordance with the following endorsed plans and documents, except as otherwise provided by the conditions of this consent.

Reference/Dwg No	*Title/Description*	*Prepared By*	*Revision*	*Date/s*
22002/DA1.01	Basement Level 4 Floor Plan	Tsang & Lee Architects T/A H3 Architects	B	30 March 2026
22002/CCC1.02	Basement Level 3 Floor Plan	Tsang & Lee Architects T/A H3 Architects	B	30 March 2026
22002/DA1.03	Basement Level 2 Floor Plan	Tsang & Lee Architects T/A H3 Architects	B	30 March 2026
22002/DA1.04	Basement Level 1 Floor Plan	Tsang & Lee Architects T/A H3 Architects	B	30 March 2026
22002/DA1.05	Ground Floor Level	Tsang & Lee Architects T/A H3 Architects	B	30 March 2026
22002/DA1.06	Level 1 Floor Plan	Tsang & Lee Architects T/A H3 Architects	B	17 March 2026

22002/DA1.07	Level 2 Floor Plan	Tsang & Lee Architects T/A H3 Architects	A	17 December 2025
22002/DA1.08	Level 3 Floor Plan	Tsang & Lee Architects T/A H3 Architects	A	17 December 2025
22002/DA1.09	Level 4 Floor Plan	Tsang & Lee Architects T/A H3 Architects	A	17 December 2025
22002/DA1.10	Level 5 Floor Plan	Tsang & Lee Architects T/A H3 Architects	A	17 December 2025
22002/DA1.11	Level 6 Floor Plan	Tsang & Lee Architects T/A H3 Architects	A	17 December 2025
22002/DA1.12	Level 7 Floor Plan	Tsang & Lee Architects T/A H3 Architects	A	17 December 2025
22002/DA1.13	Level 8 Floor Plan	Tsang & Lee Architects T/A H3 Architects	A	17 December 2025
22002/DA1.14	Roof Plan	Tsang & Lee Architects T/A H3 Architects	A	17 December 2025
22002/DA2.01	South Elevation	Tsang & Lee Architects T/A H3 Architects	B	17 March 2026
22002/DA2.02	North Elevation	Tsang & Lee Architects T/A H3 Architects	B	30 March 2026
22002/DA2.03	East & West Elevations	Tsang & Lee Architects T/A H3 Architects	B	17 March 2026
22002/DA3.01	Section A-A	Tsang & Lee Architects T/A H3 Architects	B	17 March 2026
22002/DA3.02	Section B-B	Tsang & Lee Architects T/A H3 Architects	B	17 March 2026
2025-041, B01	Cover & Details	PlanDrew	B	17 December 2025
2025-041, B02	Rooftop Landscape Plan	PlanDrew	B	17 December 2025
2025-041, B02	Section A	PlanDrew	B	17 December 2025
6429/2	Structural Certification letter	S2F Projects Pty Ltd	-	26 November 2025
6429/1	Civil/Structural Certification letter	S2F Projects Pty Ltd	-	26 November 2025
00931-L005	Fire Sprinkler Works to Residential Floors	C & M Consulting Engineers	-	16 December 2025
23-041PK87 R1	Preliminary Fire Engineering Assessment Letter	i-Fire Engineers Pty Ltd	-	5 December 2025
Project no: 22002	SEPP 65 Design Verification Statement	Susan Teng (Tsang & Lee Architects T/A H3 Architects)	A	31 October 2025

Cert. No. 1808936M_06	BASIX Certificate	Firstyle Homes Pty Limited	-	19 May 2026
Project No.250698	Waste Management Plan	Barker Ryan Stewart	2	19 November 2025
116580	Access Assessment Report	Jensen Hughes Australia	2	17 December 2025
20E-25-0151-TRP-69659-0	Noise Impact Assessment	Vipac Engineers and Scientists Limited	-	8 September 2025
Ref: 107/2025	Design Compliance (Traffic & Parking) Assessment	Transport and Traffic Planning Associates	-	4 November 2025

(Reason: To confirm and clarify the details of the approval)

3. **DAGCF02 - Utility Services**
If the development causes damage to utility services or if it requires the adjustment or relocation of utility services, the applicant shall carry out works, at the applicant's expense, to the service/s to the satisfaction of the utility provider.

(Reason: To protect and ensure the ongoing integrity of utility infrastructure)

Conditions Which Must be Satisfied Prior to the Commencement of Demolition

4. **DAPDB08 - Demolition Inspections**
Council (not a private certifier) must inspect the site prior to and after demolition works. Payment of the demolition inspection fee in accordance with Council's current fees and charges policy must be made. To arrange a Council inspection contact Council's Customer Service on 8757 9000.

After completion of demolition works, the applicant must notify Council within 7 days to assess the site and ensure compliance with AS2601-2001 - Demolition of Structures.

(Reason: To ensure compliance with the relevant legislation)

5. **DAPDB09 - Tree Preservation**
All street trees and trees on private property that are protected under Council's Development Control Plan, shall be retained and protected in accordance with AS 4970 - 2009 'Protection of Trees on Development Sites' during demolition except where Council's prior written consent has been obtained.

(Reason: Tree Preservation and Protection)

6. **DAPDB10 - Demolition, Construction Noise and Vibration Management Plan**
A site specific Noise Management Plan shall be developed and submitted to the Council or registered certifier prior to the commencement of any demolition and construction works on site. The Plan must be prepared by a suitably qualified Acoustic Consultant, being a consultant who holds a current member grade of the Australian Acoustical Society.

The Plan must include but not be limited to the following:

a) Identification of any noise sensitive receivers near to the site.
b) A prediction as to the level of noise and vibration impact, including the likely number of high noise intrusive appliances/equipment likely to affect the nearest noise sensitive receivers.
c) A statement outlining whether or not predicted noise levels will comply with the noise criteria stated in the NSW EPA Interim Construction Noise Guideline (2009). Where resultant site noise levels are likely to be in exceedance of noise criteria, then details of the following must be included in the plan:
    - Duration and frequency of respite periods that will be afforded to the occupiers of neighbouring properties; and
    - Details of any other noise mitigation measures that will be deployed on site to reduce noise impacts on the occupiers of neighbouring noise sensitive property to a minimum.
d) Confirmation of the level of community consultation that has or will be undertaken with the

occupiers of the main adjoining noise sensitive properties likely to be most affected by site works and the operation of plant/machinery particularly during demolition phases.

e) Details of the noise and vibration monitoring that is to be undertaken during works.

f) The type of action will be undertaken following receipt of a complaint concerning offensive noise or vibration, including nomination of a site contact.

(Reason: Environmental and residential protection)

Conditions Which Must be Satisfied Prior to the Issue of a Construction Certificate

7. DACCA01 - Amendments to Approved Plans

Amended plans/documents shall be submitted to the Council or registered certifier prior to the issue of a Construction Certificate incorporating and addressing the following matters:

a) The retail car space number RT16 on basement level 1, residential visitor car space number R19 on basement level 2, residential visitor car space number R61 on basement level 3, and residential visitor car space number R101 on basement level 4 shall be deleted.

b) The wording 'visitor' shall be deleted from the notation 'retail visitor' parking spaces and revert to 'retail' on applicable basement level plans.

c) A sight line clearance triangular area of 2m wide and 2.5m deep on the left side of exit lane at the property boundary shall be provided in accordance with the section 3.2.4 (figure 3.2 & 3.3) of AS2890.1-2004.

d) The recommendations of the Design Compliance (Traffic & Parking) Assessment, ref: 107/2025 and dated 4 November 2025 shall be implemented.

e) The width of the driveway ramps shall comply with the section 2.5.2 of AS2890.1-2004. In addition, 300mm wide kerb shall be provided on both side/edge of the ramp as recommended by the traffic report.

All the plans shall be amended incorporating the necessary measures and address the above matters.

(Reason: To confirm and clarify the terms of Council's approval and recommendations of the Design Compliance (Traffic & Parking) assessment report.

8. DACCA02 - Application for a Construction Certificate

Construction work must not commence until a Construction Certificate has been obtained from Council or a registered certifier.

(Reason: Statutory requirement)

9. DACCA03 - Disabled Access & Facilities

Access and facilities for people with disabilities must be provided in accordance with the relevant requirements of the National Construction Code (for all new building work) and in addition, with the relevant requirements of the 'Disability (Access to Premises - Building) Standards 2010'. Details of the proposed access, facilities and car parking for people with disabilities are to be included in the plans/specifications submitted with the Construction Certificate application.

(Reason: To ensure compliance with the requirements of the National Construction Code)

10. DACCA04 - Works Within the Boundary

No portion of the works are to encroach beyond the boundaries of the subject property. Alternatively, documentary evidence that the owner of the adjoining property has no objection to the required works or access, is to be submitted to the Council or registered certifier prior to the issue of a Construction Certificate.

(Reason: To ensure protection of adjoining properties)

11. DACCB01 - Damage Deposit for Council Infrastructure

A damage deposit of $14,940.00 shall be paid to Council prior to the issue of the Construction

Certificate. Council may use part or all of the deposit to carry out rectification work to Council's infrastructure that was damaged as a result of carrying out development works. Unused portions of the damage deposit can be refunded following the completion the issue of an Occupation Certificate and a written request to release the deposit.

(Reason: To encourage protection of Council infrastructure and to fund rectification works for damaged Council infrastructure)

12. DACCB02 - Payment of Bonds, Fees and Long Service Levy

The Council or registered certifier is to ensure and obtain written proof prior to the issue of a Construction Certificate that all bonds, fees and contributions as required by this consent have been paid to the applicable authority. This includes payment of a long service levy as required under part 5 of the *Building and Construction Industry Long Service Payments Act 1986*.

(Reason: To ensure that the applicable bonds, fees and levies are paid)

13. DACCB04 - Section 7.12 Contribution

Prior to the issue of a Construction Certificate, a monetary contribution imposed under section 7.12 of *the Environmental Planning and Assessment Act 1979 and Cumberland Local Infrastructure Contributions Plan 2020* is to be paid to Council. The amount of contribution is calculated at $42,231.00 as at the date of this consent but is subject to change by the consumer price index to the date of payment. A copy of the *Cumberland Local Infrastructure Contributions Plan 2020* can be viewed on Council's website

(Reason: To ensure compliance with Cumberland Local Infrastructure Contributions Plan)

14. DACCB05 - Fees to be paid to Council

Types of fees	**Amount**	**Payment timing**
Demolition Inspection Fee	$752.00 (pre & post)	Prior to OC
Damage Bond	$14,940.00	Prior to CC
Sect. 7.12 Contributions	$42,231.00 + CPI	Prior to CC
Construction Traffic Management Plan	$409.00	Prior to CC
Kerb Crossing Bond	$6,970.00	Prior to CC
Driveways Inspections	$881.00	Prior to CC
TOTAL	**$66,183.00** + CPI where applicable	

Payment of the above fees shall be paid to Council in accordance with timing stipulated above. Please note that other fees and charges may be applicable to the proposal. Fees to be paid to Council will be determined at the time of payment in accordance with Council's adopted Fees and Charges Policy and may therefore exceed the fee amount quoted above.

Note: In the event that the applicant does not apply for a refund of bonds, Council will forfeit the bonds and it will be transferred to the Infrastructure Reserve seven years after the completion of works in accordance with Council's Construction Bonds Management Policy.
(Reason: Statutory requirement and information)

15. DACCB06 - Photographic Record of Council Property - Damage Deposit

Prior to demolition commencing and prior to the issue of a Construction Certificate, the applicant shall submit to Council a full photographic record of the condition of Council's assets (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 assets 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 arose during the course of demolition or construction work, Council may require either part or full re-instatement of its assets.

Failure to provide a full 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.

(Reason: To assist in the appropriate assignment of costs for any damage to Maintain Council public assets)

16. DACCC01 - Footpath and Driveway Design Levels

Detailed footpath levels shall be obtained from Council before finalisation of the footpath and driveway design with the Construction Certificate application by lodging an 'Application for Property Boundary Line Levels'. Any required adjustments shall be included in the Construction Certificate plans. Unless an alternative specific design is submitted and approved by Council, the footpath and driveway levels adjoining the site shall generally be as follows:

a) The internal driveway levels shall be designed to meet Council's footpath verge levels such that a maximum cross fall of 2.5% is achieved where the footpath crosses the driveway.
b) The levels of the driveway at the property boundary shall incorporate a cross fall equivalent to the general longitudinal grade of the street.
c) The approved boundary line levels are to be incorporated in plans and submitted for approval under section 138 of the *Roads Act 1993*.

(Reason: To ensure appropriate vehicular access that has regard to prevailing topography and that preserves safe pedestrian access)

17. DACCC02 - Protection or Management of Public Access

If the work involved in the demolition or construction of a building is likely to disrupt or obstruct pedestrian or vehicular traffic in a public place, or the building involves the closure of a public place, a barrier, fence or hoarding shall be erected prior to the commencement of any work, subject to approval of a Road Occupancy Licence by Council.

(Reason: Public safety)

18. DACCE02 - Construction Management Plan

Prior to the issue of any Construction Certificate, a Construction Management Plan shall be submitted to the Council or registered certifier providing details of the following:

a) Actions and works proposed to ensure safe access to and from the site, including how the road and footpath area will be protected from building activities, plant and materials delivery, or static loads from cranes, concrete pumps and the like.
b) The proposed method of loading and unloading excavation machines, building materials, formwork and the like.
c) The proposed areas within the site to be used for a builder's site office and amenities, the storage of excavated material, construction materials and waste containers during the construction period.
d) The proposed method of support designed by a qualified practising professional engineer with Engineers Australia membership for any excavation adjacent to adjoining properties or the road reserve.

(Reason: Safety, amenity and protection of public infrastructure and the environment)

19. DACCG01 - Available Visitor Car Parking Signage

A sign shall be erected in a suitable location on the property near the driveway entrance indicating where visitor parking is available on the site. Details shall be submitted to the satisfaction of Council or registered certifier prior to the issue of the Construction Certificate.

(Reason: To promote the availability of visitor parking and minimise impacts on the availability of street parking)

20. DACCG03 - Off Street Car Parking - Multiple Use Buildings

145 car parking spaces and 1 loading bay space shall be provided on the development site, comprising of at least:

- 98 car parking spaces for residential occupants.
- 17 car parking spaces for residential visitors.
- 28 commercial/retail premises spaces.
- 2 electric vehicles (EV) only charging car parking spaces on basement level 1.

- 10 car parking spaces out of the 145 car parking spaces for people with mobility impairment/disabilities in accordance with the relevant Australian Standards.

All car spaces shall be allocated and marked according to this requirement.

If the development is to be strata subdivided, the car park layout must reflect the above allocation.

Each car parking space shall have minimum dimensions in accordance with the relevant Australian Standard/New Zealand Standard AS/NZS 2890.1:2004 and be provided on-site in accordance with the approved plans.

The parking bays shall be delineated by line marking.

Visitor spaces shall be clearly line marked and/or signposted and shall only be used by visitors to the site.

The following traffic control measures shall be implemented on site:-

a) Signage indicating "Entry Only" shall be prominently displayed at the entrance to the development.
b) Signage indicating "Exit Only" shall be prominently displayed at the exit to the development.
c) One-Way directional arrows shall be painted on the driveway pavement to indicate the required vehicular directional movement through the car parking area.

The above details shall be submitted to and approved by the Council or registered certifier prior to the issue of the Construction Certificate.

(Reason: To ensure satisfactory parking and access)

21. DACCG11 - Stop Signs
Appropriate sign(s) shall be provided and maintained within the site at the point(s) of vehicular egress to signal that drivers must stop before proceeding onto any public road.

(Reason: Adequate access and egress)

22. DACCJ03 - Certification of the Stormwater Drainage System Design
Prior to the issue of a Construction Certificate, the proposed stormwater design shall be certified by a qualified practising civil engineer as complying with Council's Development Control Plan and AS/NZS3500.3.

(Reason: Adequate stormwater management)

23. DACCJ05 - Grated Drain
A grated trench drain shall be provided across the driveway at the base of the ramp. Unless otherwise designed by a qualified civil engineer, the dimensions of the trench grate shall not be less than 200mm wide by 150mm deep at the shallow end and shall have a minimum slope of 2%. This trench drain shall be connected to an approved drainage system. The grated drain calculation shall be in accordance with AS/NZS3500.3.
The above information must be indicated on all relevant drawings submitted with the Construction Certificate application.

(Reason: To mitigate the impacts of stormwater)

24. DACCK07 - Structural Engineer's Details
Structural engineer's details prepared and certified by a practising qualified structural engineer of all reinforced concrete and structural members shall be submitted with the Construction Certificate application to the Council or registered certifier.

(Reason: To ensure safety and the proper design or structural elements of the building)

25. DACCL05 - Compliance with Acoustic Report
Prior to the issue of a Construction Certificate, the construction drawings and construction methodology must be assessed and certified by a suitably qualified acoustic consultant, being a

consultant who holds a current member grade of the Australian Acoustic Society, as being in accordance with any requirements and recommendations of the approved acoustic report prepared by Vipac with reference 20E-25-0151-TRP-69659-0 and dated 25 August 2025

(Reason: To ensure appropriate noise attenuation measures are used)

26. DACCM03 - Mechanical Ventilation - Certification of Compliance

Details of any mechanical ventilation and / or air handling system must be prepared by a suitably qualified person and certified in accordance with clause A2.2 (a) (iii) of the National Construction Code, to the satisfaction of the Council or registered certifier prior to the issue of a Construction Certificate. The system must be certified as complying with AS1668.1 and 2 - 2012 The Use of Ventilation and Air-Conditioning in Buildings - Mechanical Ventilation in Buildings and relevant Australian Standards.

(Reason: To ensure adequate mechanical ventilation is provided)

27. DACCM10 - Future use of Mixed-Use Building for Commercial Tenancy

The building design must incorporate measures to enable the installation of appropriate mechanical ventilation systems that comply with relevant Australian Standards including AS1668 and are capable of accommodating any exhaust/ventilation requirements for ground floor commercial units in particular food premises. In the event that a food premises requires a mechanical exhaust system for charcoal cooking purposes, separate consent is required as additional filtration systems and odour assessment will be necessary.

(Reason: Ensure that future commercial tenancies can meet legislative requirements for mechanical ventilation)

28. DACCO05 - Parking and Access

Parking layouts, driveways, internal ramps, turning areas and parking spaces are to ensure compliance with applicable provisions of AS2890.1 including:

a) Circulation roadways and ramp widths shall comply with section 2.5.2.
b) Circulation ramp grades and transitions are to comply with section 2.5.3. A longitudinal section along the steepest side the ramp demonstrating compliance shall be prepared.
c) Kerbs shall be at least 300mm wide and 150mm high to either side of a ramp.
d) Pedestrian sight distances are to be provided in accordance with section 3.2.4.
e) Headroom clearance measured from the floor to the underside of any ceiling, beam, ventilation duct, service conduit, open door or other structure shall a minimum of 2.5m in the location of accessible parking spaces and 2.2m elsewhere.
f) A crest at least 100mm higher than the top of the road side kerb at the upstream side of the driveway shall be provided within the driveway area, or if the site is affected by the 1% annual exceedance probability flood, then then crest shall be greater of 100mm higher than the top of the road side kerb at the upstream side of the driveway or 150mm above the 1% level at all points.
g) Directional arrows for internal circulation shall be prominently displayed. The entry/exit driveway shall be line marked.
h) Width of the circulation roadway and ramps shall comply with Clause 2.5 of AS2890.1:2004.
i) Any amendments to the levels within the road reserve shall be submitted to and approved by Council's Engineering Team. All works required within the road reserve are to be designed and built by the applicant to the satisfaction of Council. All costs shall be borne by the applicant.

Details demonstrating compliance with this condition are to be submitted to and approved by the Council or registered certifier.

(Reason: To ensure satisfactory vehicle access and parking)

29. DACCO06 - Basement Pump Out Drainage System

The basement carpark shall incorporate a pump out drainage system. Plans for the system prepared by a qualified civil or hydraulic engineer shall be provided to the Council or registered certifier that demonstrate:

a) The catchment area of the driveway no exceeding 60m².
b) A sump with dimensions 1m by 1m and depth 300mm.
c) Provision of tank storage volume based upon the 100-year average recurrence interval storm

event for a 90-minute storm duration, with further provision within the car park area to accommodate the 100-year average recurrence interval even based upon a 12 hour storm duration.

d) Provision of dual submersible pump units where each have a discharge rate equal to the 100-year average recurrence interval for a 5-minute storm duration.

e) The water level and location for the collection of water, outside of the tank storage. The collection / storage area may be co-located with car parking and access aisles. Any other use, including storage for units within the building must be located at least 100mm above the water level of the collection area.

f) Measures to be enacted that immediately alert the owners of the building that a pump failure has occurred, including in scenarios when the building may be unoccupied.

(Reason: To ensure the basement is not affected by water inundation that may pose safety risks)

30. DACCZ01 - NCC Compliance Capability Statement

Prior to a construction certificate issued provide an NCC Compliance Capability Statement for the existing building and the proposed works. Such an NCC Compliance Capability Statement is to be provided by a registered Certifier with appropriate level of registration with the Building Commission NSW and a copy shall be provided to Council.

(Reason: NCC Compliance Capability Statement)

Conditions Which Must be Satisfied Prior to the Commencement of any Development Work

31. DAPCA01 - Appointment of Principal Certifier

No work shall commence in connection with this Development Consent until:

a) A Construction Certificate for the building work has been obtained.

b) the person having the benefit of the development consent has:
   (i) appointed a principal certifier for the building work, and
   (ii) given at least 2 days' notice to the Council, and the principal certifier if not the Council, of the person's intention to commence the erection of the building, and

c) The principal certifier has, no later than 2 days before the building work commences:
   (i) notified the Council 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

d) The person carrying out the building work has notified the principal certifier that the person will carry out the building work as an owner-builder, if that is the case

e) 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 certifier of 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.

(Reason: Statutory requirements)

32. DAPCA04 - Principal Certifier Sign

Prior to commencement of any work, signage must be erected in a prominent position on the work site that:

a) shows the name, address and telephone number of the Principal Certifier;

b) shows the name and address of the principal contractor (if any) and a telephone number on which that person may be contacted outside of work hours.

c) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained whilst ever the work is being carried out and must be removed when the work has been completed.

(Reason: Statutory requirement)

33. DAPCA05 - Sydney Water Tap in Approvals

The approved plans must be submitted through the Sydney Water 'Tap in' portal to determine whether the development application will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Sydney Water 'Tap in' customers will receive an approval receipt. For further details please refer to Sydney Water's web site at www.sydneywater.com.au/tapin or call1300 082 746.

The Principal Certifier must ensure that the plans have been approved through the Sydney Water 'Tap in' process and an approval receipt is issued prior to the commencement of works.

(Reason: Statutory requirement)

Conditions Which Must be Satisfied During any Development Work

34. DADWA01 - Construction Hours

Construction and all related activities including the delivery of materials to the site may only take place between the hours of 7:00am to 6:00pm Mondays to Fridays and 8:00am to 4:00pm Saturdays. No work is to occur on Sundays and public holidays.

Where the development involves the use of jackhammers / rock breakers and the like or other heavy machinery, such equipment may only be used between the hours of 7:00am and 6:00pm Monday to Friday, excluding public holidays.

Note: Construction hours may also be regulated through State legislation and policies, and any works need to comply with these requirements.

(Reason: To minimise impacts on neighbouring properties)

35. DADWA05 - Construction Management Plan

All development activities and traffic movements must be carried out in accordance with the approved Construction Management Plan.

A copy of the plan must be kept on site at all times and made available to the Principal Certifier or Council on request.

(Reason: Safety, amenity and protection of public infrastructure and the environment))

36. DADWA06 - Stamped Plans

Stamped plans, specifications, documentation and the consent shall be available on site at all times during construction.

(Reason: To ensure compliance with approved plans)

37. DADWC01 - Obstruction/Temporary Occupation of the Public Road/Footpath Area

The road inclusive of footpath area is not to be occupied by building plant such as cranes and cement trucks, building materials, waste materials, waste bins, toilets and the like unless prior approval for such is obtained from the Council (or in the case of a classified road, from Transport for NSW) in the form of a Road Occupancy Licence.
(Reason: To ensure suitable and safe functioning of public road areas)

38. DADWC02 - Compliance with the National Construction Code

All building work must be carried out in accordance with the provisions of the National Construction Code.

(Reason: Prescribed statutory control)

Conditions Which Must be Satisfied Prior to the Issue of an Occupation Certificate

39. DAOCA01 - Occupation Certificate

A person must not commence occupation or use of the whole or any part of a new building or change the use of the whole building or any part of an existing building, unless an Occupation Certificate has been issued in relation to the building or part. Before issuing an Occupation Certificate, the Principal Certifier must be satisfied that:

a) All required inspections, including applicable mandatory critical stage inspections, have been carried out; and
b) Any preconditions to the issue of the certificate required by a development consent have been met.

(Reason: Statutory requirement)

40. DAOCA02 - Final Clearance
A final clearance is to be obtained from the relevant energy service provider.

(Reason: To ensure power is available for the site)

41. DAOCA04 - Structural Engineer's Certificate
A certificate from the supervising structural engineer responsible for the design shall be submitted to the Principal Certifier certifying that all foundation works/reinforced concrete/structural members have been carried out/erected in accordance with the engineer's requirements and the relevant standards/codes.

(Reason: To ensure the building is constructed in a structurally sound manner)

42. DAOCA08 - Certification of Engineering Works
Prior to the issue of an Occupation Certificate, the following documents must be submitted to the Principal Certifier.

a) Work as executed drawings prepared by a registered surveyor for completed engineering works together with the following documents:

- The "As-built" On-Site Detention (OSD) storage volumes are to be prepared based on the as build floor levels.
- OSD WAE Survey certification form and WAE dimensions form (Refer to UPRCT Handbook).
- Approved verses installed On-site Detention (OSD) Design Calculation summary Sheet certified by a qualified practicing Hydraulic Engineer.
- Certificate of Hydraulic Compliance from a qualified drainage / hydraulic engineer (refer to UPRCT Handbook). The person issuing Hydraulic certificate shall ensure that all the works have been completed and comply with the approved plans.
- Structural Engineer's Certificate for the OSD tank structure, basement pump out tank structure, OSD basin (retaining) wall certifying structural stability of the structure and the OSD basin wall leak proof capability etc.

b) Certification from a qualified practising professional engineer with Engineers Australia membership under the appropriate professional category, that the following matters have been constructed in accordance with the approved plans and conditions of consent:
   - the stormwater drainage system;
   - car parking provision;
   - the dimension of parking spaces and any aisles and circulation ramps conform to AS2890.1;
   - any related footpath works;
   - any basement mechanical pump; and
   - the proposed driveway and layback.

(Reason: Asset management)

43. DAOCA11 - Civil Works on the Footway
The following works are to be carried out at the applicant's expense and to Council's satisfaction prior to the issue of any Occupation Certificate:

a) reconstruct sections of cracked or defective footpath along the full frontage of the site.
b) reconstruct the existing public drainage pit/pipe system.

Where the applicant nominates Council to undertake the civil and stormwater works, they must contact Council in order to obtain an estimated cost for construction and contract to undertake the works.

(Reason: To preserve Council's assets and amenity)

44. DAOCA16 - Basement Line Marking
The basement car park shall be line marked and / or sign posted in accordance with the requirements of AS2890.1, AS2890.2 and AS2890.6.

(Reason: To delineate parking and manoeuvring space for safety and convenience)

45. DAOCB04 - Acoustic Verification Report
Prior to the issue of the Occupation Certificate, a suitably qualified acoustic consultant, being a consultant who holds current member grade of the Australian Acoustical Society, must prepare an acoustic verification report to the satisfaction of the Principal Certifier that confirms the following:

a) All recommendations contained in the DA acoustic report prepared by Vipac with reference 20E-25-0151-TRP-69659-0 and dated 25 August 2025 have been implemented, and
b) The project specific noise criteria established in the DA acoustic report and any other noise and vibration criteria specified in this consent are being complied with.

(Reason: To protect residential amenity)

46. DAOCD01 - Fire Safety Certificate
A final Fire Safety Certificate shall be obtained in accordance with part 11 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 prior to the issue of the Occupation Certificate for the building.

A copy of the Fire Safety Certificate and fire safety schedule shall be:
a) Forwarded to the Commissioner of the New South Wales Fire Brigade; and
b) Prominently displayed in the building.

(Reason: Fire safety)

47. DAOCG01 - Certification of the Constructed Stormwater Drainage System
The constructed stormwater drainage system shall be certified by a qualified practising civil engineer as being in accordance with Council's Development Control Plan and engineering policies.

(Reason: Adequate stormwater management)

48. DAOCH03 - OSD Identification Plate
Prior to the issue of an Occupation Certificate, the applicant shall install an OSD identification plate near or on the control structure of the on-site stormwater detention system that advises the registered proprietor of their responsibility to maintain the facility and to not tamper with it in any manner without the written consent of Council. The wording and plate shall be in accordance with Council's requirements.

(Reason: To promote the ongoing maintenance of the on-site stormwater detention system)

49. DAOCH20 - On Site Detention System Maintenance Schedule
A suitably qualified and practising civil engineer shall prepare a maintenance schedule for the on-site detention system in a manner similar to the example provided at figure B.2.3 of the 3rd edition of the Upper Parramatta River Catchment Trust Handbook. The schedule shall include a sketch plan of the components forming the on-site detention system.

(Reason: To ensure owners are aware of maintenance requirements of the system)

50. DAOCH21 - Installation of Confined Spaces Sign and Step Irons
Step irons at 300mm centres and a confined spaces sign shall be provided to each access point of any on site detention / pump out tank.

(Reason: To ensure safe access)

51. DAOCI08 - Positive Covenant - Basement Pump Out System
A positive covenant shall be created under section 88B and/or section 88E of the *Conveyancing Act 1919* to the satisfaction of Council requiring the ongoing retention, maintenance and repair of the pump

out system. Council shall be identified as the authority with power to release, vary or modify the covenant. The wording of the covenant shall be consistent with the Council's standard terms as available on Council's website. The document shall be submitted to Council for endorsement prior to lodgement for registration with the NSW Land Registry Services.

(Reason: To ensure proper upkeep and functionality of the pump out system)

52. DAOCI12 - Positive Covenant - On Site Detention

A positive covenant shall be created under section 88B and/or section 88E of the *Conveyancing Act 1919* to the satisfaction of Council requiring the ongoing retention, maintenance and repair of the on site detention system. Council shall be identified as the authority with power to release, vary or modify the covenant. The wording of the covenant shall be consistent with the Council's standard terms as available on Council's website. The document shall be submitted to Council for endorsement prior to lodgement for registration with the NSW Land Registry Services.

(Reason: To ensure proper upkeep and functionality of the on site detention system)

53. DAOCI13 - Restriction of the Use of Land - On Site Detention

A restriction on the use of land shall be created under section 88B and/or section 88E of the *Conveyancing Act 1919* to the satisfaction of Council preventing alteration to the on site detention system without the prior approval of the Council. Council shall be identified as the authority with power to release, vary or modify the restriction. The wording of the restriction shall be consistent with the Council's standard terms as available on Council's website. The document shall be submitted to Council for endorsement prior to lodgement for registration with the NSW Land registry Services.

(Reason: To ensure the on-site detention system is not altered so as to adversely affect functionality of the system)

54. DAOCZ01 – Residential Strata Scheme

All residential visitor car parking spaces shall be located within the common property of the residential strata scheme.

(Reason: To facilitate access to shared service areas)

Conditions Which Must be Satisfied During the Ongoing Use of the Development

55. DAOUA08 - Waste & Recycling Collection

Garbage and recycling must not be placed on the kerbside for collection more than one hour before the scheduled collection time. Bins and containers are to be removed from the kerbside as soon as practicable following collection and returned to the designated waste storage area.

The garbage and recyclable storage and bins must be adequate to contain the volume and type of garbage and recyclable matter generated on the premises between collection times. All garbage and recyclable matter must be enclosed in the waste bins with lids completely closed at all times.

(Reason: To minimise amenity and streetscape impacts)

56. DAOUA09 - Business/Trade Commercial 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 on request.

(Reason: Ensure arrangements are in place for collection of business/trade commercial waste and recyclables)

57. DAOUA10 - Removal of Litter and Graffiti

The owner/manager of the building shall ensure that the footpath, gutter, building entry and surrounds are kept clean and clear of litter at all times. The owner of the building shall be responsible for the prompt removal of any graffiti from the building.

(Reason: To maintain a satisfactory level of amenity in the locality)

58. DAOUA20 - Loading

All loading and unloading operations shall be carried out wholly within the confines of the site, at all times. All delivery vehicles shall enter and leave the site in a forward direction.

(Reason: Adequate servicing)

59. DAOUB01 - Annual Fire Safety Statement

Pursuant to section 88 of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*, the owner of the building shall furnish Council with an Annual Fire Safety Statement prepared by an accredited practitioner (fire safety). The Annual Fire Safety Statement shall be issued within 12 months of the date on which an annual fire safety statement was previously given, or if a Fire Safety Certificate has been issued within the previous 12 months, within 12 months after the Fire Safety Certificate was issued.

A copy of the Annual Fire Safety Statement shall also be:
a) Forwarded to the Commissioner of Fire and Rescue NSW; and
b) Prominently displayed in the building.

(Reason: Fire safety)

60. DAOUD02 - Landscape Maintenance - General

All open space areas are to be regularly maintained in a neat and tidy state. Lawn areas are to be kept mown and gardens weeded and mulched with any dead plants replaced. Property owners must maintain trees in a safe growing condition.

(Reason: Safety and landscape amenity)

61. DAOUH06 - Residential Visitor Car Parking Spaces

Residential visitor car parking spaces are not to be used by building occupants or by persons attending the site for a purpose other than visiting the building's residential occupants.

(Reason: To ensure suitable availability and use of residential visitor car parking spaces)

Advisory Notes

1. DAANN08 - Process for Modification

The plans and/or conditions of this Consent are binding and may only be modified upon approval of an application under s.4.55 of the *Environmental Planning and Assessment Act, 1979*. A modification application shall be accompanied by the appropriate fee, application form and required information. You are not to commence any action, works or the like on the requested modification unless and until a modified consent is issued.

2. DAANN09 - Review of Determination

In accordance with the provisions of section 8.2 of the *Environmental Planning and Assessment Act 1979*, you can request a review of a determination not relating to a complying development certificate, application for designated development or application for Crown development. A review application may not be determined after the period within which any appeal may be made to the Court if no appeal was made. To determine a review application within that time limit, the application must be submitted well in advance of the appeal right timeframe. A fee as per Council's current Pricing Policy, Fees and Charges, is payable for a review application.

3. DAANN10 - Right of Appeal

Section 8.7 and 8.10 of the *Environmental Planning and Assessment Act 1979*, gives the applicant the right of appeal to the Land and Environment Court within six months after the date the decision appealed against is notified or registered on the NSW Planning Portal.

4. DAANN12 - Works/Construction Zones

All buildings on a development site, comprising of 3 or more storeys require approval of a 'Works Zone' from Council. The applicant must apply to Council and pay the applicable fee. Provision of a works zone is subject to approval by the Cumberland Traffic Committee. The length and duration of a works zone will be determined by Council.

5. DAANN13 - Work Health and Safety

For information regarding, codes of practice and guidelines regarding demolition and construction

work, visit the SafeWork NSW.

6. **DAANN16 - Compliance with Disability Discrimination Act**
This approval does not necessarily protect or guarantee against a possible claim of discrimination (intentional or unintentional) under the *Disability Discrimination Act 1992*, and the applicant/owner is advised to investigate their liability under that Act.

7. **DAANN22 - Obtaining a Construction Certificate for Building Work**
This Development Consent does not constitute approval to carry out construction work. Construction work may only commence upon the issue of a Construction Certificate, appointment of a Principal Certifier, and lodgement of Notice of Commencement.

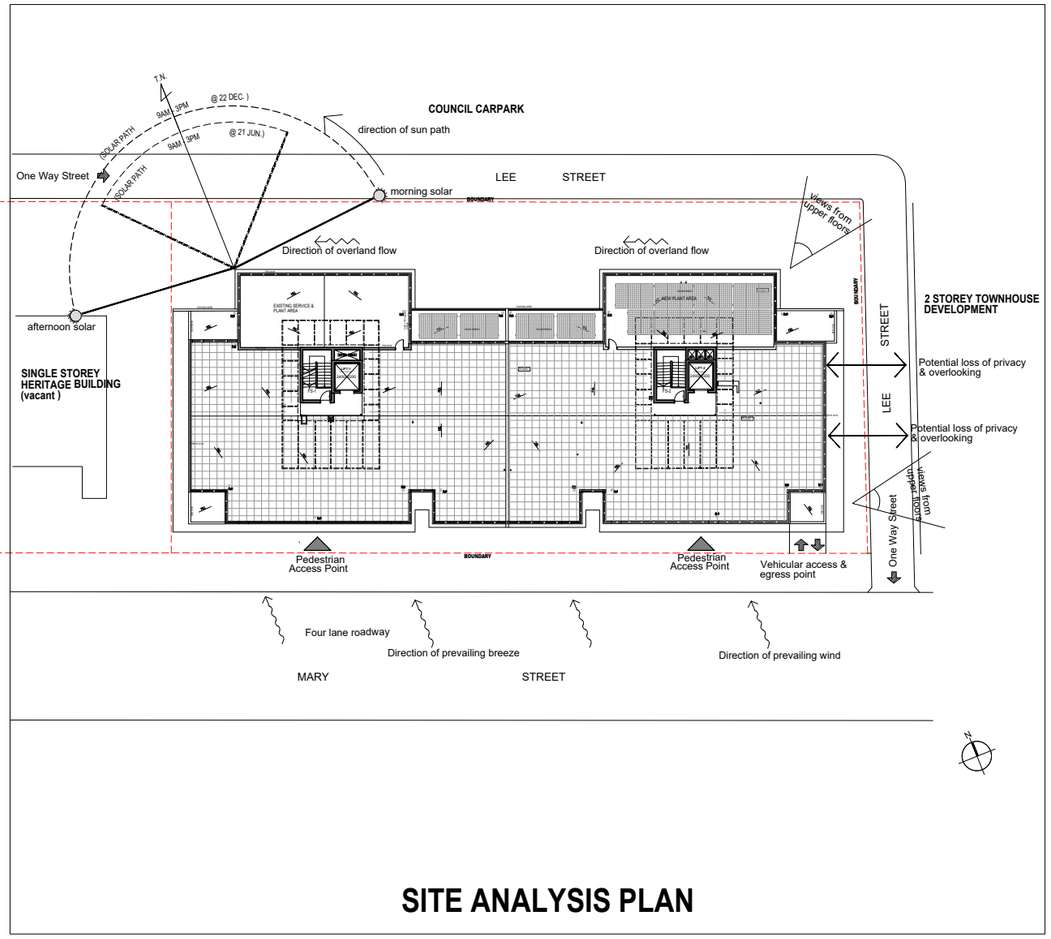
If demolition is associated with the erection of or extension to an existing building, then demolition must not commence prior to the issue of a Construction Certificate.

DOCUMENTS ASSOCIATED WITH REPORT ELPP022/26

Attachment 2

Architectural Plans

RESIDENTIAL DEVELOPMENT AT 11 JOHN STREET LIDCOMBE



SITE ANALYSIS PLAN

COMPLIANCE TABLES

CUMBERLAND CITY COUNCIL LEP 2021

SITE AREA: 2834.60m^2 lot 301-heritage building lot (1051m^2) lot 302-apartment building lot (1779m^2)			
ZONING: B4			
	LEP 2021 PROVISIONS	PROPOSED	COMPLIANCE Y/N
HEIGHT	38m	32.16m max.height to lift	Y
FLOOR SPACE RATIO	5:1 (14,150.00m^2) lot 301 (5255.00m^2) lot 302 (8895.00m^2)	7533.00m^2 (4.23:1)	Y

CUMBERLAND COUNCIL DCP 2021

Part C	DCP 2021 PROVISIONS	PROPOSED	COMPLIANCE Y/N
3.1 Lot size & frontage	min. frontage 30m	59.595m	Y
3.2 Setbacks & separation	Nil - Up to street podium 3m - Above street podium rear setback-15%x site length= 8.83m	zero setback 2.5m (approved in original DA Consent) min. 6m - 9m	Y Y Y
3.3 Landscaping & Open Space	Street trees-planted at 1 per 10 lineal metre	Nil	N
3.4 Public Art	Public Art is encouraged in the business centre	Nil provided	
3.5 Streetscape	Provide direct access between retail & footpath	Direct access provided	Y
3.6 Building Use	Ground floor to comprise non residential use	Retail to ground floor	Y
3.7 Facade design, shopfront & materials	Min. 80% glazing at street level, ground floor must have active uses	Provided	Y
3.8 Ceiling Height	3.5m for ground floor commercial 2.7m for residential units (ADG reqts)	min. 3.5m 2.7m generally	Y Y
3.10 Awnings	Min. 2.4m deep Setback 1.2m from kerb Min. 3.2m soffit height	2.4m deep 1.28m from kerb 3.2m -3.8m soffit height	Y
3.11 Visual & Acoustic Privacy	Visual privacy to be maximised Minimise impact of noise associated sources	noted implement in accordance with acoustic eng's recommendations	
3.13 Solar Access	To ADG requirements	approved in original DA Consent No proposed changes	Y
3.14 Natural ventilation	Maximise & incorporate ventilation To ADG requirements	approved in original DA Consent No proposed changes	Y
3.15 Building maintenance	Incorporate & integrate into building form, facade and roof	noted	
3.16 Energy efficiency	To specialist consultants assessment	To Basix & energy efficiency assessment	
3.17 Water efficiency	Provide rainwater tanks where possible	Nil	N
3.19 Food & drink premises	Provide services risers to mechanical & acoustic eng's recommendations	noted	Y
3.20 Safety & security	Address CPTED principles in the development	noted	
3.21 Pedestrian access & building entry	Reduce obstructions, provide separate entries	noted	Y
3.24 Parking	total no. units- 80 70x Studio, 1 & 2 bed (1 space/unit)= 70 10x 3+ bed (1.5 space/unit)=15 Visitor (0.25 spaces x total units)=20	78 20 20	Y
Retail parking	1084.50sqm retail provided 1 per 40sqm GFA= 27 spaces retail visitor (1 per 750-1000sqm)= 2	27 2	Y
Electric Vehicle parking		2 Total 149 carspaces provided	
Bicycle parking	Residential- 1 space/ 3 units= 27 Visitor- 1 space/ 3 units= 27 Retail- 1 space/10 staff= 2	27 27 2	Y
3.25 Vehicle access	Locate min. 1m from side boundary	2.34m	Y
Min. site area	1000m^2	2834.60m^2	Y

B

378 Reduce 2x residential parking spaces and allocate to EV charging spaces .

DA CONSENT :01 DECEMBER 2011
AUBURN CITY COUNCIL LEP 2010

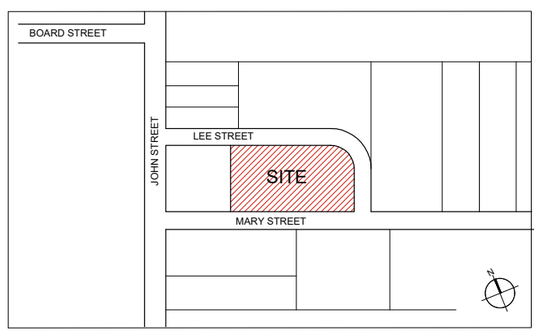
SITE AREA:	2834.60m^2 TOTAL	
ZONING:	B4	
	LEP 2010 PROVISIONS	PROPOSED
HEIGHT	32m (Mary St) & 36m (John St)	30.4m max.height 27.77m to parapet
FLOOR SPACE RATIO	3.4:1 (Mary St) & 3.6:1 (John St)	7533.00m^2

AUBURN CITY COUNCIL DCP 2010

	DCP 2010 PROVISIONS	PROPOSED
Min. site area	1000m^2	2834.60m^2
Min. site frontage	24m	30m
Site coverage	50% max. built upon area	N/A for mixed used zones
Building envelope	24m	N/A for mixed used zones
Front setback	4-6m min. except in B4 zones 2m to laneways	zero setback to street 2.5m to laneways
Side setback	3m (blank walls, no windows)	1.07m & 2.075m (ground floor) 2.82m & 3.525m (upper levels)
Rear setback	10m min. 2m to rear laneway	6.0m to facade 6.75m to balcony 9.55m to living room
Building depth	18m to RFB excluding balconies	17.0m dual aspect RFDC & SEPP 65 principles to apply
No. of storeys	max. no of storeys contained within permissible height limit.	32m max. proposed
Floor to ceiling heights	2.7m 3.3m in business areas for ground & first floor levels	2.7m & 3.3m adopted
Head height of windows	2.4m for 2.7m ceiling height 2.4m for 2.7m ceiling height	2.7m & 3.3m adopted
Heritage	Provide heritage impact statement	HIS submitted
Dwelling size	63sqm -1 bedroom (single aspect) 80sqm -2 bedroom (corner) 90sqm -2 bedroom (dual) 115sqm -3 bedroom	70sqm- 1 bedroom 82sqm- 2 bedroom 93sqm- 2 bedroom 102-111sqm- 3 bedroom
Landscape	600mm soil depth for trees 300mm soil depth for turf	
Deep soil zone	30% x site area, min. 5m dimension	312.20m^2 (deep soil 11%) 974.30m^2 (landscape area 34%)
Private Open Space	9.0m^2 with 2.5m dimension to ground floor units 8.0m^2 with 2.m dimension to balconies	RFDC guidelines adopted 10m^2 min. with 2.5m min. depth
Communal Open Space	Provide northerly aspect, min. 10m dimension	192.50m^2 roof terrace
Access & parking Bicycle parking	Comply with Parking Section of DCP 1 per 5 units	noted & adopted
Retail & commercial parking	1 per 40sqm GFA 1 bicycle per 10 staff	1084.50sqm retail provided -27 carspaces required -2 bicycle parking space
Residential parking	1 bedroom- 1.0 space per unit 2 bedroom- 1.0 space per unit 3 bedroom- 2.0 space per unit visitor - 0.2 spaces x total number of units	61 spaces (1 & 2 bedroom units) 19 spaces (3 bedroom units) 15 spaces provided (14 spaces required)
Loading Bay	1 bay per 4000sqm GFA	1 loading bay provided
Basements	Located beneath the building 1.2m setback	noted & adopted
Storage	Provide 8 cubic metre per unit	9 cubic metre provided
No. of storeys	B4 mixed use 32m- 8 storeys 36m- 9 storeys	Max. 8 storeys provided
Articulation & proportion	Max. blank wall width: 5m or 20% of street frontage	noted & adopted
Materials	Max. 80% glazed along street frontage	noted & adopted

LEGEND

- PEDESTRIAN ENTRY
- CAR INGRESS/EGRESS
- DIRECTION OF OVERLAND FLOW
- DIRECTION OF SOUTHERLY BREEZE
- POTENTIAL PRIVACY/OVERLOOKING



LOCATION PLAN

INTELLECTUAL PROPERTY

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NOTES

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NOMINATED ARCHITECT: SUSAN TENG
NOMINATED ARCHITECT REG: 5369
NSW BOARD OF ARCHITECTS REG: 5369

DATE	REVISION	DESCRIPTION
17.12.25	A	FOR DA SUBMISSION
30.03.26	B	ALLOCATE 2 RESIDENTIAL PARKING SPACES FOR EV CHARGING STATION

CLIENT

SEEWIN PTY LTD

IMPORTANT NOTES ON DRAWING NUMBERS:

DA - DENOTES FOR DEVELOPMENT APPLICATION PURPOSE ONLY
S4.55 - DENOTES FOR S4.55 APPLICATION PURPOSE ONLY
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TD - DENOTES FOR TENDERING PURPOSE ONLY
CN - DENOTES FOR CONSTRUCTION PURPOSE ONLY

NORTH POINT

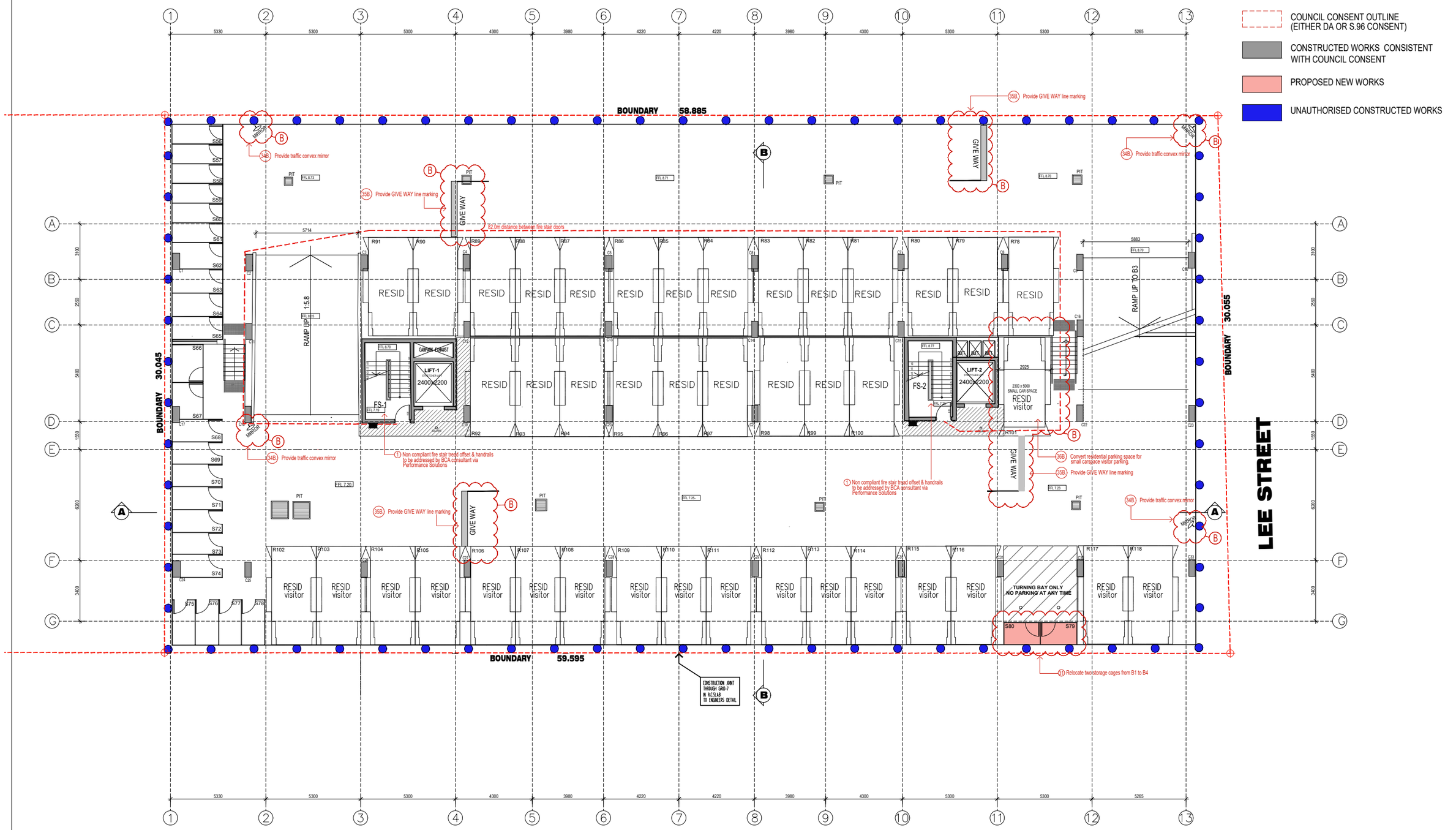
ARCHITECTS

h3 architects
PO BOX 3183 NORTH STRATHFIELD NSW 2137
e info@h3architects.com.au

DRAWING NO.	REVISION
22002/DA1.00	B
STATUS: DA SUBMISSION	SCALE: 1:100 @ A1
DRAWN BY:	CHECKED BY:

PROJECT TITLE: RESIDENTIAL MIXED USE DEVELOPME
11 JOHN STREET LIDCOMBE

DRAWING TITLE: COMPLIANCE TABLE



BASEMENT LEVEL 4 FLOOR PLAN

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NOMINATED ARCHITECT: Adrian Hoo
NSW ARCHITECT REGISTRATION NO: 8372
ABN 24 607 277 677 NOMINATED REG. DEPOSIGN

DATE	REVISION	DESCRIPTION	DATE	REVISION	DESCRIPTION
17.12.25	A	FOR DA SUBMISSION			
30.03.26	B	MINOR TRAFFIC REQTS ADDED, RENUMBER CARSPACES			

CLIENT
SEEWIN PTY LTD

IMPORTANT NOTES ON DRAWING NUMBERS:
DA - DENOTES FOR DEVELOPMENT APPLICATION PURPOSE ONLY
S4.55 - DENOTES FOR S4.55 APPLICATION PURPOSE ONLY
CC - DENOTES FOR CONSTRUCTION CERTIFICATE PURPOSE ONLY
TD - DENOTES FOR TENDERING PURPOSE ONLY
CN - DENOTES FOR CONSTRUCTION PURPOSE ONLY

NORTH POINT

ARCHITECTS
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e info@hs3architects.com.au

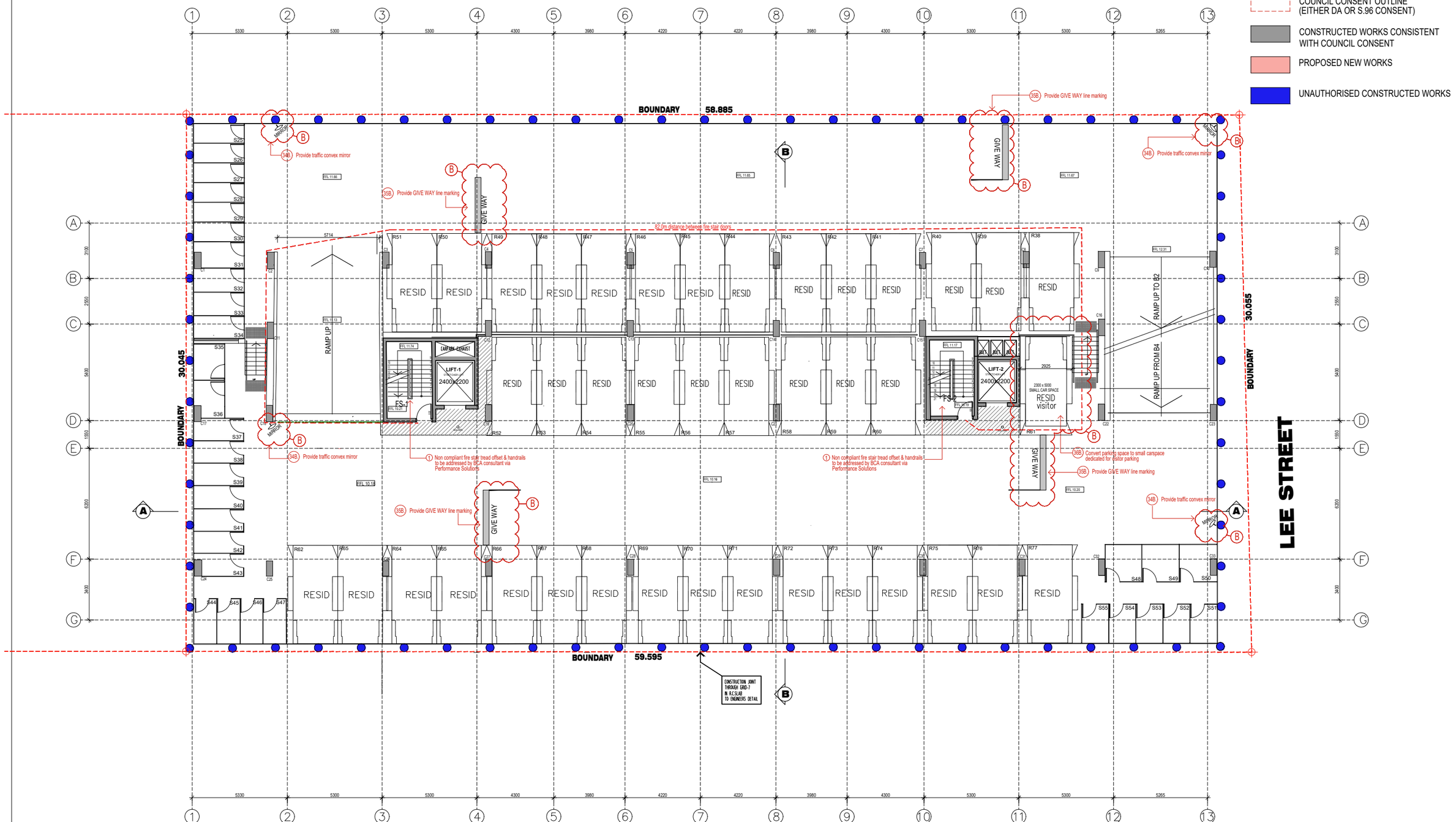
DRAWING NO.	REVISION
22002/DA1.01	B
STATUS	SCALE
DA SUBMISSION	1:100 @ A1
DRAWN BY	CHECKED BY

PROJECT TITLE
RESIDENTIAL MIXED USE DEVELOPME
11 JOHN STREET LIDCOMBE

DRAWING TITLE
BASEMENT 4 FLOOR PLAN

LEGEND

- COUNCIL CONSENT OUTLINE (EITHER DA OR S.96 CONSENT)
- CONSTRUCTED WORKS CONSISTENT WITH COUNCIL CONSENT
- PROPOSED NEW WORKS
- UNAUTHORISED CONSTRUCTED WORKS



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NOMINATED ARCHITECT: SUSAN TENG
NSW REGISTRATION NO. 7901
THIS DEVELOPMENT IS CERTIFIED TO BE IN ACCORDANCE WITH THE DESIGN INTENT OF THE CERTIFICATE OF ARCHITECTURAL DESIGN QUALITY DATED 17/12/2025 AND THE ASSOCIATED DESIGN VERIFICATION STATEMENT DATED 17/12/2025 PREPARED BY HG ARCHITECTS

DATE	REVISION	DESCRIPTION
17.12.25	A	FOR DA SUBMISSION
30.03.26	B	MINOR TRAFFIC REQTS ADDED, RENUMBER CARSPACES

CLIENT: SEEWIN PTY LTD

IMPORTANT NOTES ON DRAWING NUMBERS:

DA	- DENOTES FOR DEVELOPMENT APPLICATION PURPOSE ONLY
S4.55	- DENOTES FOR S4.55 APPLICATION PURPOSE ONLY
CC	- DENOTES FOR CONSTRUCTION CERTIFICATE PURPOSE ONLY
TD	- DENOTES FOR TENDERING PURPOSE ONLY
CN	- DENOTES FOR CONSTRUCTION PURPOSE ONLY

NORTH POINT

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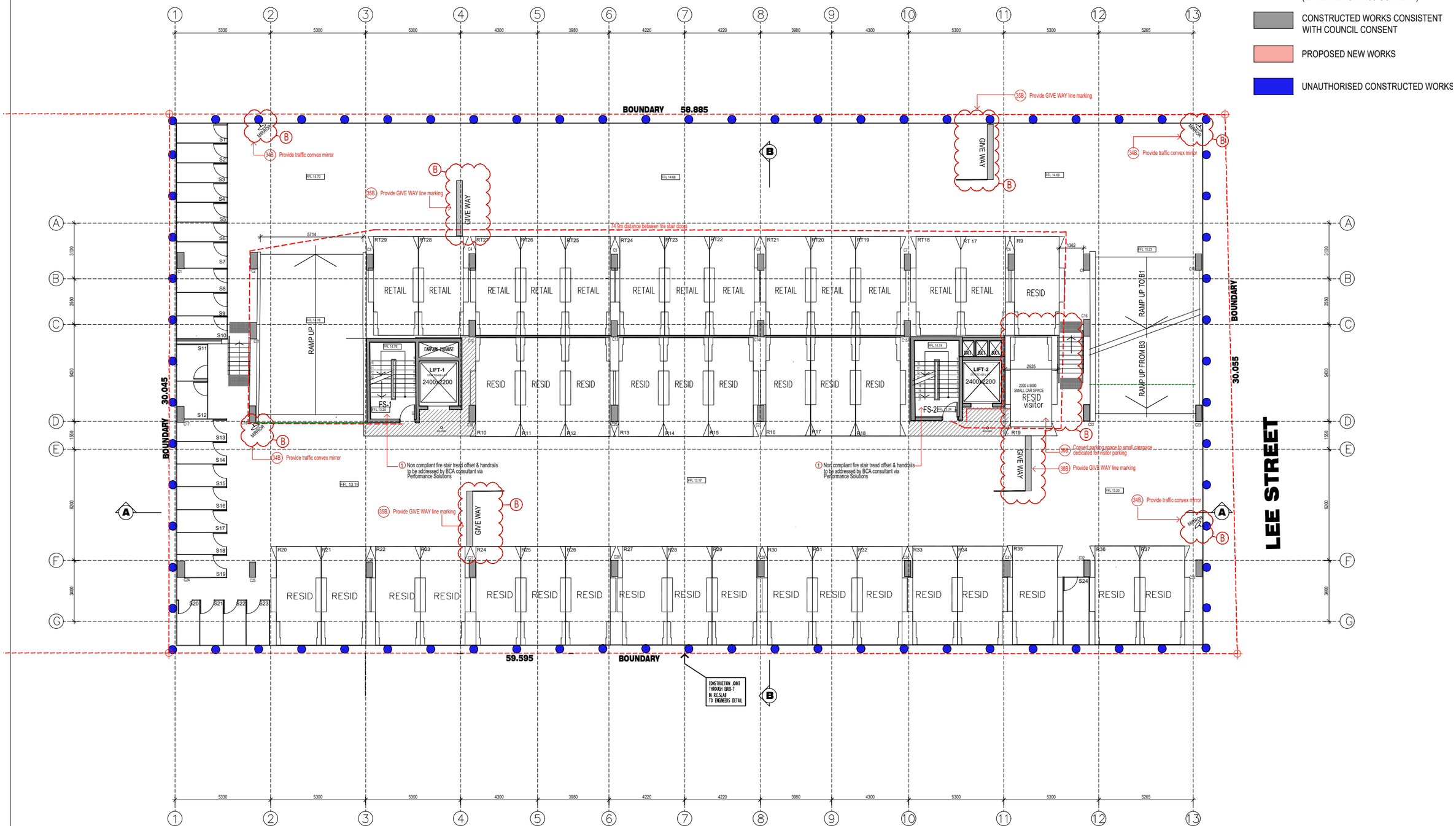
DRAWING NO.	REVISION
22002/CCC1.02	B
STATUS	SCALE
DA SUBMISSION	1:100 @ A1
DRAWN BY	CHECKED BY

PROJECT TITLE: RESIDENTIAL MIXED USE DEVELOPME
11 JOHN STREET LIDCOMBE

DRAWING TITLE: BASEMENT 3 FLOOR PLAN



BASEMENT LEVEL 2 FLOOR PLAN

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		30.03.26	B	MINOR TRAFFIC REQTS ADDED, RENUMBER CARSPACES			

CLIENT: SEEWIN PTY LTD

IMPORTANT NOTES ON DRAWING NUMBERS:
DA - DENOTES FOR DEVELOPMENT APPLICATION PURPOSE ONLY
S4.55 - DENOTES FOR S4.55 APPLICATION PURPOSE ONLY
CC - DENOTES FOR CONSTRUCTION CERTIFICATE PURPOSE ONLY
TD - DENOTES FOR TENDERING PURPOSE ONLY
CN - DENOTES FOR CONSTRUCTION PURPOSE ONLY

NORTH POINT

ARCHITECTS: architects
PO BOX 3183 NORTH STRATHFIELD NSW 2137
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e info@h3architects.com.au
w h3architects.com.au

DRAWING NO.	REVISION	PROJECT TITLE
22002 / DA1.03	B	RESIDENTIAL MIXED USE DEVELOPME 11 JOHN STREET LIDCOMBE
STATUS: DA SUBMISSION	SCALE: 1:100 @ A1	DRAWING TITLE: BASEMENT 2 FLOOR PLAN
DRAWN BY	CHECKED BY	

LEGEND

- COUNCIL CONSENT OUTLINE (EITHER DA OR S.96 CONSENT)
- CONSTRUCTED WORKS CONSISTENT WITH COUNCIL CONSENT
- PROPOSED NEW WORKS
- UNAUTHORISED CONSTRUCTED WORK



BASEMENT 1 FLOOR PLAN

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NOMINATED ARCHITECT: SUSAN TENG
NSW ARCHITECTS REGISTRATION NO.8972

DATE	REVISION	DESCRIPTION
17.12.25	A	FOR DA SUBMISSION
30.03.26	B	MINOR TRAFFIC REQTS ADDED, RENUMBER CARSPACES, RELOCATE EV CARSPACES TO B1

CLIENT
SEEWIN PTY LTD

IMPORTANT NOTES ON DRAWING NUMBERS:
DA - DENOTES FOR DEVELOPMENT APPLICATION PURPOSE ONLY
S4.55 - DENOTES FOR S4.55 APPLICATION PURPOSE ONLY
CC - DENOTES FOR CONSTRUCTION CERTIFICATE PURPOSE ONLY
TD - DENOTES FOR TENDERING PURPOSE ONLY
CN - DENOTES FOR CONSTRUCTION PURPOSE ONLY

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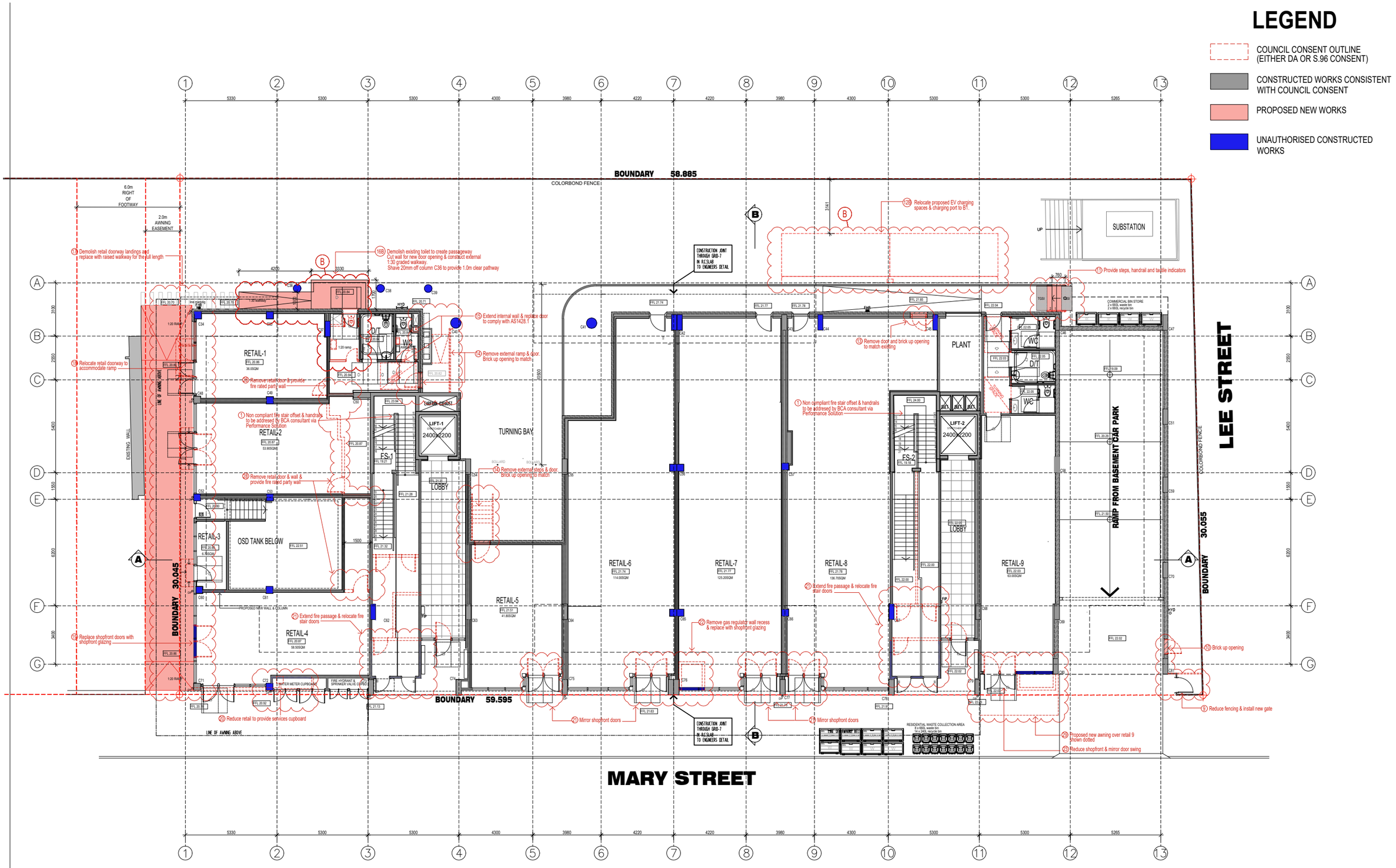
e info@hdarchitects.com.au

DRAWING NO.	REVISION
22002 / DA1.04	B

STATUS	SCALE
DA SUBMISSION	1:100 @ A1
DRAWN BY	CHECKED BY

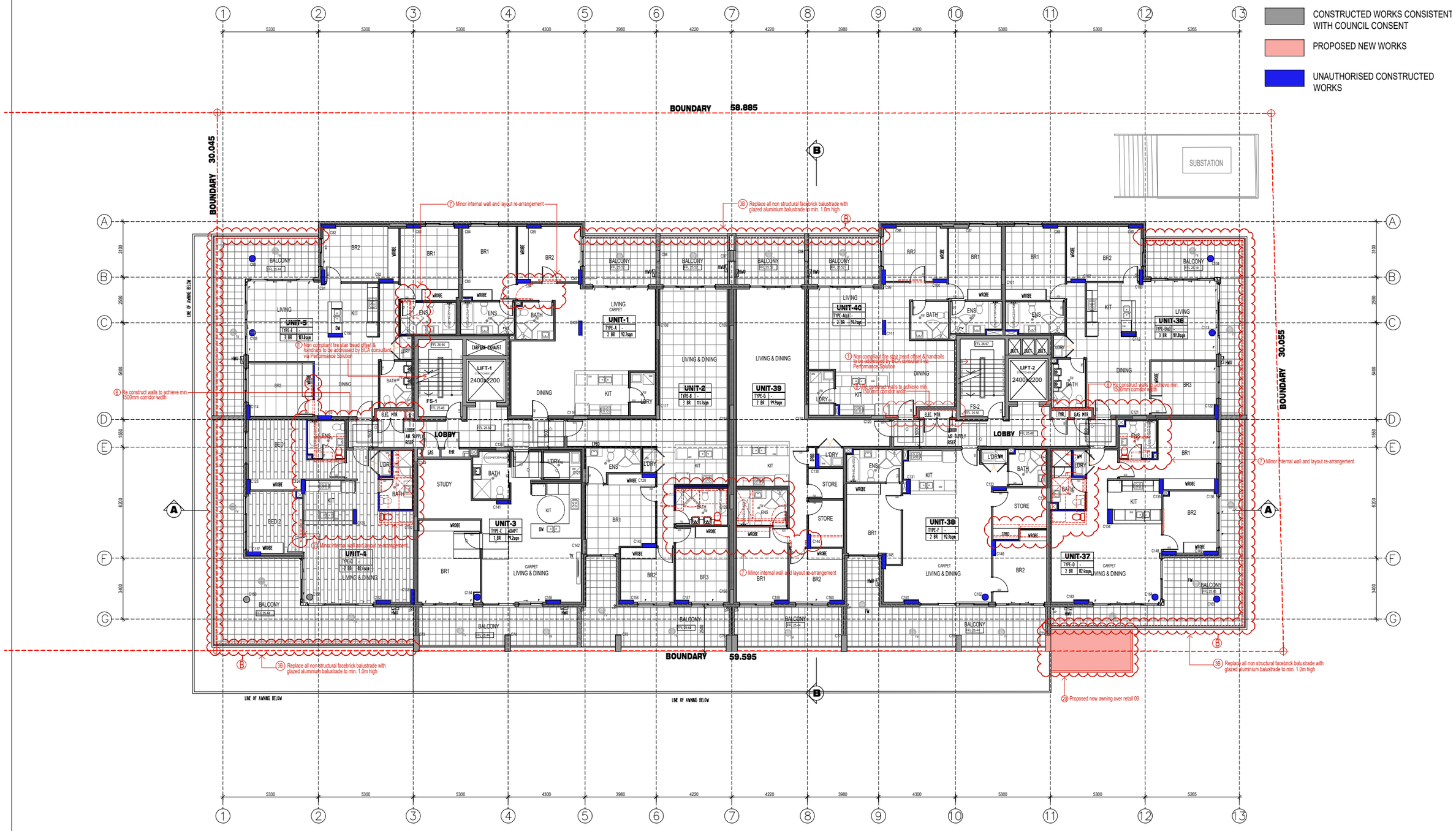
PROJECT TITLE
RESIDENTIAL MIXED USE DEVELOPME
11 JOHN STREET LIDCOMBE

DRAWING TITLE
BASEMENT 1 FLOOR PLAN


LEGEND
COUNCIL CONSENT OUTLINE (EITHER DA OR S.96 CONSENT)
CONSTRUCTED WORKS CONSISTENT WITH COUNCIL CONSENT
PROPOSED NEW WORKS
UNAUTHORISED CONSTRUCTED WORKS
BOUNDARY 58.885
COLORBOND FENCE
SUBSTATION
RETAIL-1
RETAIL-2
RETAIL-3
RETAIL-4
RETAIL-5
RETAIL-6
RETAIL-7
RETAIL-8
RETAIL-9
OSD TANK BELOW
TURNING BAY
LOBBY
PLANT
LIFT-1
LIFT-2
FS-1
FS-2
RAMP FROM BASEMENT CAR PARK
LEE STREET
BOUNDARY 30.045
BOUNDARY 30.055
BOUNDARY 59.595
MARY STREET
GROUND FLOOR PLAN

LEGEND

- COUNCIL CONSENT OUTLINE (EITHER DA OR S.96 CONSENT)
- CONSTRUCTED WORKS CONSISTENT WITH COUNCIL CONSENT
- PROPOSED NEW WORKS
- UNAUTHORISED CONSTRUCTED WORKS



LEVEL 1 FLOOR PLAN

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NOMINATED ARCHITECT: HUSEIN HAMO
NSW ARCHITECT REGISTRATION NO: 8972
ABN: 21 101 402 533 NOMINEE REG: 10/7/2020/A04

DATE	REVISION	DESCRIPTION	DATE	REVISION	DESCRIPTION
17.12.25	A	FOR DA SUBMISSION			
17.03.26	B	AMEND L1 BRICK BALUSTRADE			

CLIENT
SEEWIN PTY LTD

IMPORTANT NOTES ON DRAWING NUMBERS:

DA	- DENOTES FOR DEVELOPMENT APPLICATION PURPOSE ONLY
94.55	- DENOTES FOR 94.55 APPLICATION PURPOSE ONLY
CC	- DENOTES FOR CONSTRUCTION CERTIFICATE PURPOSE ONLY
TD	- DENOTES FOR TENDERING PURPOSE ONLY
CN	- DENOTES FOR CONSTRUCTION PURPOSE ONLY

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e info@hsarchitects.com.au

DRAWING NO.	22002/DA1.06
REVISION	B
STATUS	DA SUBMISSION
SCALE	1:100 @ A1 1:200 @ A3
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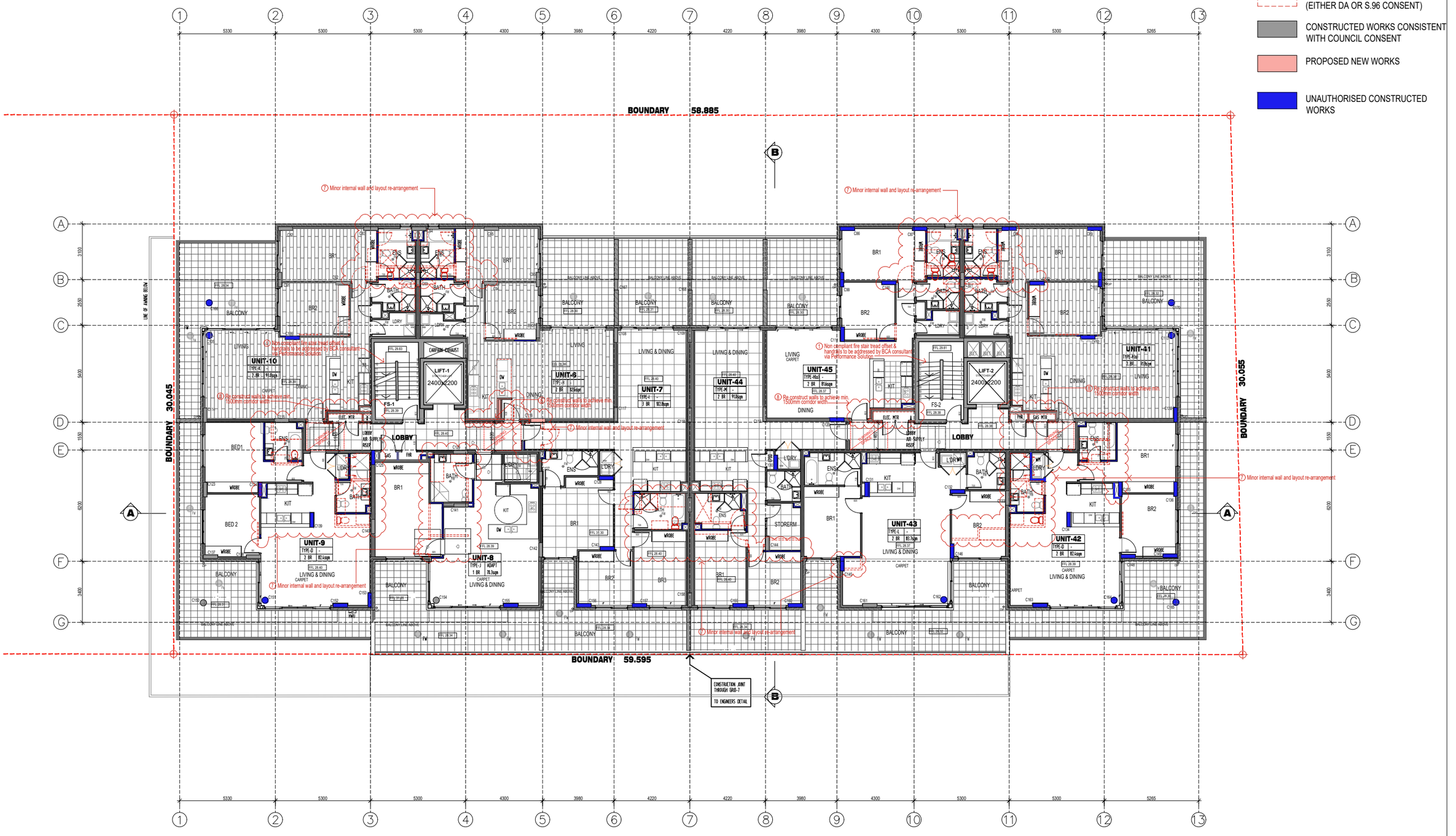
PROJECT TITLE	RESIDENTIAL MIXED USE DEVELOPME 11 JOHN STREET LIDCOMBE
DRAWING TITLE	LEVEL 1 FLOOR PLAN

LEGEND

- COUNCIL CONSENT OUTLINE (EITHER DA OR S.96 CONSENT)
- CONSTRUCTED WORKS CONSISTENT WITH COUNCIL CONSENT
- PROPOSED NEW WORKS
- UNAUTHORISED CONSTRUCTED WORKS



LEVEL 2 FLOOR PLAN

ILLECTUAL PROPERTY	NOTES	DATE	REVISION	DESCRIPTION	DATE	REVISION	DESCRIPTION
		17.12.25	A	FOR DA SUBMISSION			

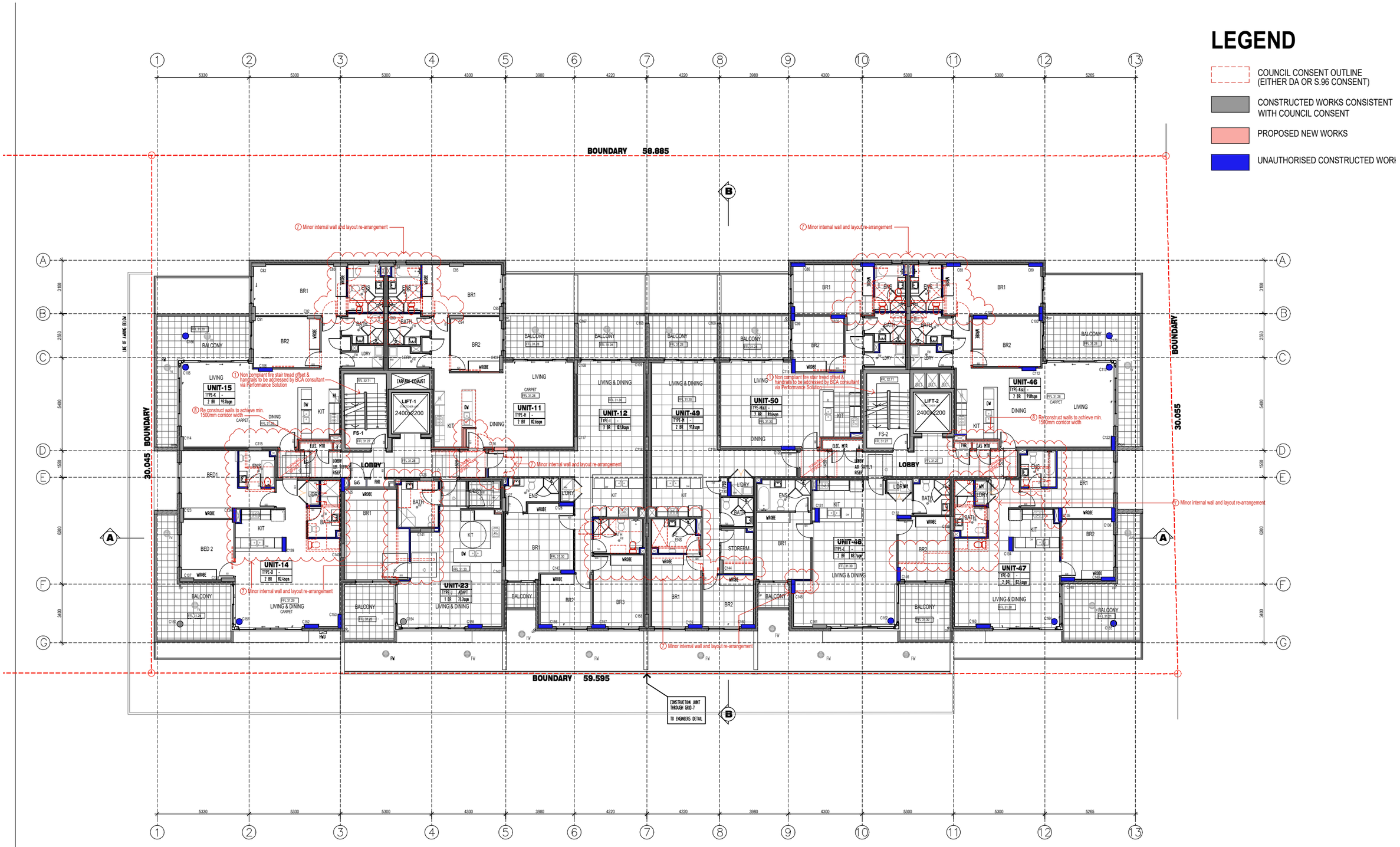
CLIENT: SEEWIN PTY LTD

IMPORTANT NOTES ON DRAWING NUMBERS:
DA - DENOTES FOR DEVELOPMENT APPLICATION PURPOSE ONLY
S4.55 - DENOTES FOR S4.55 APPLICATION PURPOSE ONLY
CC - DENOTES FOR CONSTRUCTION CERTIFICATE PURPOSE ONLY
TD - DENOTES FOR TENDERING PURPOSE ONLY
CN - DENOTES FOR CONSTRUCTION PURPOSE ONLY

NORTH POINT

ARCHITECTS: architects
PO BOX 3183 NORTH STRATHFIELD NSW 2137
m 0403 138 137
e info@n3architects.com.au
n3architects.com.au

DRAWING NO.	REVISION	PROJECT TITLE
22002/DA1.07	A	RESIDENTIAL MIXED USE DEVELOPMENT 11 JOHN STREET LIDCOMBE
STATUS: DA SUBMISSION	SCALE: 1:100 @ A1, 1:200 @ A3	DRAWING TITLE: LEVEL 2 FLOOR PLAN
DRAWN BY: LC	CHECKED BY: ST	



LEVEL 3 FLOOR PLAN

INTELLECTUAL PROPERTY	NOTES	DATE	REVISION	DESCRIPTION	CLIENT	IMPORTANT NOTES ON DRAWING NUMBERS:	NORTH POINT	ARCHITECTS	DRAWING NO.	REVISION	PROJECT TITLE
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								m 0403 138 137	STATUS: DA SUBMISSION	SCALE: 1:100 @ A1, 1:200 @ A3	DRAWING TITLE: LEVEL 3 FLOOR PLAN

LEGEND

- COUNCIL CONSENT OUTLINE (EITHER DA OR S.96 CONSENT)
- CONSTRUCTED WORKS CONSISTENT WITH COUNCIL CONSENT
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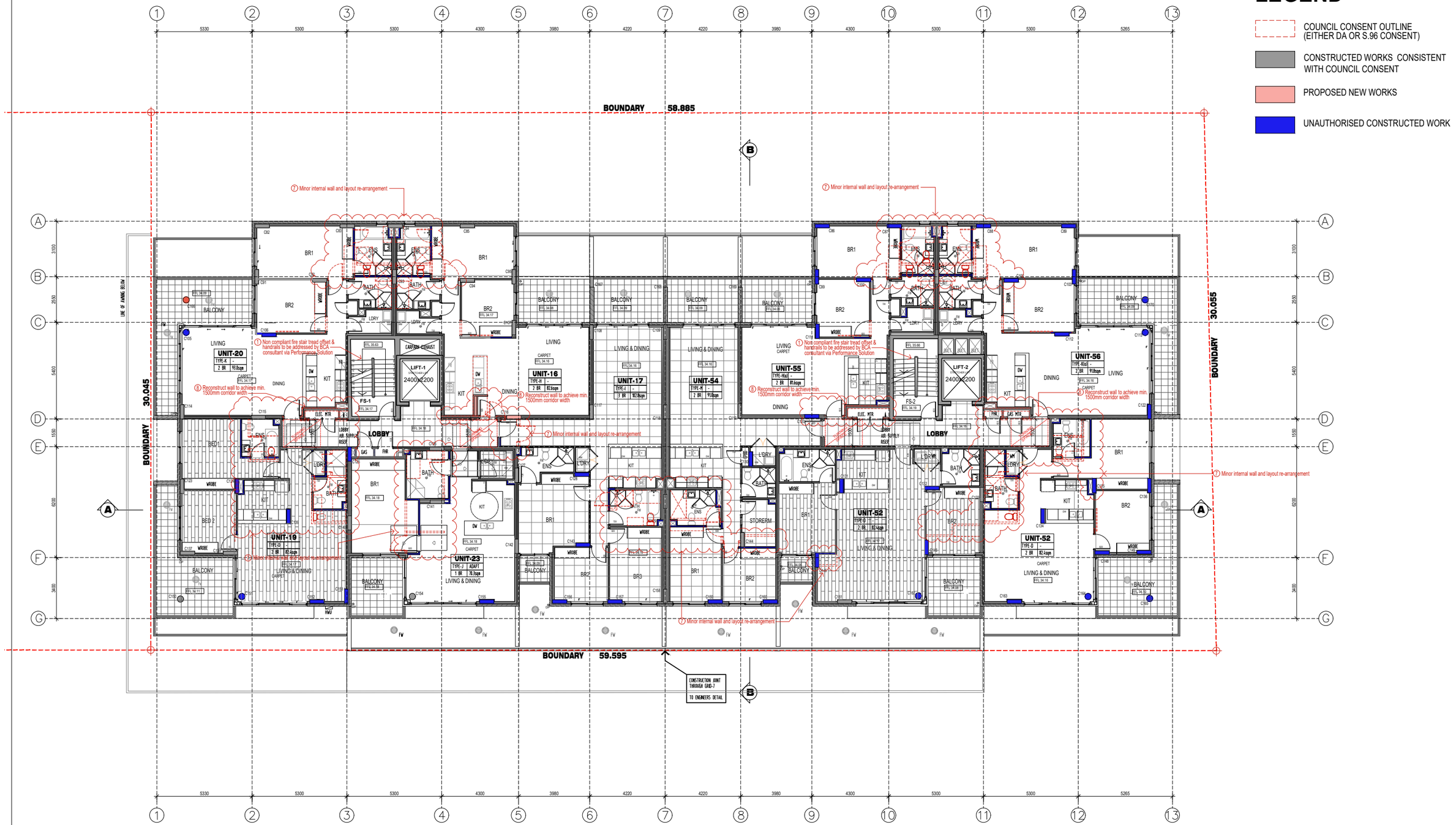
- UNAUTHORISED CONSTRUCTED WORK



LEVEL 4 FLOOR PLAN

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NSW ARCHITECTS REGISTRATION NO.8972
NOMINATED ARCHITECT: TIMOTHY REID, 10376(5)4344

DATE	REVISION	DESCRIPTION	DATE	REVISION	DESCRIPTION
17.12.25	A	FOR DA SUBMISSION			

CLIENT
SEEWIN PTY LTD

IMPORTANT NOTES ON DRAWING NUMBERS:

DA	- DENOTES FOR DEVELOPMENT APPLICATION PURPOSE ONLY
S4.55	- DENOTES FOR S4.55 APPLICATION PURPOSE ONLY
CC	- DENOTES FOR CONSTRUCTION CERTIFICATE PURPOSE ONLY
TD	- DENOTES FOR TENDERING PURPOSE ONLY
CN	- DENOTES FOR CONSTRUCTION PURPOSE ONLY

NORTH POINT

ARCHITECTS
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e info@hjarchitects.com.au

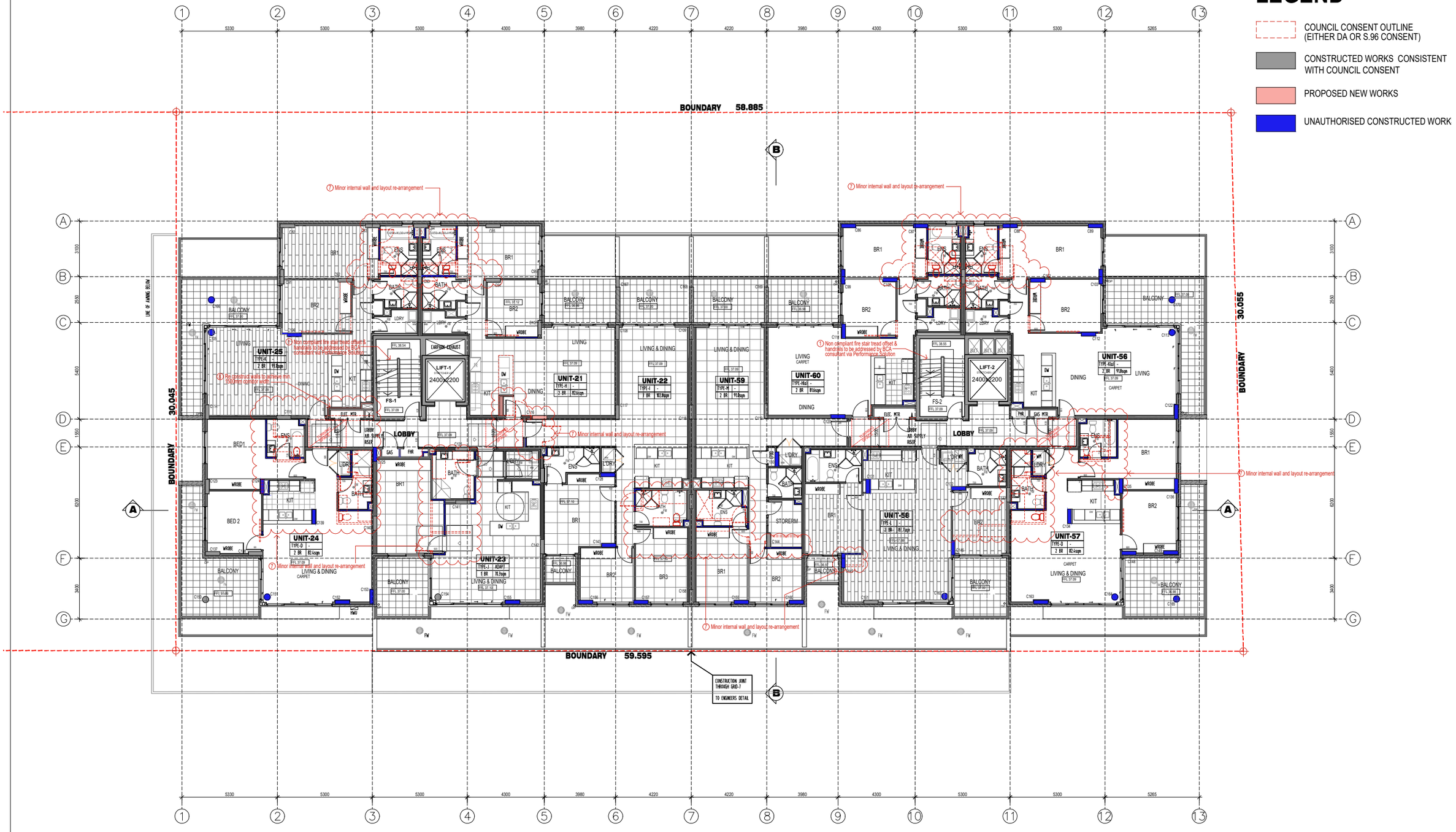
DRAWING NO.	REVISION
22002/DA1.09	A

STATUS	SCALE
DA SUBMISSION	1:100 @ A1 1:200 @ A3

DRAWN BY
CHECKED BY

PROJECT TITLE
RESIDENTIAL MIXED USE DEVELOPME
11 JOHN STREET LIDCOMBE

DRAWING TITLE
LEVEL 4 FLOOR PLAN



LEVEL 5 FLOOR PLAN

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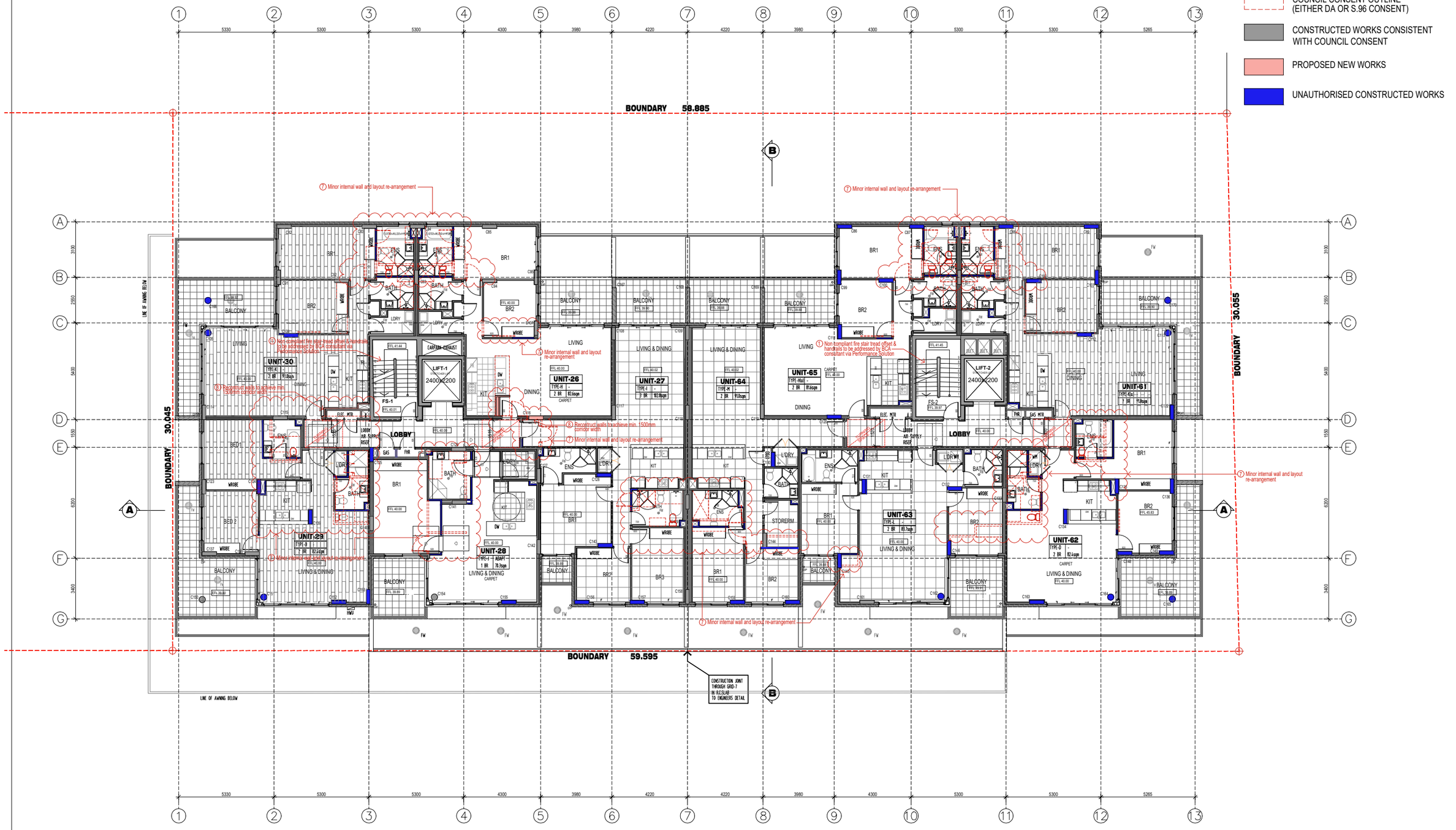
									STATUS: DA SUBMISSION	SCALE: 1:100 @ A1, 1:200 @ A3	DRAWING TITLE: LEVEL 5 FLOOR PLAN

LEGEND

- COUNCIL CONSENT OUTLINE (EITHER DA OR S.96 CONSENT)
- CONSTRUCTED WORKS CONSISTENT WITH COUNCIL CONSENT
- PROPOSED NEW WORKS
- UNAUTHORISED CONSTRUCTED WORKS



LEVEL 6 FLOOR PLAN

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NOMINATED ARCHITECT: ADRIAN HS REG: 5DP0053494

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DRAWING NO.	REVISION
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STATUS	SCALE
DA SUBMISSION	1:100 @ A1 1:200 @ A3

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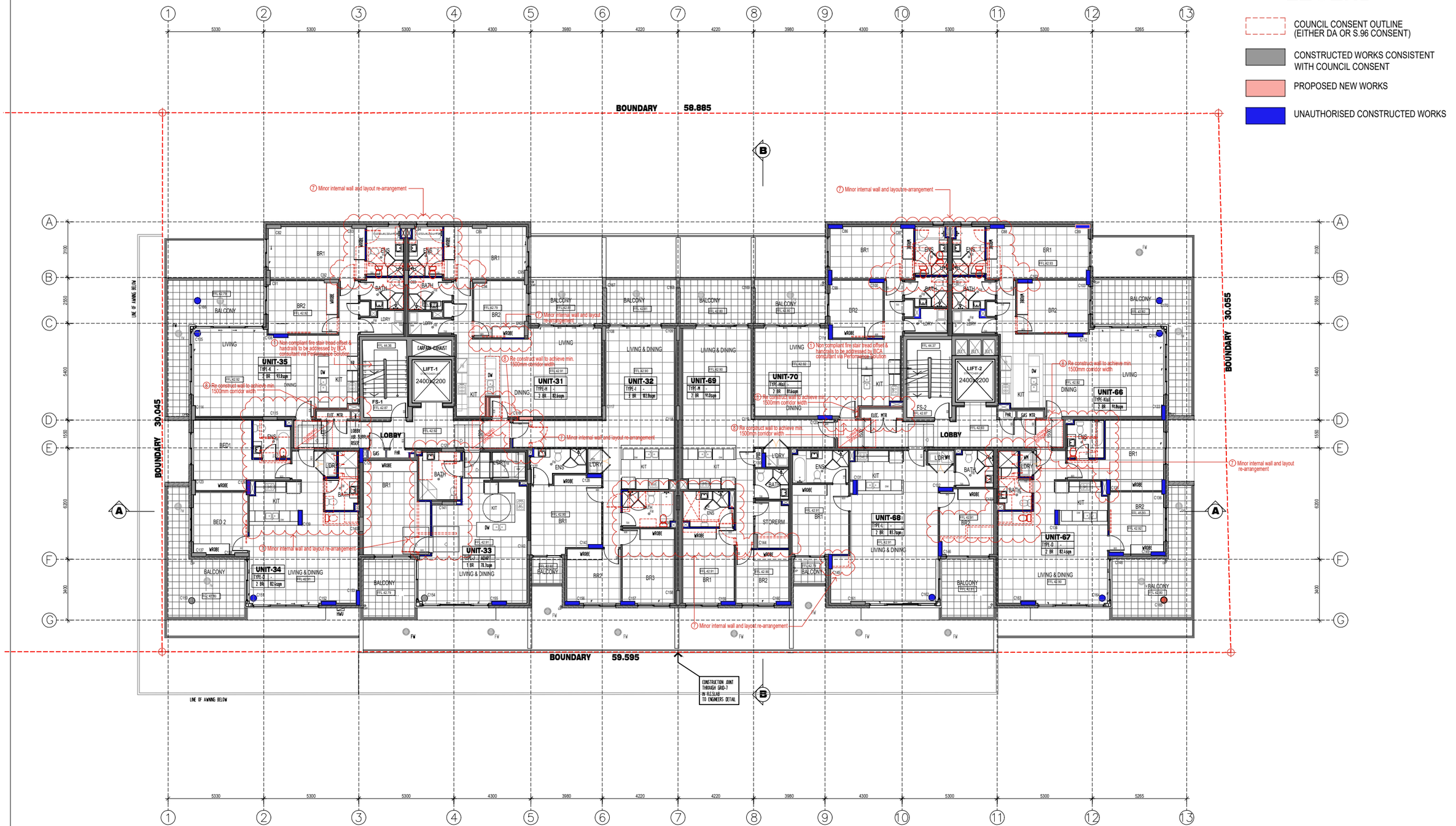
PROJECT TITLE
RESIDENTIAL MIXED USE DEVELOPME
11 JOHN STREET LIDCOMBE

DRAWING TITLE
LEVEL 6 FLOOR PLAN

LEGEND

- COUNCIL CONSENT OUTLINE (EITHER DA OR S.96 CONSENT)
- CONSTRUCTED WORKS CONSISTENT WITH COUNCIL CONSENT
- PROPOSED NEW WORKS
- UNAUTHORISED CONSTRUCTED WORKS



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LEVEL 7 FLOOR PLAN

LEGEND

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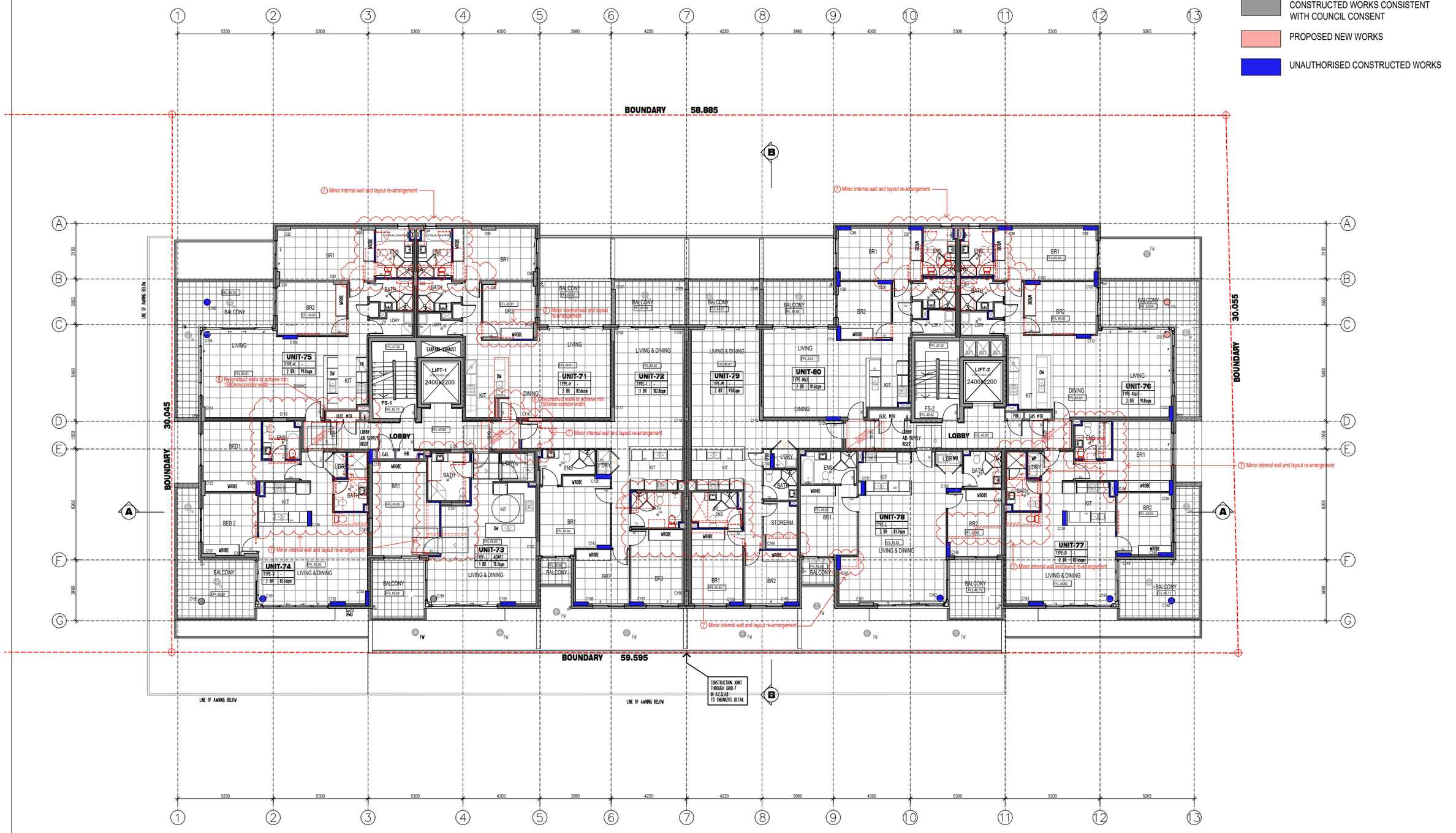
- CONSTRUCTED WORKS CONSISTENT WITH COUNCIL CONSENT
- PROPOSED NEW WORKS
- UNAUTHORISED CONSTRUCTED WORKS



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NOMINATED ARCHITECT: Adrian TEPAS
NSW ARCHITECTS REGISTRATION BOARD No. 6360
NOMINATED ARCHITECT REG: 3870/10044

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LEVEL 8 FLOOR PLAN

LEGEND

- COUNCIL CONSENT OUTLINE (EITHER DA OR S.96 CONSENT)
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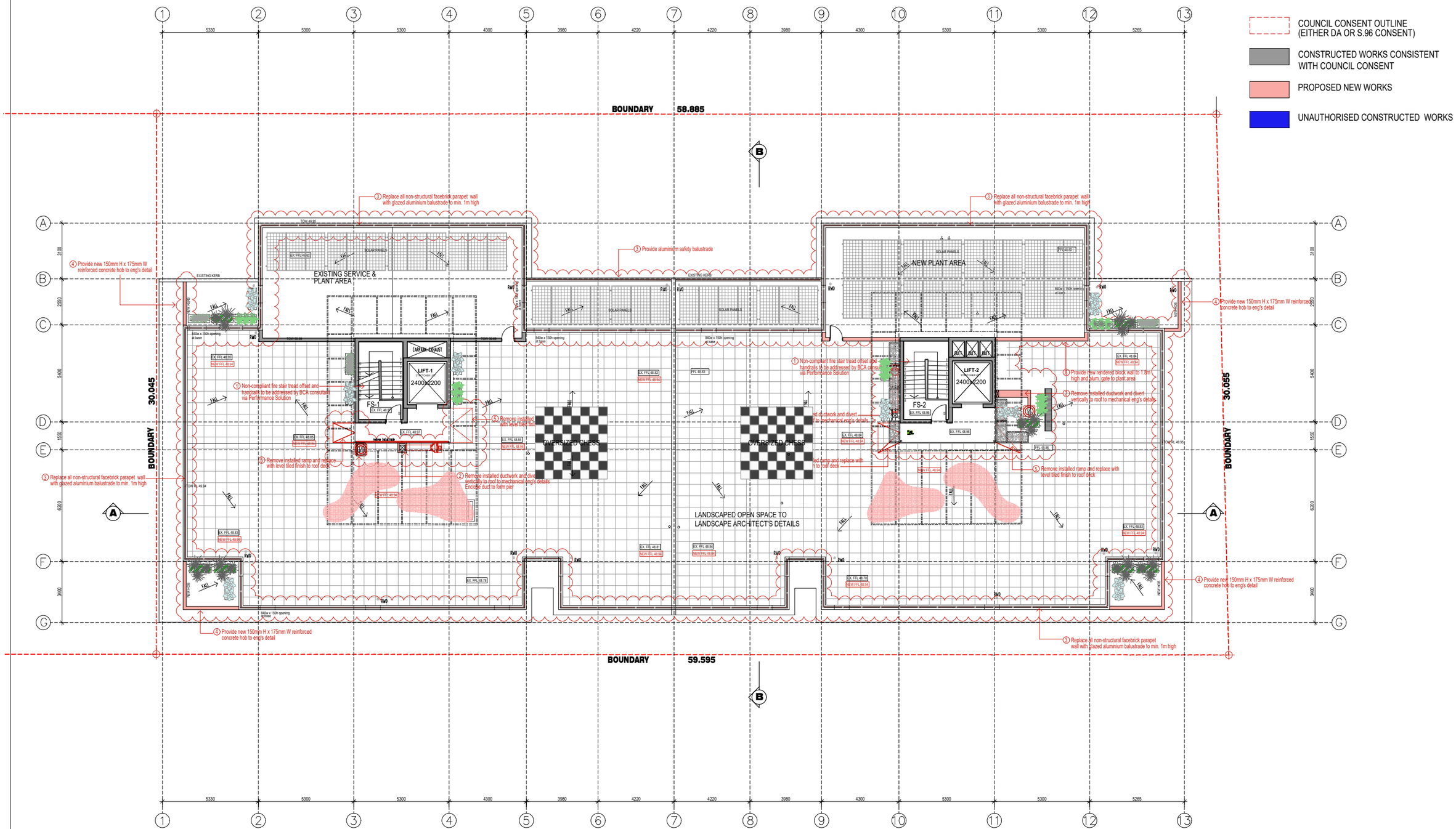
- PROPOSED NEW WORKS
- UNAUTHORISED CONSTRUCTED WORKS



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NOMINATED ARCHITECT: SUSAN TENG
NSW ARCHITECTS REG. NO 8972
NSW GRADUATING SYSTEMS NSW 10975 ITA ACT 1997/5778

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- PROPOSED NEW WORKS
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SOUTH ELEVATION (JOHN STREET)

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NOMINATED ARCHITECT: Adam Hall
NSW ARCHITECT REGISTRATION NO. 8972
ABN 20 096 390 862 NOMINEE REG. 2270/2434

DATE	REVISION	DESCRIPTION
17.12.25	A	FOR DA SUBMISSION
17.03.26	B	AMEND L1 BRICK BALUSTRADE

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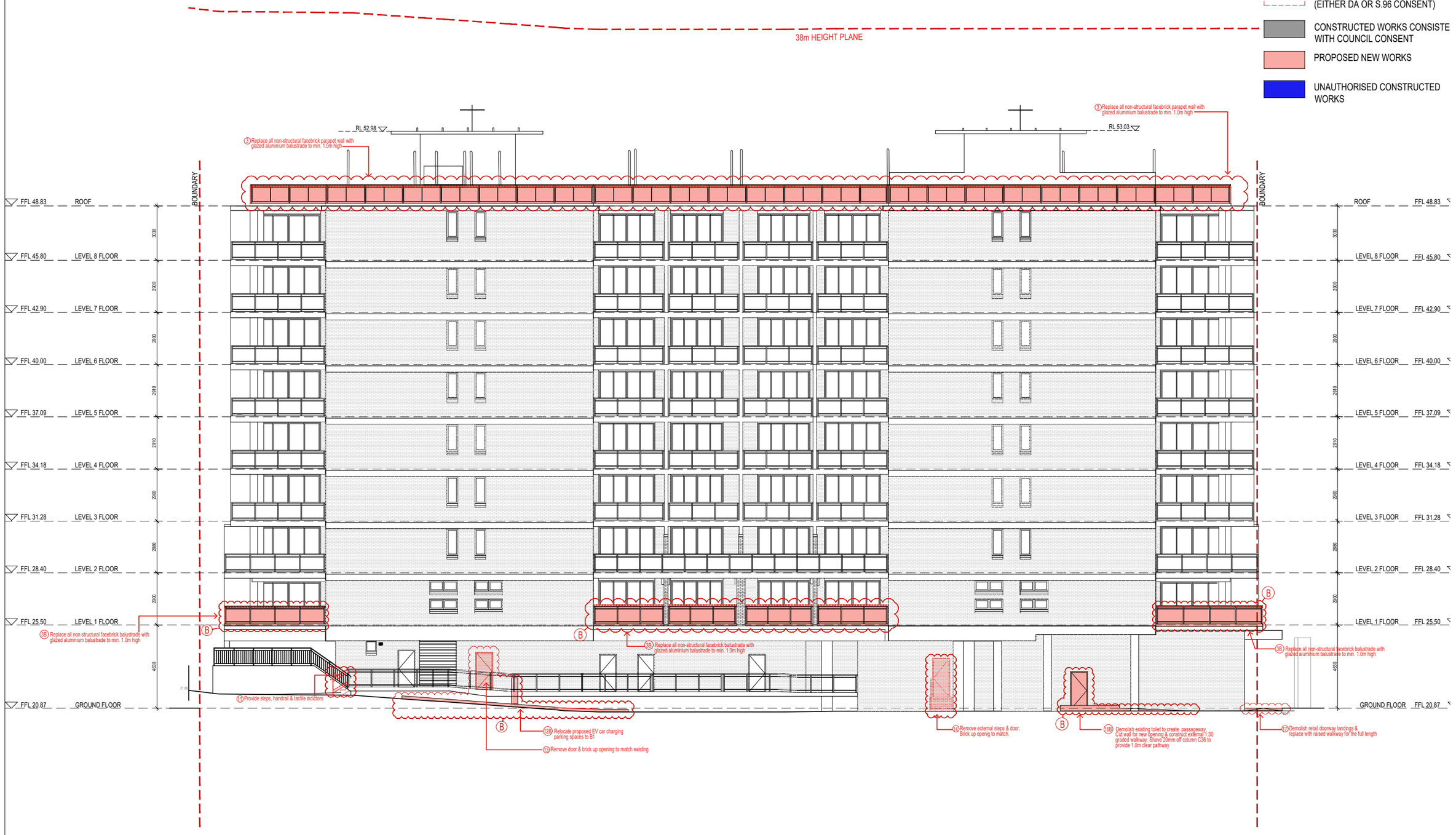
PROJECT TITLE RESIDENTIAL MIXED USE DEVELOPME
11 JOHN STREET LIDCOMBE
STATUS DA SUBMISSION
SCALE 1:100 @ A1, 1:200 @ A3
DRAWING TITLE SOUTH ELEVATION



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NOMINATED ARCHITECT: SUSAN TENG
NSW ARCHITECTS CONTRACTORS NO. 5270/2004
NSW DESIGN PRACTITIONER REG. DEP0000494

DATE	REVISION	DESCRIPTION	DATE	REVISION	DESCRIPTION
17.12.25	A	FOR DA SUBMISSION			
30.03.26	B	AMEND L1 BRICK BALUSTRADE & RELOCATE EV CHARGING PARKING TO B1			

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DRAWING TITLE
NORTH ELEVATION

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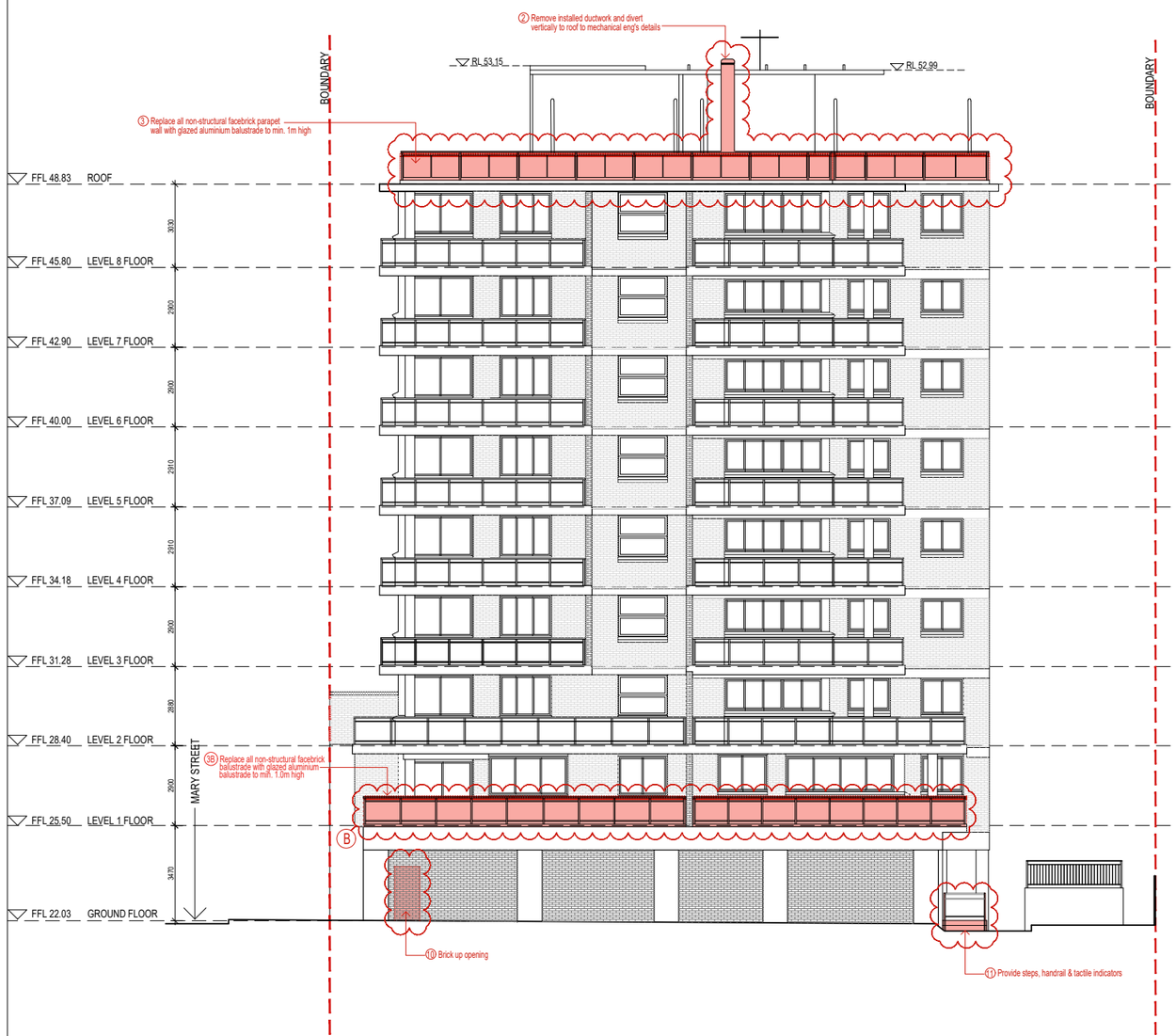
- PROPOSED NEW WORKS
- UNAUTHORISED CONSTRUCTED WORK



EAST ELEVATION



WEST ELEVATION

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NOMINATED ARCHITECT: SUSAN TENG
NSW REGISTRATION NUMBER: 8903

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17.03.26	B	AMEND L1 BRICK BALUSTRADE			

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DRAWING NO.	REVISION
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STATUS	SCALE	DRAWING TITLE
DA SUBMISSION	1:100 @ A1 1:200 @ A3	EAST & WEST ELEVATIONS

PROJECT TITLE
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SECTION A-A

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NOMINATED ARCHITECT: SUSAN TENG
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NSW DESIGN PRACTITIONER NO 3DP0024A

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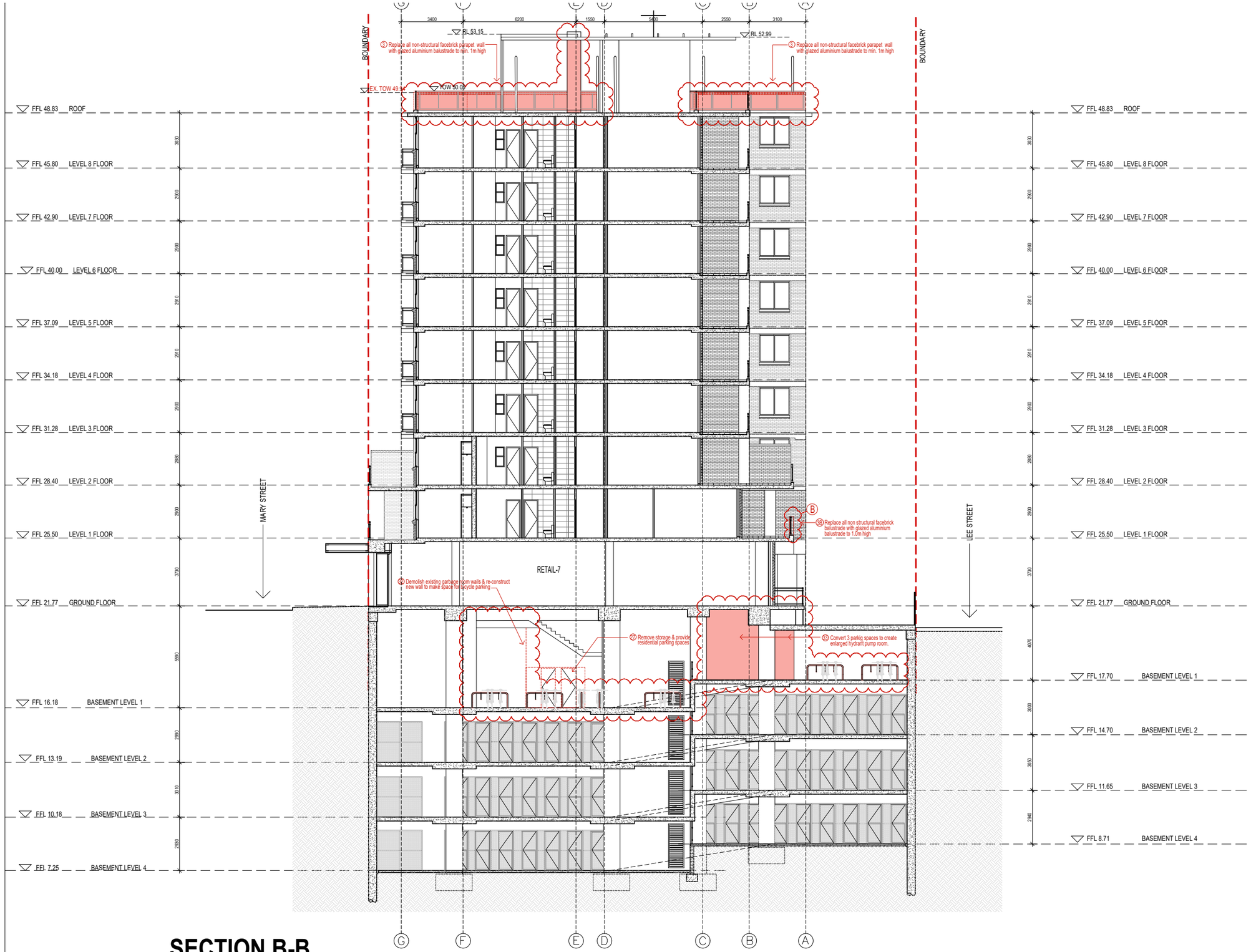

SECTION B-B

LEGEND

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NOMINATED ARCHITECT: SUHAN TENG
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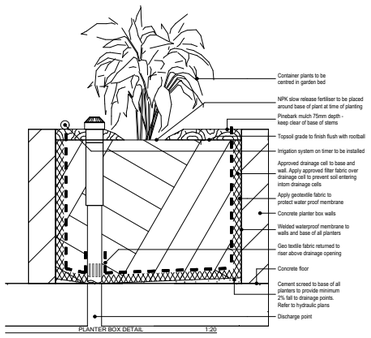
SECTION B-B

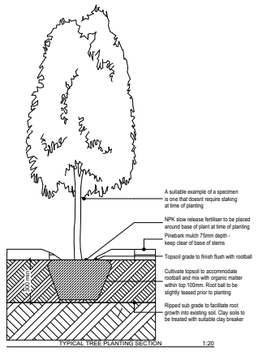
DOCUMENTS ASSOCIATED WITH REPORT ELPP022/26

Attachment 3

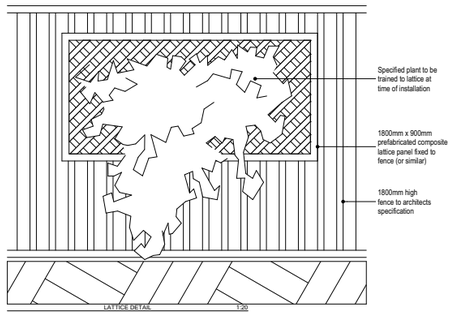
Landscape Plans



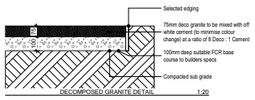
PLANTER BOX DETAIL 1:20



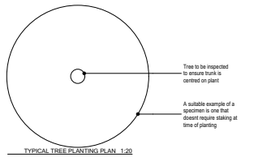
TYPICAL TREE PLANTING SECTION 1:20



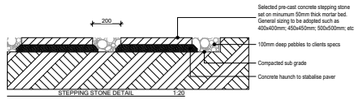
LATTICE DETAIL 1:20



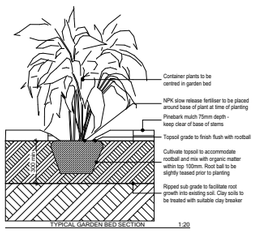
DECOMPOSED GRANITE DETAIL 1:20



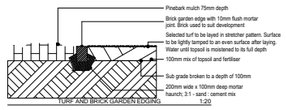
TYPICAL TREE PLANTING PLAN 1:20



STEPPING STONE DETAIL 1:20



TYPICAL GARDEN BED SECTION 1:20



TURF AND BRICK GARDEN EDGING 1:20

LANDSCAPE SPECIFICATION
1. SITE PREPARATION
Any minor levelling, whether cutting or filling shall be undertaken by the landscape contractor so that areas are left ready for final finishes. Adequate watering points shall be provided to enable the landscape contractor to maintain planted areas throughout construction and the maintenance period. Weeds are to be sprayed with 'Roundup' or similar, to manufacturer's directions and must be dead before being disturbed
2. WORKS BY OTHERS
The following works shall be undertaken by others prior to the commencement of the landscape works:
-All approved trees to be removed (refer to DA stamped plans and DA consent)
-Tree protection fencing installed to all applicable trees
-Stripping and stock piling site topsoil
-Erosion control measures and siltation devices as per stormwater/hydraulics plans
3. DRAINAGE WORKS
In general the mass planted areas are to be built atop existing levels to improve drainage and to deflect water runoff around the site, if the contractor considers that certain areas require drainage then the principal's representative should be immediately notified for an inspection. Drainage works are to be carried out in accordance with the stormwater/hydraulics plans. Care is to be taken that levels do not deviate significantly
4. TIMBER EDGING
Edging to be 100x38 R7 Rougher header H4 treated pine. Tanalith E treatment - chromium and arsenic free timber treatment that use copper and an organic azole co-biocide as active ingredients. Pegs to be 25 x 25 x 450mm long hardwood. Nails to be galvanised timberlock twist nails - 50mm x 3.75mm. Install edging to finish flush with adjoining grass levels and secure with pegs spaced at maximum 1200mm intervals placed on the garden side of the edging. All exposed edges of timber to be bevelled to prevent splintering
5. PEBBLE MULCH
Pebbles: where required are to be 10-20mm Nepean river pebbles. Pebbles must not float during the event of a flood. Following earthworks rake all areas and tamp lightly to give an even graded surface. Care shall be taken not to mix soil and pebble together. Pebbles to be laid to a depth of 100mm
6. MASS PLANTING
Soil mix to be suitable for improving depleted soils such as Botany Humus Mix from Australian Native landscapes or similar. Samples to be shown to principal's representatives for approval before installation, written breakdown of contents, pH and trace elements and suitability for improving existing soils is to be provided. Soil mix to comply with AS 3743-2003: Potting mixes; AS 4419-2003: Soils for landscaping and garden use; and AS 4454-2003: Compost, soil conditioners and mulches.
Water crystals to be Garden King Wettasoil Granular deep watering agent form Amgroe or similar.
Trees and plants shall be true to name and variety, substitutes in size or variety shall not be made without the approval of the principal's representative. Reference is to be made to the plant schedule.
All plants shall be true in size in well-developed healthy condition, free from insects, pests and disease, with well-established root systems. Sample of each species to be shown to principal's representative for approval before installation
Installation to occur by the following method:
-Preparation of base levels by builder
-After construction of the buildings, apply additional gypsum at the rate of 200g/m2 (if clay is encountied)
-Deep rip area below mass planted areas to a depth of 300mm
-Place 300mm layer of imported soil mix to all garden areas
-Apply 100g/m2 of a complete native plant food to all garden areas
-Work fertiliser in with a rake and leave for one week prior to planting
Planting shall not be carried out in dry soil or in extreme weather conditions. The root systems must be moist before planting to ensure longevity. Plants shall be removed from their containers with as little disturbance as possible to the roof ball. Plants should be planted at the same depth as in their respective pot to allow for a shallow saucer of soil to be formed around the plant to aid water penetration
Avoid hilling up of top soil around young plant stems. Firm soil around the root ball and thoroughly soak the areas after plating. On completion, cultivate, rake and leave all garden areas in a neat and tidy condition. Remove old containers and plant labels from the site
Fertilise with an approved nine months formulation general slow release fertiliser such a 'Nutricote' or 'Osmocote' that is mixed into the prepared planting space just prior to planting. Fertiliser is to be applied at the rate as specified by the manufacturer for the plant size and type. Maintain all plants and ties and provide adequate watering for the duration of the contract
Trees that are to be staked require two x 50x50mm x 1800mm long hardwood stakes secured either side of the trunk at 1000mm centres
7. GARDEN MULCH
Mulch to comprise a maximum 25mm fresh hardwood chips such as Eucalyptus Mulch from Australian Native Landscapes or similar. Samples to be shown to the principals representative before installation. Mulch to comply with AS 4454-2003: Composts, Soils Conditioners and Mulches.
Following planting, rake all garden areas and tamp lightly to give an even graded surface. Spread a 75mm layer of mulch over the surface of the garden beds and cove down to finish flush with top of pavements and garden edging. Care shall be taken not to mix soil and mulch together
8. NEW LAWN AREAS
Turf shall be cultivated 'Sir Walter' Buffalo obtained from an approved commercial grower that is weed and disease free. Topsoil to be a turf topdressing with a high performance turf top-dressing such as Nitro-Top from Australian native Landscapes or similar. Samples to be shown to the principal's representative for approval before installation. Also provide written breakdown of contents, pH and trace elements and suitability for improving existing soils. Topsoil to comply with AS 4419-2003; Soils for landscaping and garden use
Installation to occur by the following method:
-Preparation of base levels by builder
-After construction of the buildings, apply additional gypsum at 200m/m2 (if clay is encountied)
-Deep rip area below lawn areas to a depth of 300mm
-Place 100mm layer of imported topsoil mix to all lawn areas
-Level and lightly compact topsoil to ensure a smooth surface
-Prior to final raking add fertiliser such as Dynamic Lifter to manufacturers details
-Turf to finish flush with adjoining pavements and edging. Top dress edges or low areas to ensure even surface
OTHER GENERAL NOTES
1. Contractors to verify all dimensions on site before commencing work
2. Do not scale off drawing. If in doubt all dimensions are to be verified by designer
3. This drawing is to be read in conjunction with the approved architectural, hydraulic, arborist and survey plans
4. All trees to be retained shall be protected as per arborist report and/or council requirements. All pruning shall be in accordance with A.S. 4373
5. All landscape works shall comply with all council DA & CC conditions and all relevant Australian Standards. Any deviation from the approved design is not authorised under the development consent. Any alteration to design and plant material must be approved by the accredited certifier
6. Irrigation system - If required, shall be designed & installed to comply with AS 2698.1-1994; AS 2698.2-1985; AS 2698.3-1990; water board and other relevant authority regulations
7. All landscape works are to be maintained for a period of 12 months after final completion. All plants that fail are to be replaced with the same species. Mulch is to be maintained at specified depth. All plants and turf shall be watered on a regular basis to maintain moisture levels required for optimum growth. All garden areas are to be maintained free from weeds
8. Minimum BASIX requirement in relation to native landscaped area to be met
MAINTENANCE SCHEDULE
To ensure the rapid establishment and long term success of the landscape works the contractor shall undertake a six month maintenance period after practical completion. During this time the contrator shall be responsible for the replacement of any failed plants or other materials. The following general maintenance tasks shall also be undertaken:
-Hand watering of plants on a regular basis equating to four times per week for the first two months (dependent on weather conditions and subject to water restrictions)
-Mowing of turfed areas every two weeks from October to March and every month from April to September (dependent of maintenance period)
-Checking of plants, stakes and ties every month
-Spraying of weeds every month
-Replacement of failed plants every three months
-Topping up of mulch after six months to maintain a 100mm cover
-Re-application of water crystals around plants after six months
-Analysing soil after six months and applying fertiliser in accordance with the recommendations of the soil analysis

PLANTING SCHEDULE

Note: Plant symbols on plan refers directly to table below. Plants to be mass planted have number allocated accordingly
* depicts native species # depicts indigenous species

Symbol	Code	Botanical Name	Common Name	Mature Height	Pot size	Quantity
	B	Bougainvillea	Bougainvillea cvs (Thornless)	N/A	200mm	4
	G	Gazania 'Double Gold' (Sterile cultivar)	Gazania	300mm	200mm	21
	Aa	Agave attenuata	Agave	600mm	200mm	16
	St	Sansevieria trifasciata	Mother in Laws Tongue	800mm	200mm	15
	Co	Crassula ovata	Jade	900mm	200mm	15
	Dm	Dracaena marginata	Dragon Tree	3,000mm	200mm	7

Table 5 Minimum soil standards for plant types and sizes

Plant type	Definition	Soil volume	Soil depth	Soil area
Large trees	12-18m high, up to 16m crown spread at maturity	150m³	1,200mm	10m x 10m or equivalent
Medium trees	8-12m high, up to 8m crown spread at maturity	35m³	1,000mm	6m x 6m or equivalent
Small trees	6-8m high, up to 4m crown spread at maturity	9m³	800mm	3.5m x 3.5m or equivalent
Shrubs			500-600mm	
Ground cover			300-450mm	
Turf			200mm	

Note: The above has been calculated assuming fortnightly irrigation. Any sub-surface drainage requirements are in addition to the above minimum soil depths

PROPOSED LANDSCAPE DESIGN @ 11 JOHN STREET, LIDCOMBE FOR H3 ARCHITECTS DEVELOPMENT APPLICATION



SHEET SCHEDULE

DRAWING No	TITLE
01	COVER & DETAILS
02	ROOFTOP LANDSCAPE PLAN
02	SECTION

0 1 2 3 4 5 7.5 10m

Issue b: Development Application	17/12/2025
Issue a: Client Sketch	22/09/2025

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e: info@plandrew.com.au
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old toongabbie nsw 2146
Landscape Design Institute
Professional Member
member number 1145

project
PROPOSED LANDSCAPE DESIGN @ 11 JOHN STREET, LIDCOMBE

client
H3 ARCHITECTS

drawn: A.M. | date: DEC25 | ref: 2025-041 | Council CCC

B01

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ROOFTOP LANDSCAPE PLAN 1:100


Mother in Laws Tongue


Gazania


Jade


Draceana


Agave


Bougainvillea

issue b: Development Application	17/12/2025
issue a: Client Sketch	22/09/2025

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Landscape Design Institute
Professional Member
member number: 1145

project: PROPOSED LANDSCAPE DESIGN @ 11 JOHN STREET, LIDCOMBE

client: H3 ARCHITECTS

B02

drawn: A.M. | date: DEC25 | ref: 2025-041 | Council: CCC

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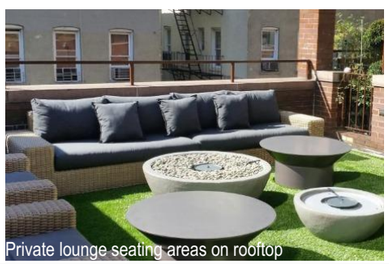
SECTION A 1:100


Private lounge seating areas on rooftop



Wheeled planter troughs


Troughs used to define spaces


Bougainvillea grown on arb


Outdoor Chess


Activated rooftop

0 1 2 3 4 5 7.5 10m

Issue b: Development Application	17/12/2025
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DOCUMENTS ASSOCIATED WITH REPORT ELPP022/26

Attachment 4

Notice of Determination under DA-219/2011

AUBURN CITY COUNCIL
MANY CULTURES ONE COMMUNITY

1 Susan Street, P.O. Box 118 Auburn, NSW Australia 1835

Telephone: 9735 1222 Facsimile: 9643 1120
ABN 63 914 691 587

See Win Holdings Pty Limited
PO Box 239
BURWOOD NSW 1805

In reply quote: DA-219/2011
Contact Name: Fay Ong
1 December 2011

Notice of determination of development application (Form 4)

(Section 81(1)(a) - the Environmental Planning and Assessment Act 1979)

Development Application	DA-219/2011
Land to be developed	Lot 300 DP 1142325, 11 John Street, LIDCOMBE
Proposed development	Demolition of Lidcombe Childrens Court Building and ancillary structures, partial demolition of the Police Station Building and the construction of a seven storey mixed use building containing seven commercial tenancies and seventy residential dwellings over three levels of basement carparking
Determination	Approved

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:

Job/Plan Number	*Prepared By*	*Revision No.*	*Dated*
Cover Sheet + BASIX Requirements	Ryleton P/L t/as Architex	A	06.05.11
Job no. 1986, Drawing no. DA02, Basement Levels 1, 2 & 3	Ryleton P/L t/as Architex	B	19.08.11
Job no. 1986, Drawing no. DA03, Ground Floor Level *(including any amendments in red)*	Ryleton P/L t/as Architex	C	17.10.11
Job no. 1986, Drawing no. DA04, Levels 1 & 2	Ryleton P/L t/as Architex	C	17.10.11

Job no. 1986, Drawing no. DA05, Levels 3 & 7, Roof Terrace	Ryleton P/L t/as Architex	A	06.05.11
Job no. 1986, Drawing no. DA06, South & West Elevations	Ryleton P/L t/as Architex	B	17.10.11
Job no. 1986, Drawing no. DA07, North & East Elevations	Ryleton P/L t/as Architex	C	17.10.11
Job no. 1986, Drawing no. DA08, Sections	Ryleton P/L t/as Architex	C	17.10.11
Job no. 1986, Drawing no. DA09, Existing Police Station Plan	Ryleton P/L t/as Architex	C	17.10.11
Job no. 1986, Drawing no. DA10, Existing Police Station Elevations	Ryleton P/L t/as Architex	C	17.10.11
Job no. 1986, Drawing no. DA13, Adaptable Unit Layouts	Ryleton P/L t/as Architex	A	19.08.11
Job no. 1986, Drawing no. DA14, Driveway Sections	Ryleton P/L t/as Architex	A	17.08.11
SW11160-S1 Site Stormwater Management Layout	ALW Design	A	03.06.11
SW11160-S2 Basement Stormwater Management Layout	ALW Design	A	03.06.11
SW11160-S3 Roof & Upper Floor Stormwater Management Layout	ALW Design	B	22.08.11
0365.L.01 Landscape Plan – Ground Floor Areas 1	Greenland Design P/L	B	19.08.11
0365.L.02 Landscape Plan – Ground Floor Areas 2	Greenland Design P/L	B	19.08.11
0365.L.03 Landscape Plan – Roof Terrace	Greenland Design P/L	B	19.08.11

0345.L.02 Landscape Details & Specifications	Greenland Design P/L	B	19.08.11
112492 – M01 Mechanical Service – Ground Floor Plan	Farwest Consulting Engineers	A	23.08.11
BASIX Certificate no. 373898M	Assessor no. 20045	-	18.05.11
Remedial Action Plan Ref No. ES4541/3	Aargus Australia	-	October 2011

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 96 of the Environmental Planning and Assessment Act).

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 95 of the Environmental Planning and Assessment Act.

3. **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.

NOTES:

Where an Accredited Certifier issues a construction certificate, a copy of the following documents must be forwarded to Council within 7 days of issue, together with payment of the Council's adopted registration fee: determination; application to which it relates; construction 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 96 of the Environmental Planning and Assessment Act 1979 requires the submission of an amended construction certificate.

Reason:- to comply with the requirements of Section 81A of the Environmental Planning and Assessment Act and clause 142 of the Environmental Planning and Assessment Regulation 2000.

4. **Auburn DCP 2007: Section 94 Development Contributions**

Development Contributions are payable in accordance with Auburn Council's Section 94 Development Contribution Plan 2007, which has been prepared under Section 94 of the Environmental Planning and Assessment Act 1979, as amended.

A sum of $ **389002.86** is to be paid to Council for the purpose of LGA Wide plans being the provision of open space and recreation facilities, community facilities, accessibility and traffic works, town centre upgrades, car parking, Council's administration of the development contributions framework and the provision of additional services and public facilities that is likely to generate from employment generating development within the Auburn LGA.

The above sum is broken down to the following items:

Item	Amount
Community Facilities	$92155.76
Public Domain	$203820.06
Accessibility and Traffic	$56179.44
Administration	$21547.60
Employment Generating Development	$15300.00
TOTAL	**$389002.86**

The amounts payable will be adjusted in accordance with the section titled Review of Contribution rates and are generally indexed on a quarterly basis by the Consumer Price Index CPI (all Groups Sydney) unless otherwise stated in the plan.

Contributions will be adjusted at the payment date in accordance with the plan and payment is to be made prior to the Construction of the building.

Council's Development Contribution Plan 2007 is available for inspection at Council's Customer Services Centre, Civic Place, 1 Susan Street, Auburn or on line at www.auburn.nsw.gov.au.

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.

5. **Compliance with submitted acoustic report**

The recommendations and all noise control measures specified in the Acoustic Impact Assessment Report prepared by VIPAC, reference 20C-11-0210-TRP-464747-1, dated 31 August 2011, and shall be installed prior to the issuing of the occupation certificate. All noise reduction measures specified in the acoustic report shall be complied with at all times during the operation of the premises.

Reason:- to ensure compliance with relevant legislation and EPA guidelines.

6. **Conservation Management Plan**

Prior to the issue of the Construction Certificate, a Conservation Management Plan prepared in accordance with the Heritage Impact Statement shall be submitted to the Principal Certifying Authority for approval. The Conservation Management Plan shall also incorporate the following requirements:

1. Retention of the cell walls as sculptural element. This would entail retention of the front brick and sandstone wall element structurally supported as a freestanding element.

1. The Conservation Management Plan shall document conservation works including the removal of air conditioning units, removal of fluro light fittings and fans from ceilings and replacement with centrally located pendant light fittings in each room, repairs to cracks in walls, removal of redundant surface mounted electrical, repairs to ceilings, windows and the wrap around veranda elements including a paint scheme for all internal and external finishes.

2. Photographic archival recording shall be carried out by the applicant prior to demolition and issue of a construction certificate. The recording will include the Former Lidcombe Court House and the Heritage Police Station.

3. An interpretation strategy shall be provided by the applicant in which the cell wall will be singled out as a feature worthy of retention and also the Federation style lettering of the "Police Station' in the entry gable, measured drawings reflecting the original and the new as a display panel, police stations as an historic theme, Lidcombe as an historic theme and sundry photographs, maps, text etc for display in the future public areas so that users and visitors would get an immediate understanding of the historical provenance of the site. Retention of the cell doors pinned open or hung on the brick cell walls and retention of the heavy bolt latches and original graffiti on the doors of the cells is also encouraged. The repair and retention of certain rainwater heads is also encouraged.

Reason:- to recognise and safeguard the heritage significance of the item and promote long term conservation.

7. **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.

8. **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.

9. **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 Principal Certifying Authority (PCA), 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 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 81A of the Environmental Planning and Assessment Act

10. **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.

Note. Section 81A prohibits the commencement of building work or subdivision work unless the consent authority has been notified of the appointment of a principal certifying authority for the work. Section 109D (2) prohibits the issue of an occupation certificate authorising the occupation and use of a new building except by the principal certifying authority appointed for the erection of the building. Section 109D (3) prohibits the issue of a subdivision certificate for a subdivision involving subdivision work except by the principal certifying authority appointed for the carrying out of the subdivision.

Reason:- to comply with the requirements of Section 109E of the Environmental Planning and Assessment Act.

11. **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.

12. **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.

13. **Insurance requirements under the Home Building Act 1989**

A contract of insurance for residential building work must be in force before any building works commence, where the works are being undertaken by a builder and tradesperson and the works have a market value of greater than $12,000 *(or as varied from time to time by the Home Building Act 1989).*

If the work is to be carried out as an owner-builder, an Owner-builder Permit must be obtained if the market value of the labour AND materials needed to complete the work is greater than $5,000 *(or as varied from time to time by the Home Building Act 1989).*

NOTE: Evidence of the contract of insurance or owner builder permit, if required, must be submitted with the application for construction certificate. The construction certificate will not be released by Council unless this evidence is provided.

Reason:- to comply with Clause 98 of the Environmental Planning and Assessment Regulation 2000.

14. **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

15. **Commonwealth Disability Discrimination Act**

The Commonwealth Disability Discrimination Act 1992 commenced the 'Disability (Access for 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 1992

16. **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 109EA of the Environmental Planning and Assessment Act and clause 162 of the Environmental Planning and Assessment Regulation.

17. **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.

18. **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.

19. **BASIX Requirements**

Under Clause 97A(3) of the Environmental Planning & Assessment Regulation 2000, it is a condition of this development consent that all the commitments listed in each relevant BASIX Certificate for the development are fulfilled. In this condition:-

a) Relevant BASIX Certification means:-

   i) A BASIX Certificate that was applicable to the development when this development consent was granted (or, if the development consent is modified under Section 96 of the Act, a BASIX Certificate that is applicable to the development when this development consent is modified) or;

   ii) If a replacement BASIX Certificate accompanies any subsequent application for a construction certificate, the replacement BASIX Certificate; and

b) BASIX Certificate has the meaning given to that term in the Environmental Planning & Assessment Regulation 2000.

20. **Archival Record - Photographic Survey**

A black and white photographic survey, in accordance with the guidelines of the Heritage Council, is to be submitted prior to the release of the Construction Certificate. The photographic survey is to be submitted in an unbound report format, which is to contain:

a) A front cover marked with:-

i) the name/location of the property;
ii) the date of the survey;
iii) the name of the Company or persons responsible for the survey.

b) A layout plan of the existing building; identifying rooms and features shown in the photographs.

c) Photographs of the interior, exterior, and streetscape view of the building, labelled to indicate their location in relation to the layout plan and elevations of the building; and a set of negatives. All photographs are to be mounted in acid-free photographic corner mountings and photographs are to be fixed into acid-free corner mounting.

d) Where colour is a feature of the building (for example, the building features stained glass, leadlight or polychrome brickwork), additional colour photographs (with negatives) are to be included in the photographic survey report.

These documents are to be remitted to Council for inclusion in the Local History Library.

Reason:- to provide a historical record of the existing buildings on the site for archival purposes.

21. **Use of a conservation architect**

The applicant is to commission an experienced conservation architect to work with the consultant team throughout the design development, contract documentation and construction stages throughout the development. The conservation architect is to be involved in the resolution of all matters where existing fabric and spaces are to be subject to preservation, restoration, reconstruction, adaptive reuse, recording and demolition. The conservation architect is to be provided with full access to the site and authorised by the applicant to respond directly with Council where information or clarification is required regarding the resolution of heritage issues throughout the project.

Reason:- to ensure that the proposal is consistent with the development approval.

22. **Use of Experienced Tradespersons**

The applicant is to commission experienced trades persons (as appropriate) that are skilled in traditional building and engineering trades to carry out the proposed scope of works.

Reason:- to ensure that the construction is undertaken by skilled trade's persons to ensure the proposal is sympathetic to the heritage item.

23. **Archaeological Discovery During Excavation**

Archaeological discovery during excavation or works shall comply with the following:

(a) Should any historical relics be unexpectedly discovered on the site during excavation, all excavation or disturbance to the area is to stop immediately and the Heritage Council of NSW should be informed in accordance with section 146 of the *Heritage Act 1977.*

(b) Should any Aboriginal relics be unexpectedly discovered then all excavation or disturbance of the area is to stop immediately and the National Parks and Wildlife Service is to be informed in accordance with Section 91 of the *National Parks and Wildlife Act, 1974.*

Reason: To ensure Heritage Council and National Parks and Wildlife are informed of any archaeological materials.

24. **Construction/Demolition Hours**

Site works, building works and demolition works, including the delivery of materials or 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 Auburn Council on 9735-1222 during office hours or 0417-287-113 outside office hours".

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

25. **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.

26. **Infrastructure Fee**

The infrastructure inspection fee in accordance with Councils 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.

27. **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.

28. **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.

29. **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.

30. **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.

31. **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**:

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.

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.

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

32. **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.

33. **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 PCA. **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.

34. **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.

35. **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 suitably 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.

36. **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.

37. **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 abovestated 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 driveways 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.

38. **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:- the ensure the safety of pedestrians when passing the site.

39. **Overhead protective structures – Major works or works above footpath/road – Details to be provided to the PCA (B-Type Hoarding)**

A separate application is to be made to Council for Approval under Section 68 of the Local Government Act 1993 to erect a 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
  - 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: 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 7.5m in height and located within 3.6m of the street alignment.

A temporary hoarding or fence is to be provided to the perimeter of the site in all other locations (unless the site is separated from the adjoining land by an existing structurally adequate fence, having a minimum height of 1.5 metres) and the hoarding or fence is to be installed prior to commencing any works on the site and be maintained throughout construction.

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.

Details of the proposed hoardings or fences located upon the site are to be submitted to the Principal Certifying Authority and 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.

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

40. **Soil and Water Management Plan – Large sites**

A Soil and Water Management Plan (also known as an Erosion and Sediment Control Plan) shall be prepared according to the NSW EPA's *Managing Urban Stormwater: Construction Activities*. This Plan shall be implemented prior to commencement of any site works or activities. All controls in the Plan shall be maintained at all times. A copy of the Soil and Water Management Plan must be kept on-site at all times and made available to Council officers on request.

Reason:- to ensure sediment and erosion controls are maintained during the construction process to prevent water pollution from occurring.

41. **Noise from construction activities**

Noise from construction activities associated with the development shall comply with the Department of Environment and Climate Change NSW – Interim Construction Noise Guidelines.

a) Level Restrictions:-

i) Construction period of 4 weeks and under:-

1) the L_{10} sound pressure level measured to the property boundary and over a period of not less than 15 minutes when the construction site is in operating must not exceed the background level.

ii) Construction period greater than 4 weeks and not exceeding 26 weeks:-

1) the L_{10} sound pressure level measured to the property boundary and over a period of not less than 15 minutes when the construction site is in operating must not exceed the background level.

Reason:- to ensure noise arising from construction activities is in accordance with relevant legislation and EPA requirements.

42. **Dial before you dig**

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 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.

43. **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 pre-payment 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.

44. **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.

45. **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.

46. **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. 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.

47. **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.

48. **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.

49. **Stormwater Disposal**

All stormwater runoff generated from the proposed development shall be directed to Council's existing stormwater drainage pipe system at John Street.

Reason:- to prevent localised flooding.

50. **Submission of 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,

- The proposed stormwater system shall be generally in accordance with the stormwater plans **SW11160-S1, SW11160-S2 and SW11160-S3 dated 03. 06. 2011 prepared by ALW Design.**
- Minimum 10m^3 capacity water reuse tank shall be provided.
- Basement storage areas shall be minimum 100mm above the top water level of the above ground storage in the basement.

Reason:- to ensure the stormwater is suitably discharged.

51. **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 2000 - 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.

52. **Basement drainage system**

Basement drainage is to comply with "Auburn Development Control Plans 2010 – Stormwater Drainage".

In this regard,

- Two pump units shall be installed, the capacity of each being calculated on the basis of a hundred year storm recurrence interval and a storm duration of 5 (five) minutes, and one pump acting in reserve capacity.
- 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.
- A holding well being provided within the basement, of sufficient capacity to store the discharge based on a hundred year storm recurrence interval and storm duration of ninety minutes. In addition to this an above ground storage shall be provided up to a hundred year storm recurrence interval and storm duration of twelve hours. The holding well is to be designed so that a minimum volume of water is retained in the well for health reasons when the pumps are in the "off" position or if there is a break in electrical supply.
- 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.

- The pump out system is to be independent of any gravity drainage lines, except at the property boundary where a grated surface pit is to be constructed from which a connection will be permitted to the gravity drainage system. The invert levels of the 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.
- 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.
- The contributing catchment area to the pump out system is to be limited to the access ramp area only and subsoil drainage.

Details shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**

Reason:- to prevent localised flooding.

53. **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.

54. **Structural detailed design of the underground tank**

A detailed structural design of the proposed underground tank shall be submitted to the Council/ Principal Certifying Authority with the Construction Certificate.

Reason:- to ensure the structural stability.

55. **Water Reuse**

The stormwater generated from the roof area shall be reused for the irrigation of the landscape area within the subject development site. In this regard minimum of **10.0m^3** storage shall be provided on site and the required roof area shall be directed towards the storage.

Full 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.

56. **Works-as-Executed Plan**

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 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.

57. **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.

58. **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.

59. **Surface runoff/Overland flow**

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.

60. **Sediment control**

Temporary measures shall be provided and regularly maintained during demolition, excavation and construction to prevent sediment and polluted waters discharging from the site. Plans showing such measures in accordance with the NSW Department of Housing, Managing Urban Stormwater, Soils and Construction Manual dated March 2004 shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate**.

Reason:- to ensure sediment and erosion controls are maintained during the construction process to prevent water pollution from occurring.

61. **Remediation and validation**

The following shall be complied with in respect of remediation and validation works at the property:

a) Remediation and validation works shall be carried out in accordance with the approved Remediation Action Plan. The applicant shall inform Council in writing of any proposed variation to the remediation works. Council shall approve these variations in writing prior to the commencement of works. Please note that variations to the approved remediation works may require the submission to Council of a Section 96 Application or further Development Application pursuant to the *Environmental Planning and Assessment Act 1979*.

b) After completion of the remedial works, a copy of the Validation Report shall be submitted to Council prior to the commencement of construction works. The Occupation Certificate shall not be issued until Council reviews and approves the final Validation Report. The validation report shall be prepared in accordance with the EPA guidelines, *Consulting Reporting on Contaminated Sites*, and shall:

i) Describe and document all works performed;
ii) Include results of validation testing and monitoring;
iii) Include validation results of any fill imported on to the site;
iv) Show how all agreed clean-up criteria and relevant regulations have been complied with; and
v) Include clear justification as to the suitability of the site for the proposed use and the potential for off-site migration of any residual contaminants.

c) Following the preparation of the validation report, Council will require that the applicant engage an accredited auditor under the *Contaminated Land Management Act 1997* to review the Validation Report prepared by the contaminated land consultant and issue a Site Audit Statement. The accredited auditor shall consult with Council prior to finalising and issuing the Site Audit Statement. The Site Audit Statement should allow for soil access to occur to ground level courtyards and communal open space areas within the development.

The accredited auditor shall provide Council with a copy of the Site Audit Report and Site Audit Statement, **prior to the issuing of the Occupation Certificate**.

In circumstances where the SAS conditions (if applicable) are not consistent with the consent, the consent shall prevail to the extent of the inconsistency and a Section 96 Application or further Development Application pursuant to the *Environmental Planning and Assessment Act 1979* will be required.

Reason:- to ensure the provisions of State Environmental Planning Policy No. 55 – Remediation of Land and the Contaminated Land Management Act are complied with.

62. **Remediation works – contact details**

The applicant shall provide Council with a 24 hour contact number for the manager of the remediation works prior to the commencement of any works at the site.

Reason:- to ensure a point of contact is provided to Council to liaise with, if necessary, in respect of the remediation works.

63. **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.

64. **Monitoring of field parameters**

Results of the monitoring of any field parameters such as soil, groundwater, surface water, dust or noise measurements shall be made available to Council Officers on request throughout the remediation and construction works.

Reason:- to ensure Council is informed as to monitoring of field parameters relevant to the remediation and/or construction works.

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. **Traffic Management**

A traffic management plan shall be submitted to and approved by Council for all demolition, excavation and construction activities associated with the development **prior to commencement of work.**

Reason:- to minimise impact on street traffic.

67. **Sight Distance and Driveways**

Sight distance at driveway exit shall be provided in accordance with section 3.2.4 of the Australian standard AS 2890.1 2004.

In this regard, details shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**

Reason: to ensure the sight distance and to traffic and pedestrian comply with Australian Standards.

68. **Basement design - Swept path and turning area**

Basement parking shall be redesigned to address following matters:

a) The swept path analysis plan submitted indicates that the columns interfere with vehicular swept paths. Therefore columns shall be relocated clear of swept paths.

b) As visitor parking spaces are provided in the basement level 3, a turning bay shall be provided at the blind aisle.

An amended basement plan addressing following matters shall be submitted to the Principal Certifying Authority for approval **prior to the issue of a Construction Certificate.**

Reason:- to ensure disable parking spaces comply with Australian Standard AS2890.6.

69. **Ramp gradients**

Maximum gradient of the driveway access ramps shall not exceed 1 in 5 (20%).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 a Construction Certificate.**

Reason:- to ensure the access ramps comply with Council's DCP.

70. **Headroom clearance**

Headroom clearance shall comply with section 5.3 of the Australian Standard AS2890.1:2004. In accordance with As2890.1, minimum 2.2m headroom clearance shall be provided. In this regard detail longitudinal section of curved ramps to a scale of 1:20, shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**

Reason:- to ensure the access ramps comply with Australian Standard AS28890.1:2004.

71. **Footpath Construction**

The footpath adjoining the site 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.

a) Detail footpath design shall be submitted and approved by Council's Works and Services section prior to the issue of a Construction Certificate.

b) Street boundary levels obtained from Council shall be incorporated in the design.

c) The details of construction requirements shall be requested from the Council prior to commencement of construction.

d) The existing nature strip shall be regraded to design level.

e) The nature strip shall be turfed.

f) All associated cost shall be borne by the applicant.

g) 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.

Reason:- to provide a safe footpath for increased pedestrian use and one that will complement the Auburn Council requirements.

72. **Works within Council controlled lands**

(1) For drainage works:-

(a) Detail design shall be submitted an approved by Council.
(b) Within Council controlled lands.
(c) 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 development complies with car parking and loading development control plan.

73. **Service relocation / Adjustment**

The applicant shall locate any utility services affected by the proposal and shall be responsible for any damage to, or relocation of services required by the proposal including adjustment to the levels of pit lids etc. All works shall be carried out to the satisfaction of the relevant Authority or Council.

Reason:- to protect utility services.

74. **Car parking to Comply with Approved Details**

The area set aside for the parking of vehicles, and so delineated on the plan prepared by Architex and endorsed plan Drawing no. DA02 dated 19.08.11, revision B and Drawing no. DA03 dated 17.10.11, revision C, 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.

75. **Signs for visitor and employee parking**

Suitable signs shall be erected at the front of the property indicating the availability of visitor parking within the property. All visitor and employee parking spaces shall be clearly signmarked.

Reason:- to delineate the spaces suitable for visitor and employee parking.

76. **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.

77. **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.

78. **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.

79. **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 2.1 metres.

Reason:- to ensure vehicles and pedestrians can safely use the carparking facility and to comply with RTA Guidelines.

80. **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 Construction Certificate drawings and installed prior to the issue of Occupation Certificate.

Reason:- to prevent damage from oversized vehicles when entering the premises.

81. **Roller doors and shutters – silent operation**

The roller doors or other shutters to the car park shall operate silently and be appropriately maintained.

Reason:- to ensure quiet operation and ongoing maintenance to car park doors.

82. **Intercom/remote access to basement**

An intercom and remote access system shall be provided at all vehicular access points to the basement car park and connected to all residential units. Details of the proposed intercom and remote access system to the basement car park are to be submitted with the Construction Certificate plans/specifications and the locations detailed on the construction drawings.

Reason:- to ensure that visitor car parking spaces are easily and conveniently accessible for visitors to the premises.

83. **Car Parking Spaces – Restrictive Covenant**

The following shall be complied with:-

a) The on site car parking spaces, exclusive of service and visitor spaces, are not to be used by those other than the occupant or tenant of the subject building. Any occupant, tenant, lessee or registered proprietor of the development site or part thereof shall not enter into an agreement to lease, license or transfer ownership of any car parking spaces to those other than an occupant, tenant or lessee in the building.

b) Prior to Occupation Certificate under the Environmental Planning and Assessment Act 1979 a documentary Restrictive Covenant, is to be registered on the Title of the development site pursuant to Section 88E of the Conveyancing Act 1919, to the effect of (a) above. The Covenant is to be created appurtenant to Council, at no cost to and to the satisfaction of Council.

c) Any future strata subdivision of the site is to include a Restriction on User pursuant to Section 39 of the Strata Titles (Freehold Development) Act 1973, as amended, burdening all utility car parking allotments in the Strata Plan and/or an appropriate Restrictive Covenant pursuant to Section 88B of the Conveyancing Act 1919 burdening all car parking lots in the strata scheme.

Reason:- to ensure the car parking spaces are used in accordance with the details of the development approval.

84. **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.

85. **SEPP 65 – Design Verification**

The following requirements arising from State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings must be complied with:-

a) A certifying authority must not issue a Construction Certificate in respect of the development unless the certifying authority has received a design verification from a qualified architect, being a statement in which the qualified architect verifies that the plans and specification achieve or improve the design quality of the development for which development consent was granted, having regard to the design quality principles set out in Part 2 of State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development.

b) A certifying authority must not issue an Occupation Certificate to authorise a person to commence occupation or use of the development unless the certifying authority has received a design verification from a qualified architect, being a statement in which the qualified architect verifies that the development as shown in the plans and specifications in respect of which the Construction Certificate was issued, having regard to the design quality principles set out in Part 2 of State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development.

Reason:- to ensure that the requirements of SEPP No. 65 and the EP&A Regulations are complied with in the carrying out of the development.

86. **Architect – Notify Council if Changed**

The architect of the project, as approved, should not be changed without prior notice to Council.

Reason:- to ensure Council is aware and kept informed of the current project architect.

87. **Common Wall Construction**

Prior to the issue of a Construction Certificate, construction drawings shall be submitted to the Principal Certifying Authority for approval to indicate that common party walls between the dwellings being constructed from solid masonry materials and not being lightweight construction.

Reason:- to ensure adequate acoustic separation between dwellings within the development.

88. **Underside of balconies**

The underside of the balconies within the development must be designed to prevent exposed pipes and utilities being visible.

Reason:- to ensure an attractive appearance to the development in accordance with Council's Development Control Plan requirements.

89. **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 no greater than 20%. Written conformation 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.

90. **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.

91. **Side/Rear Boundary Fencing**

Fences located on the side or rear boundaries of the premises, behind the main building setback (not within the front yard), shall not exceed a maximum height of 1.8 metres.

Reason:- to maintain reasonable levels of amenity to the adjoining premises.

92. **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.

93. **Telecommunications Facilities - Residential**

The following requirements apply to telecommunication facilities in the building:-

a) Appropriate access and space within the plant area of the building shall be provided for a minimum of three telecommunication carriers or other providers of broad-band access by ground or satellite delivery.
b) Appropriate ducting and cabling shall be provided for a minimum of three telecommunication carriers or other providers for telecommunication access and broad-band cabling to each apartment of the building.
c) The details of (a) and (b) above shall be submitted for the approval of the certifying authority, prior to issue of a construction certificate for the building under the Environmental Planning and Assessment Act 1979.
d) A separate Development Application must be submitted at the appropriate time for any external receiving device proposed to be installed. For each form of transmitter, there shall be only one common receiving device installed on the subject development.

Reason:- to ensure adequate provision for telecommunication facilities within the development.

94. **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.

95. **Separate development application for use**

A separate development application for any proposed use must be submitted for the approval of Council prior to any fitout or use.

Reason:- To ensure that any proposed use has Council consent.

96. **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.

97. **Commemorative plaque**

A commemorative plaque is required to be installed in accordance with the following:

(a) A commemorative plaque must be incorporated in the new building, in a prominent position at ground floor level at or near the main entrance to the building, to commemorate the major participants in the development. The details contained on the plaque are to include the names of the developer, architect, and consent authority and the year in which the building was completed.

(b) The proposed location of the plaque and details of its proposed size, colour and materials, and text must be submitted **for the approval of Council** prior to issue of any Occupation Certificate under the Environmental Planning and Assessment Act 1979.

(c) The approved plaque must be installed prior to the issue of any Occupation Certificate.

Reason: to provide information regarding the proposed development to future generations.

98. **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.

99. **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.

100. **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.

101. **Ongoing Waste Management**

Ongoing waste management within the development shall be carried out in accordance with an appropriate Waste Management Plan incorporating the following requirements:-

a) Appropriate waste management practices are to be adopted within the development at all times.
b) The waste storage room shall be kept in a clean, tidy and hygienic condition at all times.
c) 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.
d) A person shall be employed/nominated to manage the collection of waste material by Council, including, but not limited to bin placement at the road edge and retrieval of bins soon after collection of contents, cleansing of bins, storage of bins in the compound and the like.

e) The nature strip is to be kept in a clean and tidy condition upon garbage collection.

The Waste Management Plan shall be submitted to the Principal Certifying Authority for approval prior to the issue of the Construction Certificate.

Reason:- to ensure appropriate ongoing waste management practices within the development in accordance with Council's Development Control Plan requirements.

102. **Residential Waste Management**

The area as shown marked in red on the Ground Floor Plan, drawing no. DA03, prepared by Architex, revision no. C, dated 17.10.11 shall be set aside for temporary storage of residential waste and recycling bins awaiting collection.

Details demonstrating compliance with the Waste Management Plan shall be submitted to the Principal Certifying Authority for approval prior to the issue of the Construction Certificate.

Reason:- to ensure appropriate management of residential waste.

103. **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.

104. **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.

105. **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.

106. **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.

107. **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.

108. **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 109M/N of the Environmental Planning and Assessment Act.

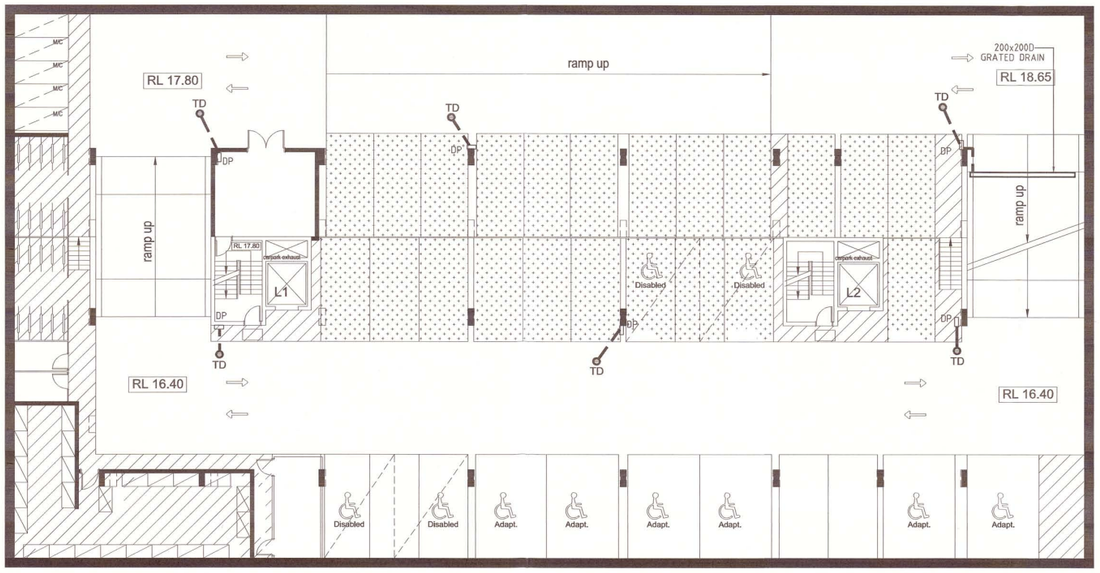
Consent to operate from:	1 December 2011	(see note 1)
Consent to lapse on:	1 December 2016	
Other approvals List Local Government Act 1993 Approvals granted under s 78A(5)	Not Applicable	
Right of appeal (also see note 3)	If you are dissatisfied with this decision section 97 of the *Environmental Planning and Assessment Act 1979* gives you the right to appeal to the Land and Environment Court within: • 12 months - consents lodged before 27 February 2011 • 6 months – consents lodged after 28 February 2011 * Section 97 of the Environmental Planning and Assessment Act 1979 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.	
Signed Signature Name	on behalf of the consent authority **John Burgess** **General Manager**	

Note 1	*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.*
Note 2	*Clause 101 of the Regulation contains additional particulars to be included in a notice of determination where a condition under section 94 of the Environmental Planning and Assessment Act 1979 has been imposed.*
Note 3	*Section 82A of the Environmental Planning and Assessment Act permits a review of the determination*

DOCUMENTS ASSOCIATED WITH REPORT ELPP022/26

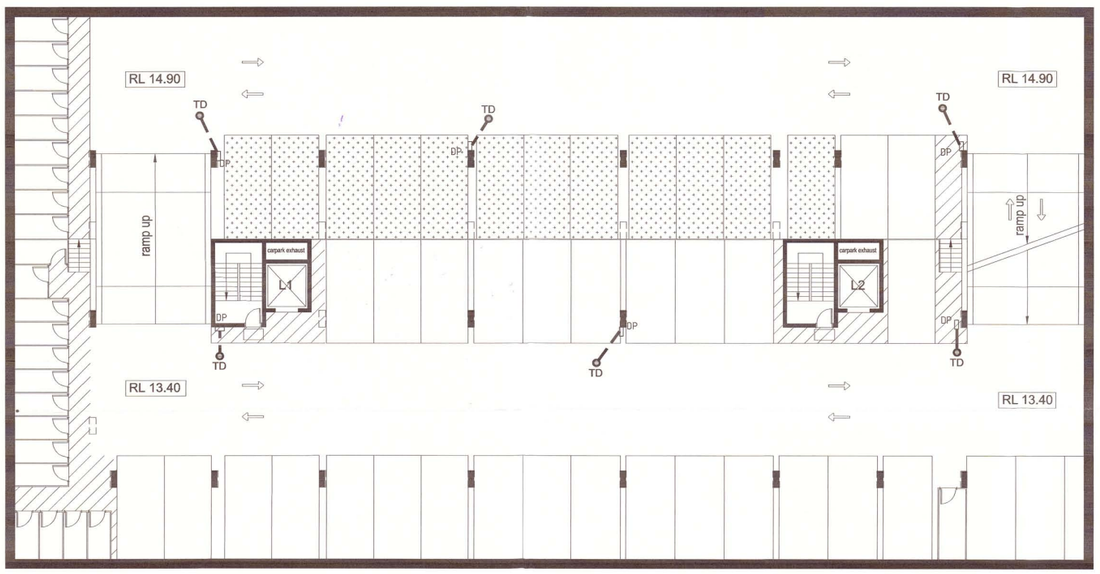
Attachment 5

Approved Architectural and Stormwater Plans under DA-219/2011/A



BASEMENT 1 STORMWATER LAYOUT (SCALE 1:150)

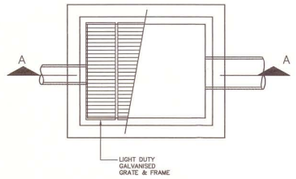
ALL BASEMENT SEEPAGE TO BE DIRECTED TO PUMP-OUT SYSTEM



BASEMENT 2 STORMWATER LAYOUT (SCALE 1:150)

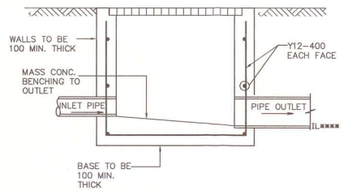
PIPE SCHEDULE

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
'C'	225 ø	P.V.C	1% MIN	REGULAR GRAVITY PIPE
'D'	300 ø	R.C.P	1% MIN	REGULAR GRAVITY PIPE



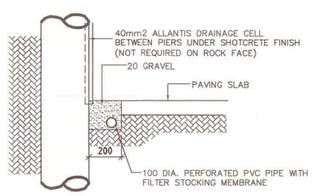
TYPICAL PIT DETAIL (N.T.S)

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



TYPICAL SECTION A-A (N.T.S)

AUBURN CITY COUNCIL
MANY CULTURES ONE COMMUNITY



TYPICAL SECTION SUB SOIL (N.T.S)
DRAIN AT PILED/SHORED WALL

PUMP CALCULATION

JOB REF: CNR JOHN & MARY STS, LIDCOMBE
STORAGE VOLUME FOR PUMPS:
RAMP AREA = 30m2
RUNOFF COEFFICIENT= 1

DURATION	INTENSITY	DISCHARGE RATE	VOLUME
(MIN)	(MM/HR)	(L/SEC)	(M3)
0	0	0	0
5	231	1.93	0.58
6	217	1.81	065
10	179	1.49	0.90
20	131	1.09	1.31
30	107	0.89	1.61
60	73.8	0.62	2.21
90	61.7	0.51	2.78
120	49.5	0.41	2.97

PROVIDE PUMP SYSTEM FOR THE 1 IN 100.5 MINUTE STORM
PUMP RATE 1.93 L/SEC

PROVIDE STORAGE FOR THE 1 IN 100.90 MINUTE STORM
IN A UNDERGROUND TANK
VOLUME IN UNDERGROUND TANK = 278 M3

PROVIDE BALANCE OF STORAHE FOR THE 1 IN 100.2 HOUR STORM
ABOVE GROUND
VOLUME ABOVE GROUND = 2.97 M3

DATA THE PUMP OUT DEIGN IS COMPUTED FOR
THE PSD = 1.9 L/SEC

INVERT LEVEL OF PUMPS = 8.90
SURFACE LEVEL OF OUTLET PIT = 20.70
LENGTH OF PIPE = 27 m

HENCE , STATIC HEAD = 11.80m

PIPE SELECTION:

FROM FIGURE 3.1 VINIDEX , SMALL BORE FLOWCHART
FROM FIGURE 3.2 VINIDEX , SMALL BORE FLOWCHART
TRIAL 50 DIA CLASS 12

DISCHARGE = 1.93L/S
HEAD LOSS = 3.4 (FROM CHART)
PIPE FRICTION HEAD = 0.918M
VELOCITY = 1.75 M/S (FROM CHART)
VELOCITY HEAD = 0.16 M

LOSSES:

FROM LOSSES DUE TO FITTINGS
* ENLARGEMENT AT PUMP PIPE CONNECTION d/D= 0.56
FROM VINIDEX T3.6: K = 0.13 LOSS = 0.13 m

* HEAD LOSS K= 0.33 LOSS = 0.33 m

* 90' ELBOW AT OUTLET FROM STORAGE &
90' ELBOW AT INLET OF SILT ARRESTOR PIT
K= 1.1 X 2 LOSS = 2.2m

* 45' ELBOW TO DISCHARGE PIPE TO GRADE PARALLEL TO DRIVEWAY
K= 0.25 LOSS = 0.35m

* FLAP VALVE AT OUTLET 600 X 600 PIT
K= 0.75 LOSS = 0.75M]

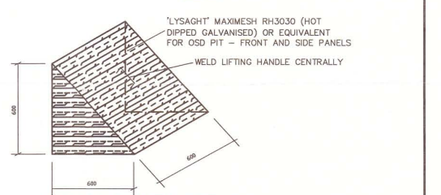
HENCE, TOTAL LOSSES = PIPE FRICTION HEAD + FORM LOSSES + STATIC LOADS
= 13.30 m

PROVIDE EDR-150 DUAL SUBMERSIBLE PUMPS FROM KWIKFLOW OR SIMILAR WITH:

CAPACITY 1.93 L/S
AT 13.3 m HEAD
IN PARALLEL, OPERATING ON ALTERNATIVE STARTUPS

DA No: 219/2011/A
CC/CDC No:

CUMBERLAND CITY COUNCIL. This plan and/or specifications is approved under the provisions of the Environmental Planning & Assessment Act 1979, as amended, and is subject to any conditions contained in this notice of development determination (DA), construction certificate (CC) or complying development certificate (CDC).
AUTHORISED MANAGER
Authorised by:
1 3 AUG 2014
DETERMINED ON:
* NOTE: NO BUILDING WORK CAN NOT COMMENCE UNTIL:
1. A construction certificate or complying development certificate has been issued by Council or a registered certifier.
2. The work is to be carried out in accordance with Sydney Water & other approvals.
3. Clause 98 of the Environmental Planning & Assessment Regulation 2000 requires all work to comply with the Building Code of Australia.
4. For complying development certificates, Section 136 requires written evidence of compliance with the Home & Building Act 1989 to be provided with a copy of the principal certifier's certificate.

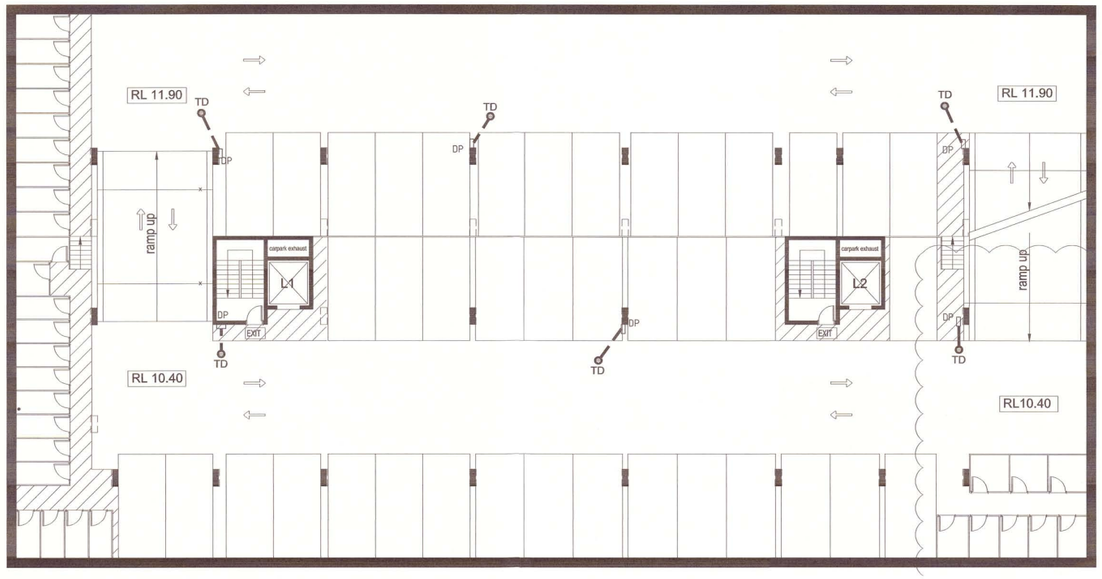


TRASH SCREEN DETAIL (N.T.S)

GLOBAL PROJECT ENGINEERS P/L
ABN 60 145 063 734
UNIT 8/105A VANESSA ST
(P.O. BOX 68)
KINGSGROVE NSW 2208
Telephone (02) 9502-4388
Facsimile (02) 9502-4988

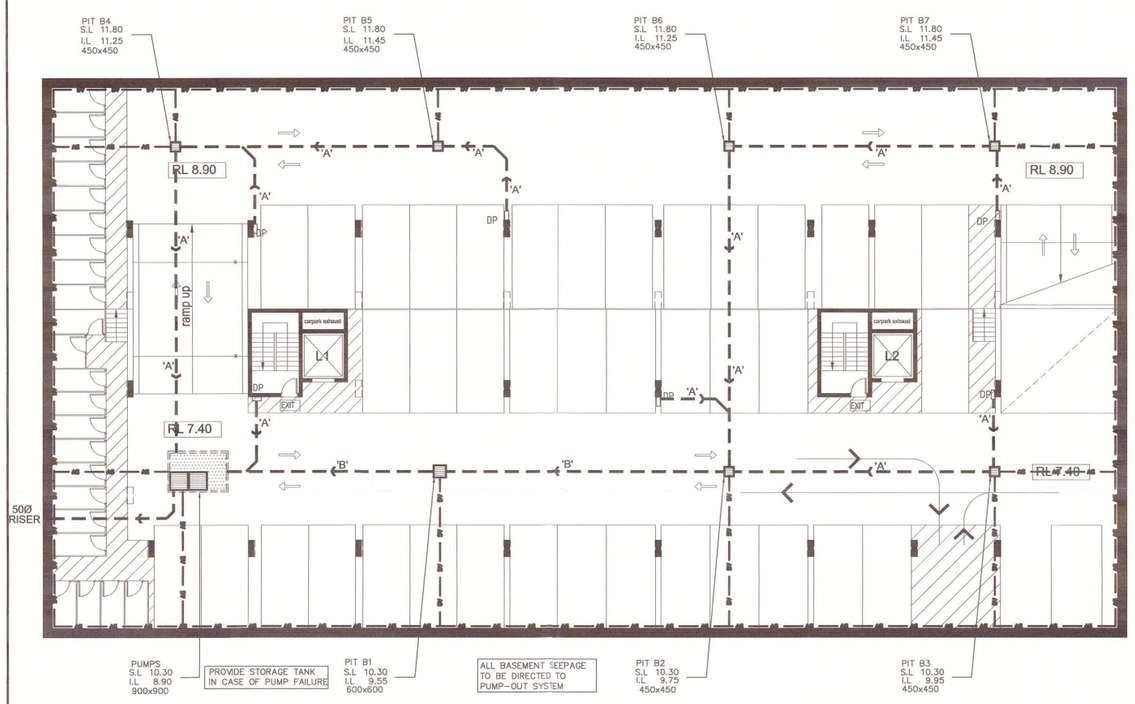
No.	Date	Revision	By
B	12-05-2014	ISSUED FOR COUNCIL S96 AMENDMENT	M.H.
A	08-07-2013	ISSUED FOR C.C. ONLY	M.H.

PROJECT: PROPOSED RESIDENCE AT 11 JOHN & MARY STREET LIDCOMBE
CLIENT: SEE WIN P/L
Designed by: M.H.
Drawn by: D.Y.
Checked by: M.HAWATT BE(Hons)MEngSc M.I.E.(AUST)
TITLE: BASEMENT 1 & 2 STORMWATER PLANS & DETAILS
Scale: AS SHOWN
Drawing No.: 5285 - C02
Rev.: B
Date: 15-01-2013
No. in set: 5



BASEMENT 3 STORMWATER LAYOUT (SCALE 1:150)

ALL BASEMENT SEEPAGE TO BE DIRECTED TO PUMP-OUT SYSTEM



BASEMENT 4 STORMWATER LAYOUT (SCALE 1:150)

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
'C'	225 ø	P.V.C	1% MIN	REGULAR GRAVITY PIPE
'D'	300 ø	R.C.P	1% MIN	REGULAR GRAVITY PIPE

NOTE:

1. STORMWATER PIT LEVELS SHALL BE UPDATED TO REFLECT THE CHANGES IN ARCHITECTURAL PLANS.
2. BASEMENT STORAGE AREAS SHALL BE MINIMUM 100 MM ABOVE THE TOP WATER LEVEL OF THE ABOVE GROUND STORAGE IN THE BASEMENT.
3. ABOVE GROUND STORAGE DETAILS SHALL BE MARKED ON THE PLAN.

STANDARD PUMP OUT DESIGN NOTES

THE PUMP OUT SYSTEM SHALL BE DESIGNED TO BE OPERATED IN THE FOLLOWING MANNER:

– THE PUMPS SHALL BE PROGRAMMED TO WORK ALTERNATELY SO AS TO ALLOW BOTH PUMPS TO HAVE AN EQUAL OPERATION LOAD AND PUMP LIFE.

– A LOW LEVEL FLOAT SHALL BE PROVIDED TO ENSURE THAT THE MINIMUM REQUIRED WATER LEVEL IS MAINTAINED WITHIN THE SUMP AREA OD THE BELOW GROUND TANK . IN THIS REGARD THIS FLOAT WILL FUNCTION AS AN OFF SWITCH FOR THE PUMP.

– A SECOND FLOAT SHALL BE PROVIDED AT A HIGH LEVEL, WHICH IS APPROXIMATELY 300mm ABOVE THE MINIMUM WATER LEVEL . WHERERBY ONE OF THE PUMPS WILL OPERATE AND DRAIN THE TANK TO THE LEVEL OF THE LOW –LEVEL FLOAT

– A THIRD FLOAT SHALL BE PROVIDED AT A HIGH LEVEL, WHICH IS APPROXIMATELY 450 ABOVE FLOAT THIS FLOAT SHOULD START THE OTHER PUMP THAT IS NOT OPERATING AND ACTIVATE THE ALARM.

– AN ALARM SYSTEM SHALL BE PROVIDED WITH A FLASHING STROBE LIGHT AND A PUMP FAILURE WARNING SIGN WHICH ARE TO BE LOCATED AT THE DRIVEWAY ENTRANCE TO THE BASEMENT LEVEL. THE ALARM SYSTEM SHALL BE PROVIDED WITH A BATTERY BACH-UP IN CASE OF POWER FAILURE

PUMP CALCULATION

JOB REF: CNR JOHN & MARY STS, LIDCOMBE

STORAGE VOLUME FOR PUMPS:

RAMP AREA = 30m2
RUNOFF COEFFICIENT= 1

DURATION	INTENSITY	DISCHARGE RATE	VOLUME
(MIN)	(MM/HR)	(L/SEC)	(M3)
0	0	0	0
5	231	1.93	0.58
6	217	1.81	065
10	179	1.49	0.90
20	131	1.09	1.31
30	107	0.89	1.61
60	73.8	0.62	2.21
90	61.7	0.51	2.78
120	49.5	0.41	2.97

PROVIDE PUMP SYSTEM FOR THE 1 IN 100.5 MINUTE STORM
PUMP RATE 1.93 L/SEC

PROVIDE STORAGE FOR THE 1 IN 100.90 MINUTE STORM IN A UNDERGROUND TANK
VOLUME IN UNDERGROUND TANK = 278 M3

PROVIDE BALANCE OF STORAHE FOR THE 1 IN 100.2 HOUR STORM ABOVE GROUND
VOLUME ABOVE GROUND = 2.97 M3

DATA THE PUMP OUT DEIGN IS COMPUTED FOR
THE PSD = 1.9 L/SEC

INVERT LEVEL OF PUMPS = 8.90
SURFACE LEVEL OF OUTLET PIT = 20.70
LENGTH OF PIPE = 27 m

HENCE , STATIC HEAD = 11.80m

PIPE SELECTION:

FROM FIGURE 3.1 VINIDEX , SMALL BORE FLOWCHART
FROM FIGURE 3.2 VINIDEX , SMALL BORE FLOWCHART
TRIAL 50 DIA CLASS 12

DISCHARGE = 1.93L/S
HEAD LOSS = 3.4 (FROM CHART)
PIPE FRICTION HEAD = 0.918M
VELOCITY = 1.75 M/S (FROM CHART)
VELOCITY HEAD = 0.16 M

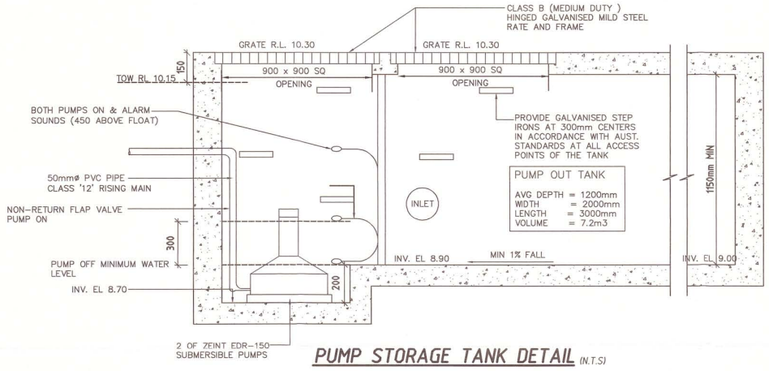
LOSSES:

FROM LOSSES DUE TO FITTINGS
* ENLARGEMENT AT PUMP PIPE CONNECTION d/D= 0.56
FROM VINIDEX T3.6: K = 0.13 LOSS = 0.13 m
* HEAD LOSS K= 0.33 LOSS = 0.33 m
* 90' ELBOW AT OUTLET FROM STORAGE & 90' ELBOW AT INLET OF SILT ARRESTOR PIT K= 1.1 X 2 LOSS = 2.2m
* 45' ELBOW TO DISCHARGE PIPE TO GRADE PARALLEL TO DRIVEWAY K= 0.25 LOSS = 0.35m
* FLAP VALVE AT OUTLET 600 X 600 PIT K= 0.75 LOSS = 0.75M]

HENCE, TOTAL LOSSES = PIPE FRICTION HEAD + FORM LOSSES + STATIC LOADS = 13.30 m

PROVIDE EDR-150 DUAL SUBMERSIBLE PUMPS FROM KWIKFLOW OR SIMILAR WITH:

CAPACITY 1.93 L/S
AT 13.3 m HEAD
IN PARALLEL, OPERATING ON ALTERNATIVE STARTUPS



PUMP STORAGE TANK DETAIL (N.T.S)

WARNING
PUMP OUT SYSTEM FAILURE IN BASEMENT WHEN LIGHT IS LASHING AND SIREN SOUNDING

SIGN SHALL BE PLACED IN A CLEAR & VISIBLE LOCATION WHERE VEHICLES ENTER THE BASEMENT

COLOURS:
'WARNING ' – RED
BORDER – BLACK
WORDING – BLACK

BASEMENT PUMP OUT FAILURE WARNING SIGN (N.T.S)

DANGER
CONFINED SPACE
NO ENTER WITHOUT CONFINED SPACE TRAINING

TO BE PLACED AT ALL TANK ACCESS GATES

DA No. 219/2014/A
CONDITION No.
AUBURN CITY COUNCIL
This plan and/or specification is approved under the provisions of the Environmental Planning & Assessment Act 1979, as amended, and is subject to any conditions contained in the notice of development determination (DA) or construction certificate (CC) or complying development certificate (CDC)
GENERAL MANAGER
Authorised by:
DETERMINED ON: 13 AUG 2014
NOTE: ANY BUILDING WORKS CANNOT COMMENCE UNTIL:
1. A complying development certificate or complying development certificate has been issued by Council or an accredited certifier.
2. The applicant has entered into with Sydney Water & dated each of the principles in determining their responsibilities.
3. Council is notified in writing of the commencement of work and the name of the Principal Certifying Authority (if not Council).
4. For residential building work - The PCA has been informed in writing the name of the licensed builder & provided with evidence of compliance with the Home Building Act 1989 (i.e. copy of) provided with a copy of the owner-builder permit (where relevant).

B	12-05-2014	ISSUED FOR COUNCIL S96 AMENDMENT	M.H.
A	08-07-2013	ISSUED FOR C.C. ONLY	M.H.
No.	Date	Revision	By

GLOBAL PROJECT ENGINEERS P/L
ABN 60 145 063 734

UNIT 8/105A VANESSA ST
(P.O. BOX 68)
KINGSGROVE NSW 2208
Telephone (02) 9502-4388
Facsimile (02) 9502-4988

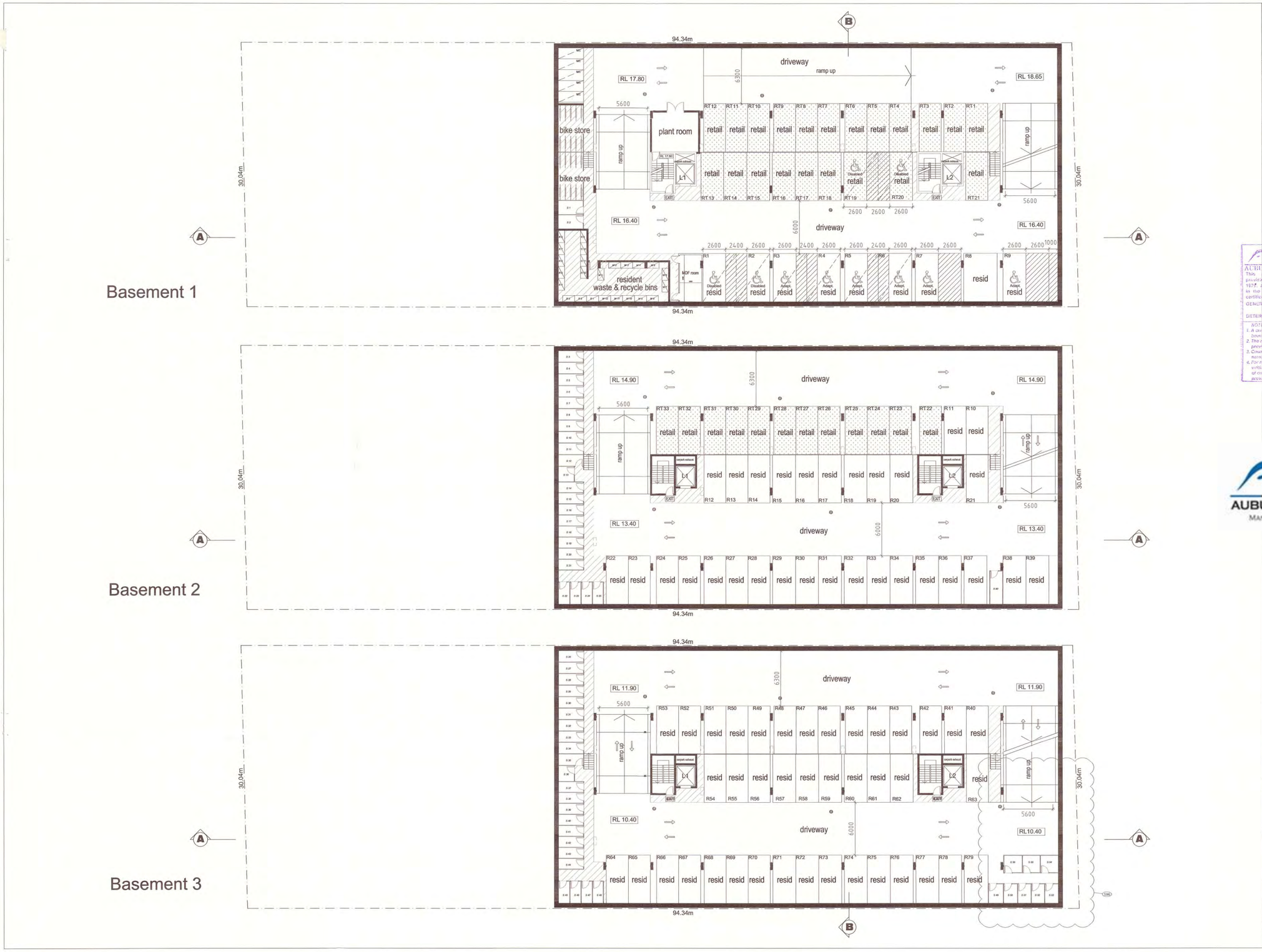
PROJECT: PROPOSED RESIDENCE AT 11 JOHN & MARY STREET LIDCOMBE

CLIENT: SEE WIN P/L

Designed by M.H.
Drawn by D.Y.
Checked by M.HAWATT BE(Hons)MEngSc M.I.E.(AUST)

TITLE: BASEMENT 3 & 4 STORMWATER PLANS & DETAILS

Scale: AS SHOWN
Drawing No.: 5285 - C03
Rev.: B
Date: 15-01-2013
No. in set: 5



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DATE	DESCRIPTION	ISSUE
12.02.14	BASEMENT LEVEL-4 REVISED, CAR PARKING REARRANGED	2
12.05.14	GENERAL REVISIONS	3

DA NO: 219/2011/A
CD/CDC No:
AUBURN CITY COUNCIL
This plan and/or specification is approved under the provisions of the Environmental Planning & Assessment Act 1979, as amended, and is subject to any conditions contained in the notice of development determination (DA), construction certificate (CC) or complying development certificate (CDC).
GENERAL MANAGER Authorised by:
DETERMINED ON: 13 AUG 2014
NOTE ANY BUILDING WORKS CANNOT COMMENCE UNTIL:
1. A construction certificate or complying development certificate has been issued by Council or an accredited certifier.
2. The applicant has consulted with Sydney Water & other service providers to determine their requirements.
3. Council is notified in writing of the commencement of work and the name of the Principal Certifying Authority (if not Council).
4. For residential buildings work - The PCA has been informed in writing the name of the licensed builder & provided with evidence of compliance with the Home Building Act (or, in terms of OR provided with a copy of the owner-builder permit where required)

AUBURN CITY COUNCIL
MANY CULTURES ONE COMMUNITY

PROPOSED
MIXED USE DEVELOPMENT
AT 11 JOHN + MARY STREET,
LIDCOMBE.
FOR SEE WIN HOLDINGS PTY LTD.

LOT-300, DP-1142325

BASEMENT LEVELS-1, 2 & 3

Architects:
ACN 080 652 393
ARCHITECTS
D+C CONSORTIUM PTY LTD.
7 CHILWORTH CLOSE,
BEECROFT, NSW 2119.
AUSTRALIA.
M-0416 085 876
P-02 9980 2341
E-kuna@dcconsortium.com.au

Architect:	Scale:	Date:
Kuna Sivasamy, RAIA.	1:200	27.11.2013

Project No:	Drawing No:	Issue:
2013-28	S96-01	3

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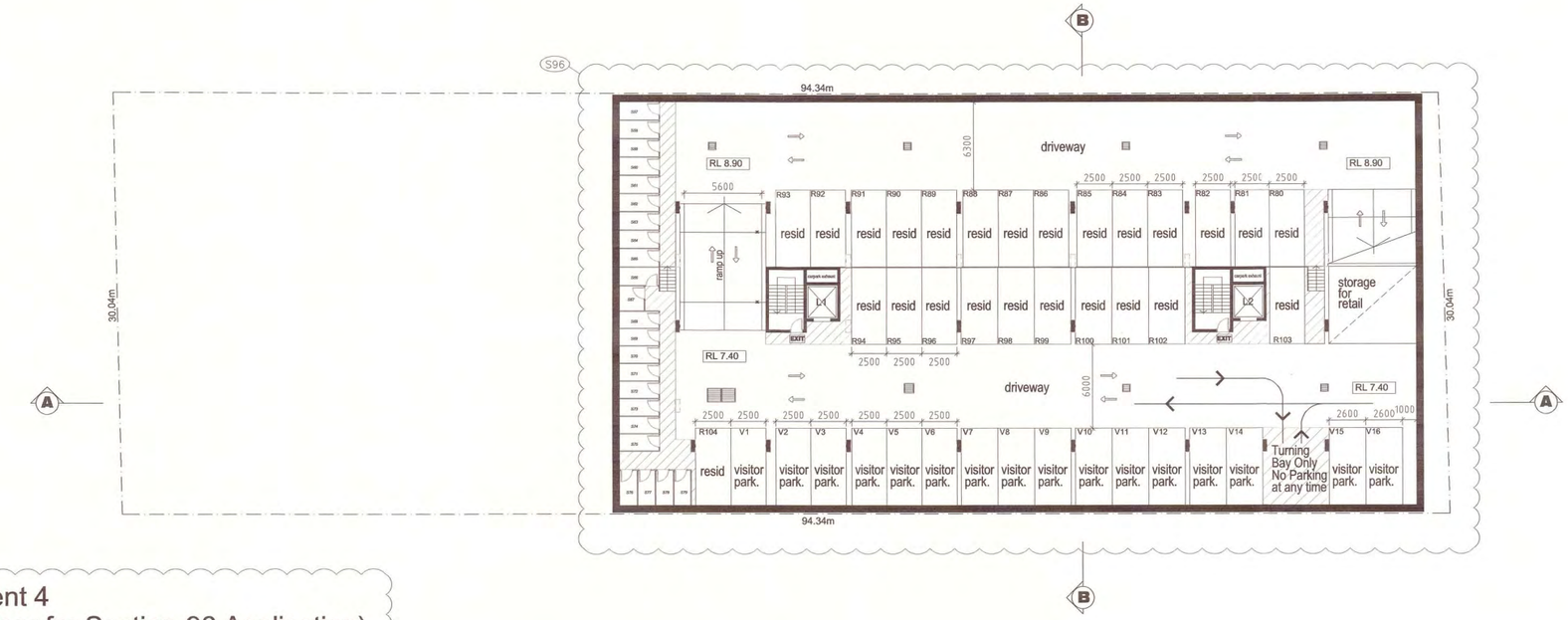
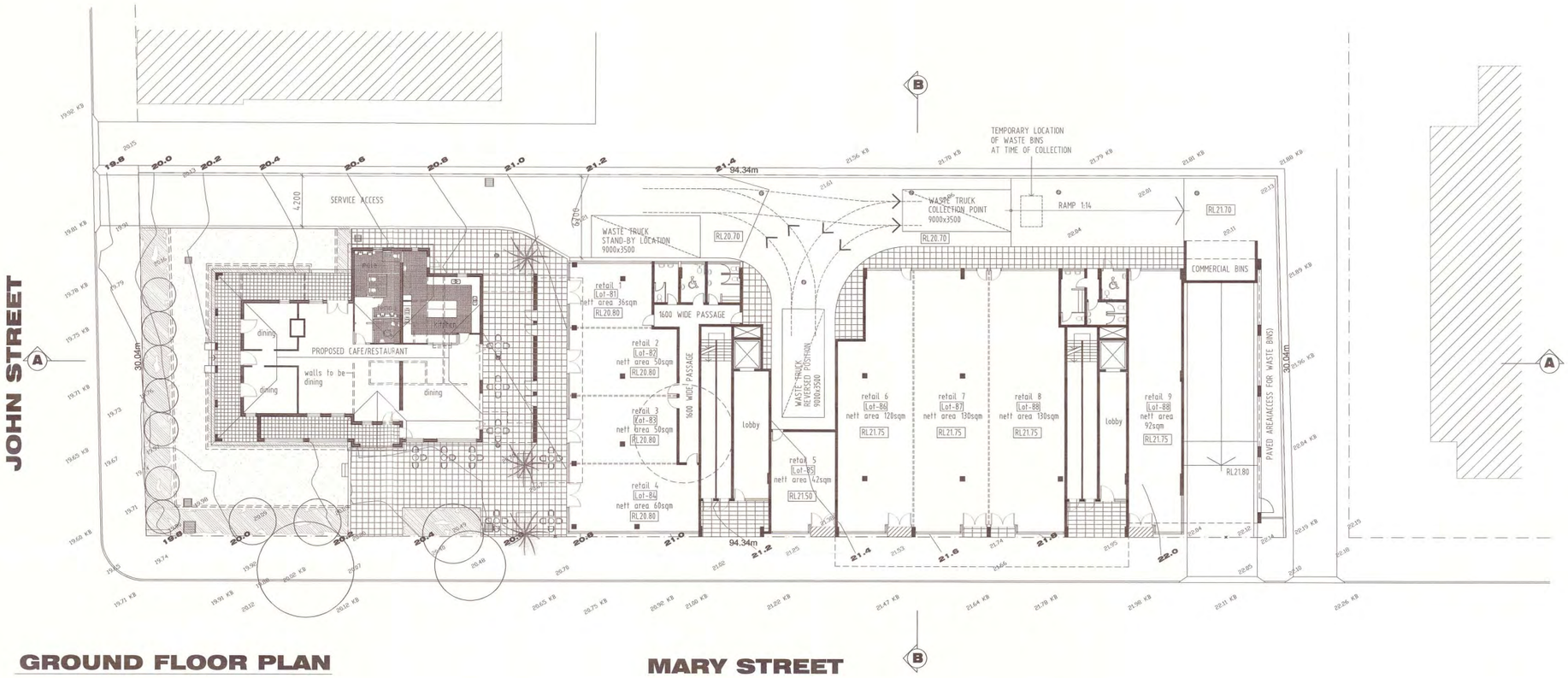
DATE	DESCRIPTION	ISSUE
12.02.14	BASEMENT LEVEL-4 REVISED, CAR PARKING REARRANGED	2
12.05.14	GENERAL REVISIONS	3



S96

Basement 4
(New Floor for Section-96 Application)

DA No. 214/2011/A
CSCDD No.
CUMBERLAND COUNCIL
This plan and/or specification is approved under the provisions of the Environmental Planning & Assessment Act 1979, as amended, and is subject to any conditions contained in the notice of development determination (DA) or complying development certificate (CDC) to which this approval relates.
GENERAL MANAGER
Authorised by:
DETERMINED ON: 13 AUG 2014
NOTE KEY BUILDING WORKS CANNOT COMMENCE UNTIL:
1. a construction certificate or complying development certificate has been issued by Council or an accredited certifier,
2. the appointment of a principal certifier (PCA) has been made known in writing to Council, and
3. Council is notified in writing of the commencement of works and the principal certifier (PCA) has given the minimum period of notice to Council.
4. For residential building work - the owner has appointed a principal certifier (PCA) for the work to be carried out and the PCA has given Council written notice of the owner's appointment (and if the owner is the PCA, has given Council written notice of that appointment) and the owner has given at least two days notice to Council in writing of the owner's intention to commence the work.
5. For residential building work - the owner has entered into a contract of insurance in accordance with the Home Building Act (the requirement for insurance does not apply to work costing $12,000 or less, or to owner-builder work) and has given Council a copy of the certificate of insurance and a copy of the owner-builder permit (if any), and
6. For residential building work - the owner has given Council written notice of the name of the licensee who has contracted to do the work or the owner has given Council written notice of the owner's intention to do the work himself or herself.
7. Any other matters listed in the conditions of development consent or complying development certificate.
Failure to comply with these requirements is a breach of the Environmental Planning & Assessment Act 1979 and may result in the issue of a stop work order.
It is the owner's responsibility to ensure that the principal certifier (PCA) is satisfied that the requirements of the Home Building Act have been complied with before any work commences.
Council must be notified of the appointment of a principal certifier (PCA) at least two days



GROUND FLOOR PLAN

UNITS BREAKDOWN

	1 BR UNITS	2 BR UNITS	3 BR UNITS	TOTAL
LEVEL 1	1	6	3	10
LEVEL 2	1	8	1	10
LEVEL 3-8	6	48	6	60
TOTAL	8 (10%)	62 (77.5%)	10 (12.5%)	80

SPACES PROVISION

	RESIDEN CAR SPACES	ADAPTABLE CAR SPACES	VISITORS CAR SPACES	DISABLED-VISITORS	DISABLED-RETAIL	RETAIL CAR SPACES	STORAGE SPACES	MOTOR CYCLE BAYS	BICYCLE BAYS
BASEMENT LEVEL 1	01	06	-	02	02	19	02	05	20
BASEMENT LEVEL 2	30	-	-	-	-	12	24	-	-
BASEMENT LEVEL 3	40	-	-	-	-	-	31	-	-
BASEMENT LEVEL 4	25	-	16	-	-	-	23	-	-
SUB TOTAL	96	06	16	02	02	31	80	05	20
TOTAL	102		18		33		80	05	20

LEGEND

SITE AREA	= 2,834.6	SQM
GROSS FLOOR AREA (INCLUDING EXST POLICE STATION)	= 8,672.3	SQM
PROPOSED FLOOR SPACE RATIO	= 3.05 :1	
LANDSCAPED AREA AT GROUND LEVEL	= 781.8	SQM
LANDSCAPED AREA AT TERRACE LEVEL	= 192.5	SQM
TOTAL LANDSCAPED AREA	= 974.3	SQM (34%)
DEEP SOIL LANDSCAPING AREA	= 312.2	SQM (11%)

FLOOR AREA

EXISTING POLICE STATION	= 316.9	SQM
GROUND FLOOR LEVEL	= 998.4	SQM
GROUND FLOOR-MEZZANINE	= -	
LEVEL 1	= 984.3	SQM
LEVEL 2	= 908.5	SQM
LEVEL 3-8 (908.5 SQM/LEVEL)	= 5,451	SQM
ROOF TERRACE LOBBY	= 13.2	SQM
TOTAL FLOOR AREA	= 8,672.3	SQM
BASEMENT LEVEL-4	= 1,634.2	SQM
BASEMENT LEVEL-3	= 1,634.2	SQM
BASEMENT LEVEL-2	= 1,634.2	SQM
BASEMENT LEVEL-1	= 1,634.2	SQM

UNIT AREAS

TYPE	UNIT NUMBER	AREA-NETT SQM	BALCONY AREA SQM	STORAGE AREA SQM	NUMBER OF BED RMS
TYPE-A	1,40	92.7	10.4	9.0	2
TYPE-B	2	111.7	10.4	9.0	3
TYPE-C *	3	79.2	28.4	8.2	1
TYPE-D	4,9,14,19,24,29,34,37,42,47,52,57,62,67,74,77	82.2	23.2	9.0	2
TYPE-E	5,36	103.0	21.2	11.3	3
TYPE-F	38	92.3	29.6	9.0	2
TYPE-G	39	99.9	10.4	9.0	2
TYPE-H	6,11,16,21,26,31,45,50,55,60,65,70,71,80	82.6	10.2	9.0	2
TYPE-I	7,12,17,22,27,32,72	102.8	10.2	9.0	3
TYPE-J *	8,13,18,23,28,33,73	70.3	10.1	9.0	1
TYPE-K	10,15,20,25,30,35,41,46,51,56,61,66,75,76	93.0	20.0	9.0	2
TYPE-L	43,48,53,58,63,68,78	83.7	10.1	9.0	2
TYPE-M	44,49,54,59,64,69,79	91.0	10.2	9.0	2

(* INDICATES ADAPTABLE UNITS)

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DATE	DESCRIPTION	ISSUE
12.02.14	RETAIL-5,6&7 REVISED, CAR PARKING	2
	SPACES MOVED TO BASEMENT	
12.05.14	GENERAL REVISIONS	3
05.06.14	BACK ACCESS TO SHOPS 1-4 & TOILETS	4

DA No: 417/2011/A
CC/CDC No:

AUBURN CITY COUNCIL
This plan and/or specification is approved under the provisions of the Environmental Planning & Assessment Act 1979, as amended, and is subject to any conditions contained in the notice of development determination (DA) or application certificate (CC) or complying development certificate (CDC).
GENERAL MANAGER Authorised by:
DETERMINED ON: 13 AUG 2014

NOTE ANY BUILDING WORKS CANNOT COMMENCE UNTIL:
1. A construction certificate or complying development certificate has been issued by Council or an accredited certifier.
2. The applicant has complied with Sydney Water & other service providers to determine their requirements.
3. Council is notified in writing of the commencement of work and the name of the Principal Certifying Authority (if not Council).
4. For residential building work - The HBCA has been informed in writing the name of the licensed builder is provided with evidence of compliance with the Home Building Act (ie: insurance) OR consider in all a copy of the owner-builder permit (where required)

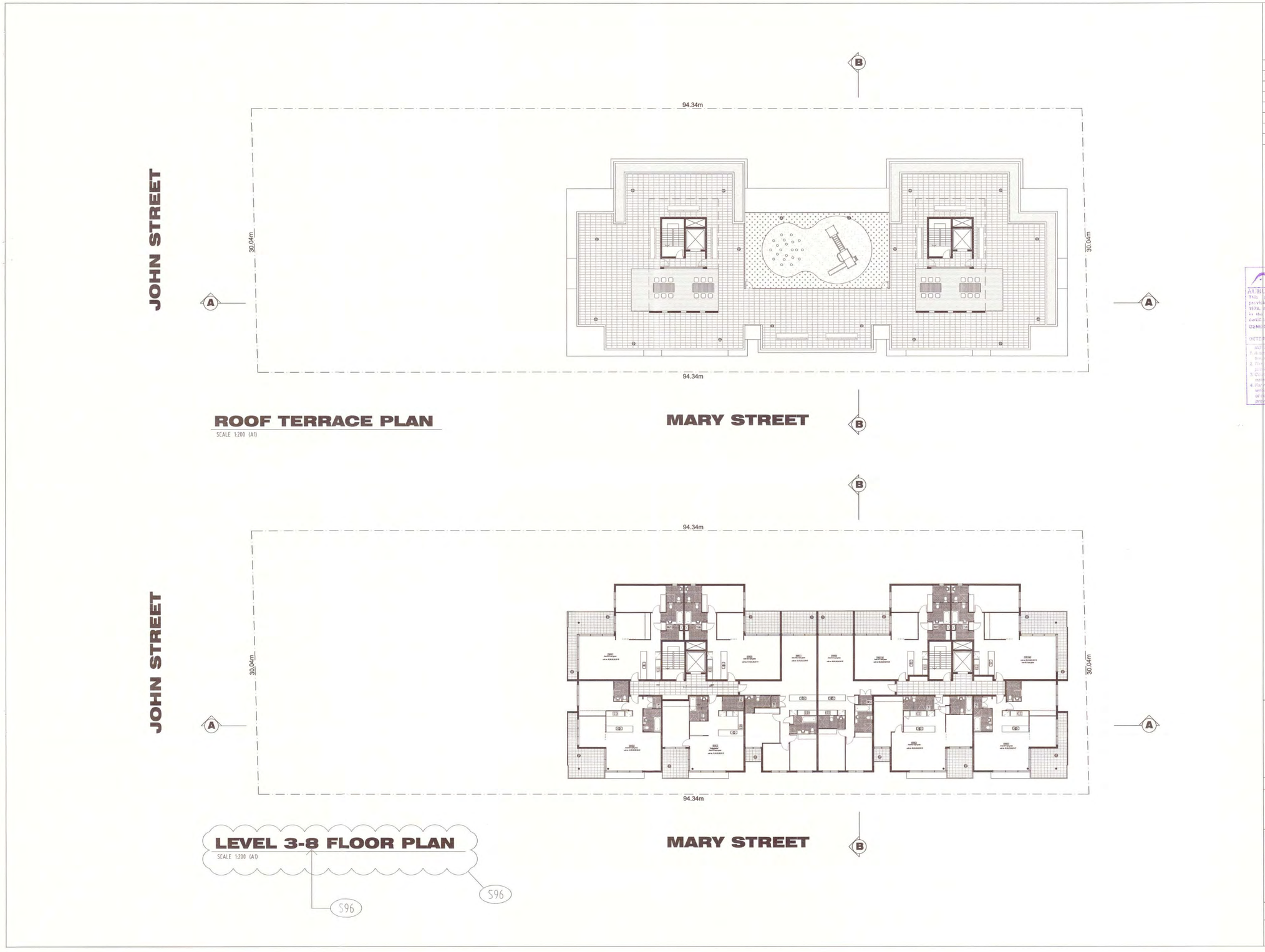
PROPOSED
MIXED USE DEVELOPMENT
AT 11 JOHN + MARY STREET,
LIDCOMBE.
FOR SEE WIN HOLDINGS PTY LTD.

LOT-300, DP-1142325

GROUND FLOOR PLAN

Architects:
ACN 088 652 393
D+C ARCHITECTS
D+C CONSORTIUM PTY LTD.
7 CHILWORTH CLOSE,
BEECROFT, NSW 2119.
AUSTRALIA.
M-0416 085 876
P-02 9980 2341
E-kuna@dcconsortium.com.au

Architect:	Scale:	Date:
Kuna Sivasamy, RAIA.	1:200	27.11.2013
Project No: 2013-28	Drawing No: S96-03	Issue: 4



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DATE	DESCRIPTION	ISSUE
12.05.14	(NO CHANGES)	3

DA No: 219/2011/A
CODE No:
AUBURN CITY COUNCIL
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DETERMINED ON: 13 AUG 2014
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2. The plan has been approved with Sydney Water & other service providers to determine their requirements.
3. Council is notified in writing of the commencement of work and the name of the Principal Certifying Authority (if not Council).
4. For residential building work - The PCA has been informed in writing the name of the licensed builder & provided with evidence of compliance with the Home Building Act (ie: insurance) OR provided with a copy of the owner builder permit (when required)

PROPOSED
MIXED USE DEVELOPMENT
AT 11 JOHN + MARY STREET,
LIDCOMBE.
FOR SEE WIN HOLDINGS PTY LTD.

LOT-300, DP-1142325

FLOOR PLAN LEVELS - 3 TO 8
& ROOF TERRACE PLAN
S96

Architects:
ACN 088 652 393
ARCHITECTS
D+C CONSORTIUM PTY LTD.
7 CHILWORTH CLOSE,
BEECROFT, NSW 2119.
AUSTRALIA.
M-0416 085 876
P-02 9980 2341
E-kuna@dcconsortium.com.au

Architect:	Scale:	Date:
Kuna Sivasamy, RAIA.	1:200	27.11.2013

Project No:	Drawing No:	Issue:
2013-28	S96-05	3

LEGEND
EXTERNAL MATERIALS AND FINISHES

P1	PAINT FINISH 1 Dulux Lexicon PW1.G9
P2	PAINT FINISH 2 Dulux Tristan PG2.C5
P3	PAINT FINISH 3 Dulux Deep Garnet P04.F8
PC1	WINDOW FRAMES + BALUSTRADES Dulux Powdercoat Olde Pewter 50243
AA1	LOUVRE SCREENS ANODISED ALUMINIUM Satin Platinum Grey "Universal Anodisers"
G1	GLASS BALUSTRADE Pilkington Tinted Toughend Glass Optifloat Grey

DEFECT

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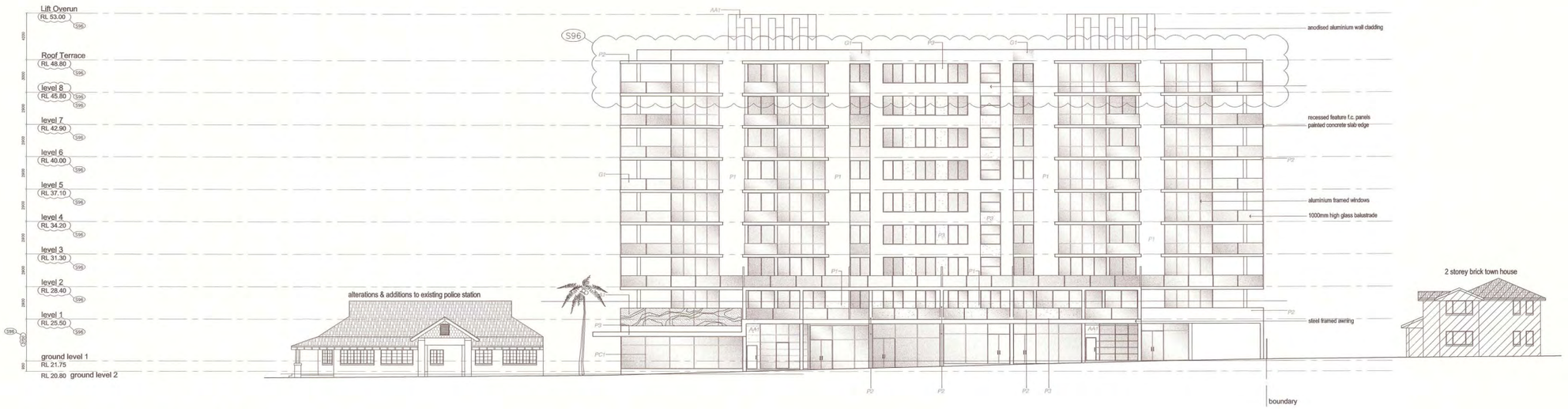
DATE	DESCRIPTION	ISSUE
12.05.14	GENERAL REVISIONS	3



SOUTH ELEVATION

SCALE 1:200 (A1)



WEST ELEVATION

SCALE 1:200 (A1)

DA No: 217/2014/A
CC/CDC No:
CUMBERLAND CITY COUNCIL
This plan and/or specification is approved under the provisions of the Environmental Planning & Assessment Act 1979, as amended, and is subject to any conditions contained in the notice of development determination (DA) / Construction Certificate (CC) or complying development certificate (CDC).
GENERAL MANAGER
Authorised Person
DATE OF DETERMINATION: 13 AUG 2014
1. ...ANY EXISTING WORKS CARRIED OUT COMMENCING...
2. The work ... shall comply with the Building Code of Australia and all relevant Australian Standards.
3. Council is notified in writing of the commencement of work and the name of the Principal Certifying Authority (if not Council).
4. For multi-storey building work - The PCA has been informed in writing, by way of the Owner Builder's declaration, of the name of the licensed builder who is responsible for all responsibilities and the name of the licensee (when changed).
PLEASE KEEP A COPY OF THIS APPROVED PLAN ON SITE

PROPOSED
MIXED USE DEVELOPMENT
AT 11 JOHN + MARY STREET, LIDCOMBE.
FOR SEE WIN HOLDINGS PTY LTD.

LOT-300, DP-1142325

SOUTH & WEST ELEVATIONS

Architects:
ACN 086 652 393
ARCHITECTS
D+C CONSORTIUM PTY LTD.
7 CHILWORTH CLOSE,
BEECROFT, NSW 2119.
AUSTRALIA.
M-0416 085 876
P-02 9980 2341
E-kuna@dcconsortium.com.au

Architect:	Scale:	Date:
Kuna Sivasamy, RAIA.	1:200	27.11.2013
Project No:	Drawing No:	Issue:
2013-28	S96-06	3

LEGEND
EXTERNAL MATERIALS AND FINISHES

P1	PAINT FINISH 1 Dulux Lexicon PW1.G9
P2	PAINT FINISH 2 Dulux Tristan PG2.C5
P3	PAINT FINISH 3 Dulux Deep Garnet P04.F8
PC1	WINDOW FRAMES + BALUSTRADES Dulux Powdercoat Olde Pewter 50243
AA1	LOUVRE SCREENS ANODISED ALUMINIUM Satin Slate Grey "Universal Anodisers"
G1	GLASS BALUSTRADE Pilkington Tinted Toughend Glass Optifloat Grey

DELETED

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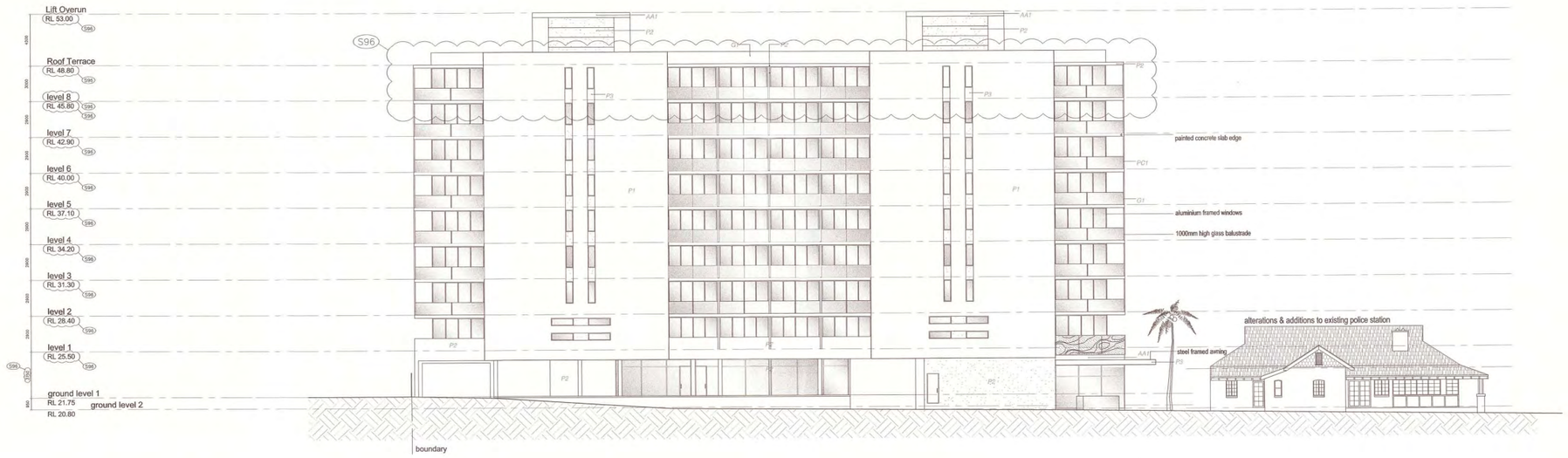
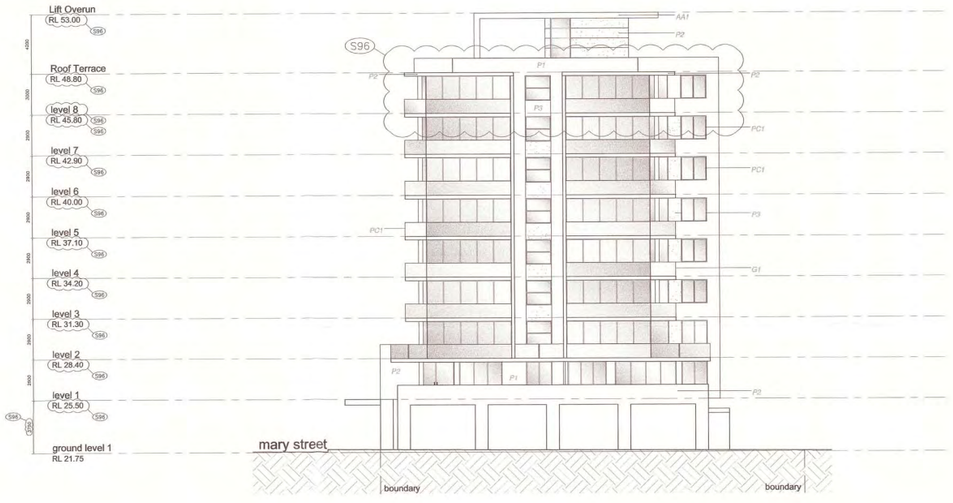
DATE	DESCRIPTION	ISSUE
12.05.14	GENERAL REVISIONS	3



NORTH ELEVATION

SCALE 1:200 (A1)



EAST ELEVATION

SCALE 1:200 (A1)

AUBURN CITY COUNCIL
DA No: 219/2011/A
CC/CDC No:
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GENERAL MANAGER
Authorised by:
DETERMINED ON: 13 AUG 2014
NOTE: ANY BUILDING WORKS CANNOT COMMENCE UNTIL:
1. A construction certificate or complying development certificate has been issued by Council or an accredited certifier.
2. The Authority has consented with Sydney Water & other service provided to determine their requirements.
3. Council is notified in writing of the commencement of work and the name of the Principal Certifying Authority (if not Council).
4. For residential building work - The PCA has been informed in writing the name of the licensed builder & provided with evidence of compliance with the Home Building Act (ie: insurance) OR provided with a copy of the owner-builder permit (when required)

PROPOSED
MIXED USE DEVELOPMENT
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LOT-300, DP-1142325

NORTH & EAST ELEVATIONS

Architects:
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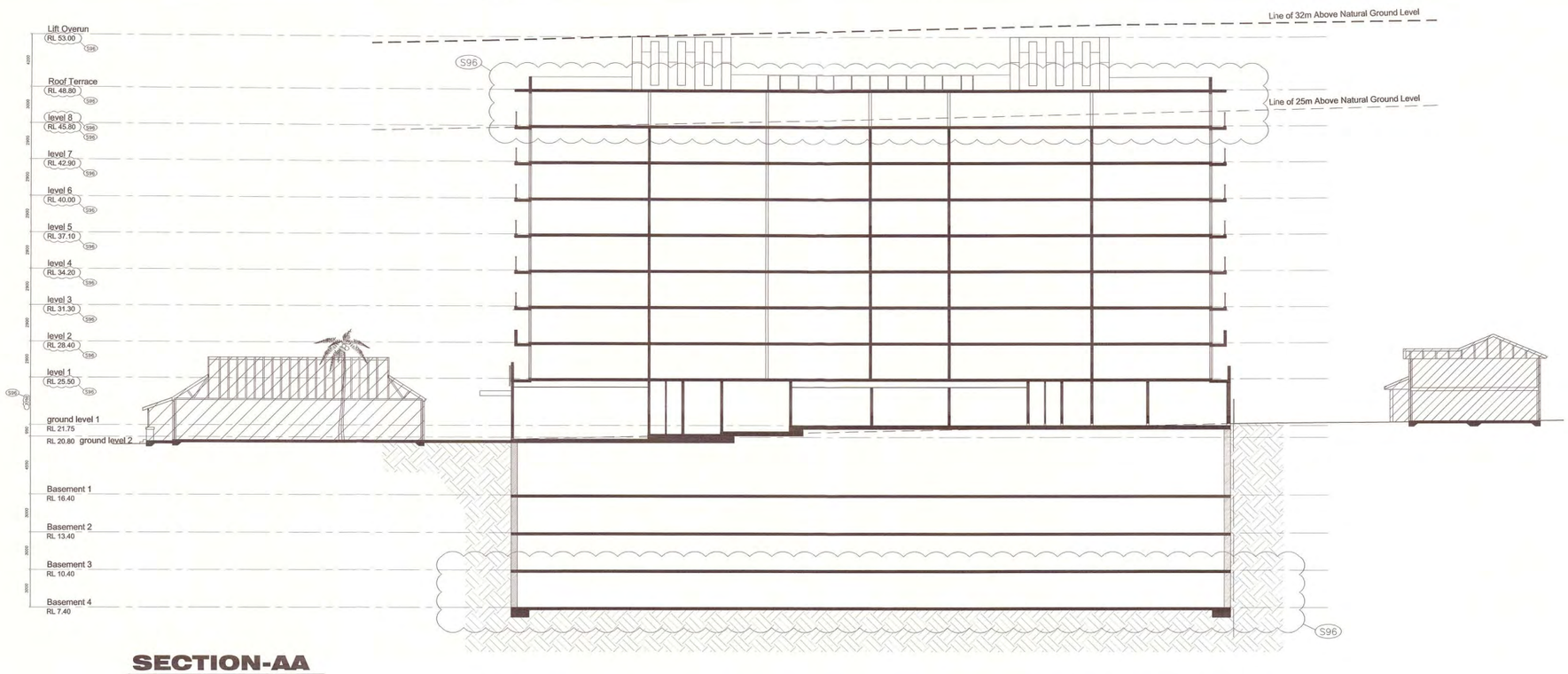
E-kuna@dcconsortium.com.au

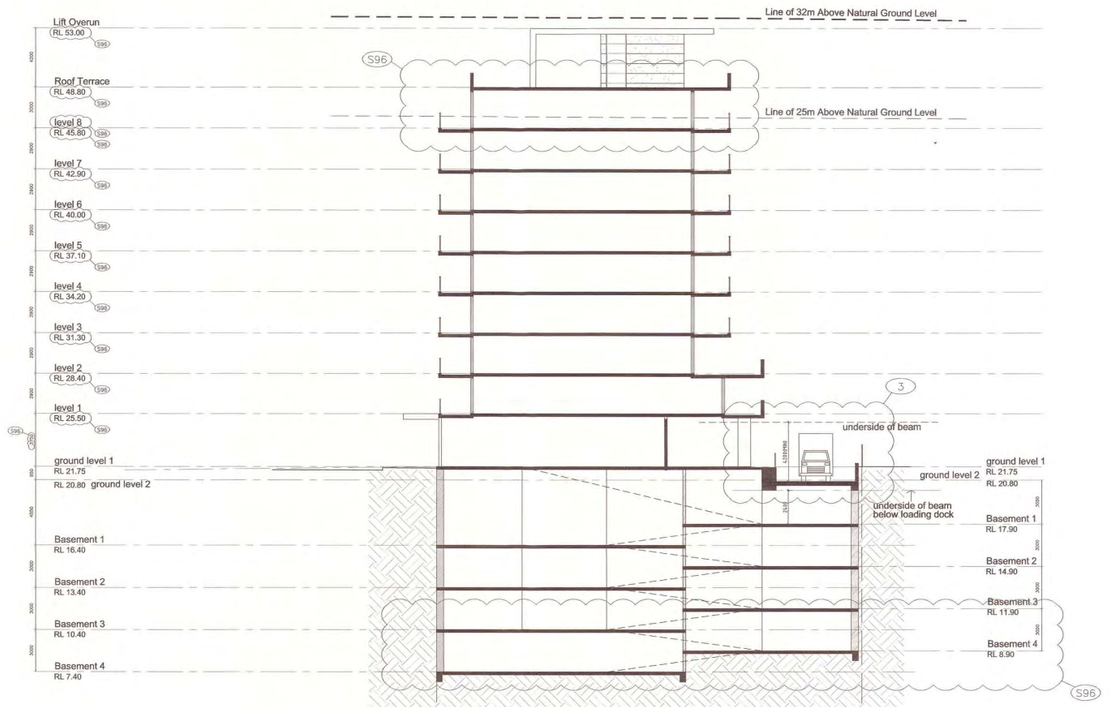
Architect:	Scale:	Date:
Kuna Sivasamy, RAIA.	1:200	27.11.2013

Project No:	Drawing No:	Issue:
2013-28	S96-07	3



SECTION-AA

SCALE 1:200 (A1)



SECTION-BB

SCALE 1:200 (A1)

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DATE	DESCRIPTION	ISSUE
12.02.14	BASEMENT LEVEL-4 REVISED	2
12.05.14	GENERAL REVISIONS	3

DA No: 217/2011/A
CC/CDC No:
AUBURN CITY COUNCIL
This plan and/or specification is approved under the provisions of the Environmental Planning & Assessment Act 1979, as amended, and is subject to any conditions contained in the notice of development determination (DA), construction certificate (CC) or complying development certificate (CDC).
GENERAL MANAGER Authorised by:
DETERMINED ON: 13 AUG 2014
NOTE ANY BUILDING WORKS CANNOT COMMENCE UNTIL:
1. A construction certificate or complying development certificate has been issued by Council or an accredited certifier.
2. The [illegible] has consulted with Sydney Water & water service providers to determine their requirements.
3. Council is notified in writing of the commencement of work and the name of the Principal Certifying Authority (if not Council).
4. For residential building work - The PCA has been informed in writing [illegible] licensed builder & provided with evidence of compliance with the Home Building Act (its insurance) OR provided with a copy of the owner-builder permit (when required)

PROPOSED
MIXED USE DEVELOPMENT
AT 11 JOHN + MARY STREET,
LIDCOMBE.
FOR SEE WIN HOLDINGS PTY LTD.

LOT-300, DP-1142325

SECTIONS

Architects:
ACN 086 652 393
ARCHITECTS
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AUSTRALIA.
M-0416 085 876
P-02 9980 2341
E-kuna@dcconsortium.com.au

Architect:	Scale:	Date:
Kuna Sivasamy, RAIA.	1:200	27.11.2013

Project No:	Drawing No:	Issue:
2013-28	S96-08	3

DOCUMENTS ASSOCIATED WITH REPORT ELPP022/26

Attachment 6

Prohibition Order for SP 100536, 11 John Street, Lidcombe

NSW GOVERNMENT | Fair Trading

Attn. The Proper Officer
See Win Holdings Pty Ltd (ABN 65 132 944 542)
30 Livingstone Street
BURWOOD, NSW, 2134

Service: By registered post and by email 13 December 2021

Prohibition Order

Section 9 of the *Residential Apartment Buildings (Compliance and Enforcement Powers) Act 2020*

This Prohibition Order is being made in relation to the residential apartment building, located at 11 John Street, LIDCOMBE, NSW, 2141 (SP100536) (the Building). This order prohibits

- **the issue of an occupation certificate in relation to the Building until the Order is revoked by the Secretary.**

Please read this Prohibition Order carefully and comply with the conditions by the date specified.

Failure to comply with this Order or its conditions is a criminal offence.

A. Background

1. The Department of Customer Service (the **Department**) administers the *Residential Apartment Buildings (Compliance and Enforcement Powers) Act 2020* (**the Act**).

2. The Building is a residential apartment building to which the Act applies pursuant to s 6 of the Act.

3. See Win Holdings Pty Ltd (65 132 944 542) is the developer of the Building for the purposes of s 4 of the Act.

4. Building work currently being carried out at the Building is building work as defined in s 5 of the Act.

5. Mr Matthew Whitton is an authorised delegate of the Secretary of the Department.

6. On 9 December 2021, notices of a proposed prohibition order were given in accordance with sections 44 and 45 of the Act. No representations relating to the issues raised in the Order have been received from the Developer. No representations have been received from the Certifier, Local Council or Registrar General.

B. Powers under the Act

7. Under s 9(1) of the Act, the Secretary of the Department, or their authorised delegate, may make an order prohibiting the issue of an occupation certificate in relation to a residential apartment building and/or the registration of a strata plan for a strata scheme in relation to a residential apartment building if any one or more of the following apply:

    a. the expected completion notice required to be given to the Secretary under the Act was not given or was given less than 6 months before the application for the occupation certificate was made (unless the expected completion notice was duly given under s 7(3) of the Act),

    b. an expected completion amendment notice of a new expected date required to be given to the Secretary under the Act was not given or was given less than 6 months before the application for the occupation certificate was made,

    c. the Secretary is satisfied that a serious defect in the building exists,

    d. any building bond required under s 207 of the *Strata Schemes Management Act 2015* in relation to the building has not been given to the Secretary,

    e. the developer failed to comply with a direction of an authorised officer under section 17 or 18 of the Act.

8. Under s3 of the Act a serious defect in relation to a building, means –

    a. a defect in a building element that is attributable to a failure to comply with the performance requirements of the *Building Code of Australia*, the relevant Australian Standards or the relevant approved plans, or

    b. a defect in a building product or building element that

        i. is attributable to defective design, defective or faulty workmanship or defective materials, and

        ii. causes or is likely to cause—

            (A) the inability to inhabit or use the building (or part of the building) for its intended purpose, or
            (B) the destruction of the building or any part of the building, or
            (C) a threat of collapse of the building or any part of the building,

        or

    c. a defect of a kind that is prescribed by the regulations as a serious defect, or
    d. the use of a building product (within the meaning of the *Building Products (Safety) Act2017*) in contravention of that Act.

9. Section 6 of the *Design and Building Practitioners Act* 2020 a Building element relevantly states:

   (1) For the purposes of this Act, ***building element*** means any of the following—
   a. the fire safety systems for a building within the meaning of the *Building Code of Australia*,
   b. waterproofing,
   c. an internal or external load-bearing component of a building that is essential to the stability of the building, or a part of it (including but not limited to in-ground and other foundations and footings, floors, walls, roofs, columns and beams),
   d. a component of a building that is part of the building enclosure,
   e. those aspects of the mechanical, plumbing and electrical services for a building that are required to achieve compliance with the *Building Code of Australia*,
   f. other things prescribed by the regulations for the purposes of this section.

C. What are the reasons for making this Order?

Serious Defect – The installation of balustrade wall with no reinforcement.

10. On 26 November 2021, authorised officers of the Department conducted a lawful inspection of the Building, pursuant to s 20 of the Act. The Building comprises of 9 storeys above ground and approximately 5 storeys below ground. The building comprises of below ground basement carparking, plant and equipment rooms, commercial space on the ground floor and 8 storeys of residential apartments.

11. It was observed during the inspection that the roof top level perimeter balustrade walls and first floor balcony balustrade walls (which are an external load bearing component of a building) have been constructed with 230 mm wide clay masonry blocks. The Developer confirmed that the 230mm wide clay masonry block walls were constructed on the top of the concrete rooftop hob on a mortar bed and that the wall was not reinforced.

12. Following the inspection, one of the authorised officers, Greg O'Mara, prepared a Report dated 26 November 2021 (**the Report**) annexed at Attachment A. The Report states that the rooftop level perimeter balustrade walls and the first floor balcony balustrade walls have been constructed with no reinforcement. The Report also contains engineering calculations as to the strength of the balustrade walls.

13. I consider that the roof top level perimeter balustrade walls and the first floor balcony balustrade walls are external load bearing components of a building that are essential to the stability of part of the building, being that part of the building which comprises those walls.

14. The failure to reinforce the balustrade walls is a serious defect because it is a defect in a building element that is attributable to a failure to comply with the relevant **Australian Standard AS/NZS1170.1 - 2002 - Structural design actions – Permanent, imposed and other actions and the following, Section 3 - Imposed Actions, 3.6 Barriers states:**

"Barriers, including parapets, balustrades and railings, together with members and connections that provide structural support, shall be designed to sustain the imposed actions given in Table 3.3."

TABLE 3.3

MINIMUM IMPOSED ACTIONS FOR BARRIERS

Type of occupancy for part of the building or structure		Specific uses	Top edge			Infill	
			Horizontal kN/m	Vertical kN/m	Inwards, outwards or downwards kN	Horizontal kPa	Any direction kN
C	Areas where people may congregate						
C1/C2	Areas with tables or fixed seating	Areas with fixed seating adjacent to a balustrade, restaurants, bars, etc.	1.5	0.75	0.6	1.5	1.5
C3	Areas without obstacles for moving people and not susceptible to over-crowding	Stairs, landings, external balconies, edges of roofs, etc.	0.75	0.75	0.6	1.0	0.5

Table 3.3 relevantly nominates a minimum horizontal imposed action for external balconies and edges of roofs of 0.75kN/m.

The horizontal load of the external balconies and edges of roofs in the Report is calculated to be 0.17kN per meter, therefore is a failure to comply with the Australian **Standard AS/NZS1170.1 - 2002 - Structural design actions – Permanent, imposed and other actions and the following, Section 3.**

15. I Matthew Whitton, an authorised delegate of the Secretary of the Department, am satisfied for the purposes of section 9(1)(c) of the Act that a serious defect in the Building exists, namely the Building does not have balustrade walls which are compliant with the requirements of the relevant Australian Standard.

16. I have formed this belief after reviewing the Report which contains the authorised officer's observations and includes photographs of the rooftop, first floor balconies and the external elevations of the Building. The Report also contains engineering calculations in relation to the strength of the balustrade walls. I am satisfied on the evidence before me that the roof top level perimeter balustrade walls and first floor balcony balustrade walls are insufficiently strong to properly act as an external load bearing component of the Building.

D. What Order is being made?

17. I, Matthew Whitton, an authorised delegate of the Secretary, am satisfied there is a serious defect in the Building and accordingly make an Order under s 9 of the Act prohibiting the issue of an occupation certificate in relation to the Building.

E. How long is the Order in force?

18. This order remains in force until it is revoked by the Secretary or their authorised delegate.

F. Who has been given notice of the Order?

19. The following persons have been given notice of the making of this order:

a. the local council: **Cumberland Council**,
b. the certifier: **Cumberland Council**,
c. the developer: **See Win Holdings Pty Ltd**,

d. the owner of the land: **Owners Corporation of Strata Plan 100536**
e. the **Registrar-General**,

Matthew Whitton
Director
Building & Construction Compliance
NSW Fair Trading Department of Customer Service

Notes about this Order

- **An occupation certificate issued in contravention of this prohibition order is invalid.**
- **It is an offence for a principal certifier (other than a council) to issue an occupation certificate in contravention of this order. The maximum penalty for a company is 1,000 penalty units. For an individual the maximum penalty is 200 penalty units.**
- **A penalty notice of $3,000 for an individual or $11,000 for a corporation may be issued if a principal certifier (other than a council) issues an occupation certificate in contravention of this prohibition order.**
- **A developer in relation to the residential apartment building to which this prohibition order applies may appeal against this order to the Land and Environment Court within 30 days of the notice of the order being given unless the Court grants leave allowing an appeal to be made after that time. Lodging an appeal does not, except to the extent that the Land and Environment Court otherwise directs, operate to stay action on the order.**

DOCUMENTS ASSOCIATED WITH REPORT ELPP022/26

Attachment 7

State Environmental Planning Policy (Housing) 2021 - Apartment Design Guide Assessment

CUMBERLAND CITY COUNCIL

CUMBERLAND LOCAL PLANNING PANEL

Attachment 7 - State Environmental Planning Policy (Housing) 2021 and Apartment Design Guide Assessment for DA2025/0911

Chapter 4 - Design of Residential Apartment Development

Circa 2011, Architex submitted the development application for a 70 unit residential mixed use development on behalf of See Win Holdings Pty Ltd on an amalgamated property, referred to as Lot 300 in Deposited Plan 1142325. The amalgamated allotment was formed by the consolidation of lots 1 & 2 in Deposited Plan 804303. The site area being 2,834.60sqm by survey.

The governing planning policies at the time of submission was "*Auburn Local Environmental Plan 2010 (LEP)"* and *"Auburn Development Control Plan."*

Subsequent Section 96 applications (A,B,C & D) was prepared by D+C Consortium Pty Ltd.

The Residential Flat Design Code was replaced by the Apartment Design Guide in 2015. An assessment of the 'as- constructed' development against the guidelines of the **Apartment Design Guide (ADG)** is also discussed herein.

This assessment seeks to consider the SEPP 65 guiding principles in determining the quality of the as constructed residential mix development design as depicted in H3 Architects drawings and accompanying supporting consultants drawings submitted for development consent.

The provisions and design quality principles for residential apartment development and Apartment Design Guide (ADG) have been considered in the assessment of the development application within the following table:

Design of Residential Apartment Development	Discussion	Compliance Yes or No
142 Aims of the chapter (1) The aim of this chapter is to improve the design of residential apartment development in New South Wales for the following purposes— (a) to ensure residential apartment development contributes to the sustainable development of New South Wales by— (i) providing socially and environmentally sustainable housing, and (ii) being a long-term asset to the neighbourhood, and	This is noted. It is considered that the development is consistent with the aims of the chapter. The DA will provide for a variety of dwelling mix that will provide housing for a diverse range of occupants.	Yes

(iii) achieving the urban planning policies for local and regional areas. (b) to achieve better built form and aesthetics of buildings, streetscapes and public spaces, (c) to maximise the amenity, safety and security of the residents of residential apartment development and the community, (d) to better satisfy the increasing demand for residential apartment development, considering— (i) the changing social and demographic profile of the community, and (ii) the needs of a wide range of people, including persons with disability, children and seniors, (e) to contribute to the provision of a variety of dwelling types to meet population growth, (f) to support housing affordability, (g) to minimise the consumption of energy from non-renewable resources, to conserve the environment and to reduce greenhouse gas emissions, (h) to facilitate the timely and efficient assessment of development applications to which this chapter applies.		
144 Application of chapter (1) In this policy, development to which this chapter applies is referred to as ***residential apartment development***. (2) This chapter applies to the following— (a) development for the purposes of residential flat buildings, (b) development for the purposes of shop top housing, (c) mixed use development with a residential accommodation component that does not include boarding houses or co-living housing, unless a local environmental plan provides that mixed use development including boarding houses or co-living housing is residential apartment development for this chapter. (3) This chapter applies to development only if— (a) the development consists of— (i) the erection of a new building, or	This policy applies to the subject application is for a residential flat building that contains more than 3 storeys and contains more than 4 dwellings.	Yes

(ii) the substantial redevelopment or substantial refurbishment of an existing building, or (iii) the conversion of an existing building, and (b) the building is at least 3 storeys, not including underground car parking storeys, and (c) the building contains at least 4 dwellings. (4) If particular development comprises development for the purposes specified in subsection (2) and development for other purposes, this chapter applies only to the part of the development for the purposes specified in subsection (2). (5) This chapter does not apply to development that involves only a class 1a or 1b building within the meaning of the *Building Code of Australia*. (6) To avoid doubt, development to which Chapter 2, Part 2, Division 1, 5 or 6 applies may also be residential apartment development under this chapter. *(7) In this section—**underground car parking storey** means a storey used for car parking that is—* *(a) below ground level (existing), or* *(b) less than 1.2m above ground level (existing).*		
145 Referral to design review panel for development applications (1) This section applies to a development application for residential apartment development, other than State significant development. (2) Before determining the development application, the consent authority must refer the application to the design review panel for the local government area in which the development will be carried out for advice on the quality of the design of the development. (3) This section does not apply if— (a) a design review panel has not been constituted for the local government area in which the development will be carried out, or (b) a competitive design process has been held. *(4) In this section - **competitive design process** means a design competition held in*	Cumberland Council has not constituted a design review panel and hence referral of the application to such a panel under s.145 is not required and there is no basis for considering panel comments under s.147(1)(c).	N/A

accordance with the Design Competition Guidelines published by the Department in September 2023.		
146 Referral to design review panel for modification applications (1) This section applies to a modification application for residential apartment development, other than State significant development. (2) If the statement by the qualified designer required to accompany the modification application under the *Environmental Planning and Assessment Regulation 2021*, section 102(1) does not verify that the qualified designer designed, or directed the design of, the original development, the consent authority must refer the modification application to the relevant design review panel for advice before determining the modification application. (3) The consent authority may also refer a modification application for residential apartment development to the relevant design review panel for advice before determining the modification application. (4) The design review panel must advise whether the modification— (a) diminishes or detracts from the design quality of the original development, or (b) compromises the design intent of the original development. (5) Subsection (2) does not apply if— (a) a design review panel has not been constituted for the local government area in which the development will be carried out, or (b) a competitive design process has been held.	Not applicable.	N/A
147 Determination of development applications and modification applications for residential apartment development (1) Development consent must not be granted to residential apartment development, and a development consent for residential apartment development must not be modified, unless the consent authority has considered the following— (a) the quality of the design of the development, evaluated in accordance with the design principles for residential	Section 147(1)(a) requires the consent authority to consider the quality of the design of the development, evaluated in	Yes

apartment development set out in Schedule 9, (b) the Apartment Design Guide, (c) any advice received from a design review panel within 14 days after the consent authority referred the development application or modification application to the panel. (2) The 14-day period referred to in subsection (1)(c) does not increase or otherwise affect the period in which a development application or modification application must be determined by the consent authority. (3) To avoid doubt, subsection (1)(b) does not require a consent authority to require compliance with design criteria specified in the Apartment Design Guide. (4) Subsection (1)(c) does not apply to State significant development.	accordance with the design principles set out in Schedule 9. In accordance with s.147(1)(b), the Council has considered the Apartment Design Guide (ADG).	
148 Non-discretionary development standards for residential apartment development—the Act, s 4.15 (1) The object of this section is to identify development standards for particular matters relating to residential apartment development that, if complied with, prevent the consent authority from requiring more onerous standards for the matters. **Note—** See the Act, section 4.15(3), which does not prevent development consent being granted if a non-discretionary development standard is not complied with.	Noted	Noted
(2) The following are non-discretionary development standards— (a) the car parking for the building must be equal to, or greater than, the recommended minimum amount of car parking specified in Part 3J of the Apartment Design Guide,	Under the requirements of Table 1 of Part G3 of the Cumberland DCP 2021: - 1-2 bedrooms = 1 space/dwelling - 3 bedrooms = 1.5 space/dwelling - Visitor parking = 0.25 space/dwelling - Commercial-retail = 1 space/40 sqm in E1 zones - Bicycle parking = 1 bicycle space/3 units The apartment mix is unchanged under DA2025/0911. Under the DCP a total of 85 residential spaces, 20 visitor spaces, 27 commercial-retail spaces and 56 bicycle spaces is required.	Yes subject to conditions and in accordance with 3J of the Apartment Design Guide.

	Under the RMS Guide (sub-regional centre) 87 spaces are required for the residents: - 0.6 spaces per 1 bed (8) = 4.8 spaces - 0.9 space per 2 bed (62) = 55.8 spaces - 1.4 spaces per 3-bed (10) = 14 spaces - 1 visitor space per 5-7 units = 11.4-16 spaces As the site is located in close proximity to public transport a reduction in the number of visitor spaces is supported as Lidcombe Town Centre provides for high levels of local employment similar in functionality to a metropolitan regional centre. As per 3J of the Apartment Design Guide, the *lesser* car parking requirement is prescribed under the RMS Guide for Traffic Generating Development. Council's Senior Development Engineer reviewed the proposal under DA2025/0911 and recommended the following condition: *"The retail car space number RT16 on basement level 1, residential visitor car space number R19 on basement level 2, residential visitor car space number R61 on basement level 3, and residential visitor car space number R101 on basement level 4 shall be deleted."* As a result, 145 car parking spaces and 1 loading bay space are provided under DA2025/0911, comprising of at least: - 98 car parking spaces for residential occupants. - 17 car parking spaces for residential visitors. - 28 commercial/retail premises spaces. - 2 electric vehicles (EV) only charging car parking spaces on basement level 1. - 10 car parking spaces out of the 145 car parking spaces for people with mobility impairment/disabilities in accordance with the relevant Australian Standards.	

(2) The following are non-discretionary development standards— (b) the internal area for each apartment must be equal to, or greater than, the recommended minimum internal area for the apartment type specified in Part 4D of the Apartment Design Guide,	A minimum 75 square metres of internal floor area is provided to the 2-bedroom, 2-bathroom apartments. A minimum 95 square metres of internal floor area is provided to the 3-bedroom, 2-bathroom apartments.	Yes, as approved under DA-219/2011
(2) The following are non-discretionary development standards— (c) the ceiling heights for the building must be equal to, or greater than, the recommended minimum ceiling heights specified in Part 4C of the Apartment Design Guide.	A minimum 4.63m floor-to-floor height is retained to the ground floor level retail premises. Can achieve minimum 3.5m floor-to-ceiling height on ground level. The 2.8m-3.03m floor-to-floor height is retained to levels 1 to 8 which was approved under DA-219/2011.	Yes No as approved under DA-219/2011
149 Apartment Design Guide prevails over development control plans (1) A requirement, standard or control for residential apartment development that is specified in a development control plan and relates to the following matters has no effect if the Apartment Design Guide also specifies a requirement, standard or control in relation to the same matter— a) visual privacy, b) solar and daylight access, c) common circulation and spaces, d) apartment size and layout, e) ceiling heights, f) private open space and balconies, g) natural ventilation, h) storage. (2) This section applies regardless of when the development control plan was made.	Noted.	Noted.
Schedule 9 Design principles for residential apartment development		
1 Context and neighbourhood character (1) Good design responds and contributes to its context, which is the key natural and built features of an area, their relationship and the character they create when combined and also includes social, economic, health and environmental conditions. (2) Responding to context involves identifying the desirable elements of an area's existing or future character. (3) Well designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood. (4) Consideration of local context is important for all sites, including sites in the following areas— (a) established areas, (b) areas undergoing change,	The subject site is located in the Cumberland City Council area, specifically in the Lidcombe Town Centre Precinct (John Street Precinct). John Street Precinct is located on the northern side of the railway line centred on John Street, a vibrant street supporting retail and business. The property is zoned E1 Local Centre which encourages mixed use developments. The site is surrounded by a variety of retail, commercial and residential developments of varying scale ranging from single storey retail shops to seven storey mixed use residential developments.	Yes – existing and unchanged

(c) areas identified for change.	Notable is Dooleys Lidcombe Catholic Club located north west of the site on John Street which is being expanded and redeveloped into a key hospitality hub in stage 1. Over time, it is proposed that residential, retail and senior's living may be added. To the north of the site is a vacant block comprising a public carpark owned by council which is also zoned E1 thus permitting mixed use developments in the future should council sell its asset. While the area is still relatively low scale currently, the future desired character of the area is much denser with greater scale. A number of high density developments are already emerging in the John Street Precinct. The completed development at 11 John Street Lidcombe is consistent with council's future vision for the John Street Precinct as an important commercial, retail and residential centre. The site has a gentle slope from the corner of Lee & Mary Street towards the corner of John & Mary Street. The property previously comprised the heritage listed Police Station. The Police Station site was subsequently sequestered from the 8 storey residential mixed use development in 2020. The constructed development provides zero setback on the ground floor which aligns with council's objectives to achieve active street frontage along John and Mary Streets. A continuous awning provides weather protection. A service vehicle driveway is provide off John Street adjacent to Lee Street to allow garbage collection for residential and commercial bins.	
2 Built form and scale (1) Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings. (2) Good design also achieves an appropriate built form for a site and the building's purpose in terms of the following— (a) building alignments and proportions, (b) building type, (c) building articulation,	The development has a main frontage to Mary Street. The proposed development is sited between a single storey heritage building to the east and a two storey medium density development to the west. The siting emphasies, defines and provide continuation of active streetscape. The lot orientation is north/south, providing good opportunity for solar	Yes

(d) the manipulation of building elements. (3) Appropriate built form— (a) defines the public domain, and (b) contributes to the character of streetscapes and parks, including their views and vistas, and (c) provides internal amenity and outlook.	access and cross ventilation for the apartments. The design of the development is symmetrical and contains a two storey street wall with the upper floors slightly set back back to reduce bulk and provide differentiation between the building base and general mass. Large balconies, facade articulation provide a balanced composition which utilises symmetry with discrete variations to create visual interest and unity. The northern facade is comprised of large balconies with glazed balustrades interspersed with two large brick facades punctuated with narrow windows.	
3 Density (1) Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context. (2) Appropriate densities are consistent with the area's existing or projected population. (3) Appropriate densities are sustained by the following— (a) existing or proposed infrastructure, (b) public transport, (c) access to jobs, (d) community facilities, (e) the environment.	The project was approved in 2011. Under Auburn Council's LEP 2010 at the time, the maximum Floor Space Ratio (FSR) for the site was 3.6:1. Auburn Council together with a number of other local councils was merged to form Cumberland Council in 2016. Subsequently, an updated LEP 2021 was developed which increased the density from FSR 3.6:1 to 5.0:1. The development's as- built FSR is well within the permissible FSR provisions under LEP 2021 and therefore is consistent with the area's projected population. The development is comprised of 80 units with ample on site basement parking for both residential and commercial use including visitor parking spaces. This will assist to relieve any existing pressures for on street parking and meet the growing need for additional housing near public transport nodes. The locality is well serviced by existing public transport systems such buses and Lidcombe Train Station which is situated approximately 260 metres from the development. Community facilities such as Dooleys Catholic Club provides community based services such as dining and entertainment. The development itself with ground floor retail spaces suitable for general retail to dining outlets will also provide a positive contribution to activate the John Street Precinct. The development is	Yes

	suitable in its density and therefore meets the SEPP 65 principle.	
4 Sustainability (1) Good design combines positive environmental, social and economic outcomes. (2) Good sustainable design includes— (a) use of natural cross ventilation and sunlight for the amenity and liveability of residents, and (b) passive thermal design for ventilation, heating and cooling, which reduces reliance on technology and operation costs. (3) Good sustainable design also includes the following— (a) recycling and reuse of materials and waste, (b) use of sustainable materials, (c) deep soil zones for groundwater recharge and vegetation.	A BASIX Certificate and relevant reports have been submitted with the development application. The certificates require sustainable development features to be installed into the development. The development maximises passive meets the ADG guideline for cross ventilation and solar access achieving 60% cross ventilation and 70% solar access. A few units which are south facing receive no direct sunlight in mid-winter. Natural daylight and breeze have been maximised in each unit. The development achieves a satisfactory level of cross ventilation throughout the development with a majority of the proposed units having dual aspects or diagonal cross ventilation.	Yes
5 Landscape (1) Good design recognises that landscape and buildings operate together as an integrated and sustainable system, resulting in development with good amenity. (2) A positive image and contextual fit of well designed development is achieved by contributing to the landscape character of the streetscape and neighbourhood. (3) Good landscape design enhances the development's environmental performance by retaining positive natural features that contribute to the following— (a) the local context, (b) co-ordinating water and soil management, (c) solar access, (d) micro-climate, (e) tree canopy, (f) habitat values, (g) preserving green networks. (4) Good landscape design optimises the following— (a) usability, (b) privacy and opportunities for social interaction, (c) equitable access, (d) respect for neighbours' amenity. (5) Good landscape design provides for practical establishment and long term management.	A landscape plan has been prepared for DA. It is noted that Auburn Council has approved the roof terrace void of any vegetation under s.96(B) Consent in 2015. The development being in the commercial/ residential mixed use core has limited opportunities for deep soil planting. Prior to the subdivision of the development from the heritage building, deep soil planting was proposed at ground level. Landscaping is proposed for the roof terrace comprising pavers and planter boxes together with fixed outdoor furniture will be an improvement on the current nature of the roof being a bare concrete roof. The roof terrace will also receive ample solar access for the duration of the whole year including mid-winter. The landscaping provides delineation of spaces which creates more intimate useable areas. The total landscaped area provided is 770 square metres which exceeds the minimum required area of 442 square metres.	Yes
6 Amenity (1) Good design positively influences internal and external amenity for residents and neighbours.	The development has considered the provision of good amenity for the benefit of the residents such as level access within and without the	Yes

(2) Good amenity contributes to positive living environments and resident well-being. (3) Good amenity combines the following— (a) appropriate room dimensions and shapes, (b) access to sunlight, (c) natural ventilation, (d) outlook, (e) visual and acoustic privacy, (f) storage, (g) indoor and outdoor space, (h) efficient layouts and service areas, (i) ease of access for all age groups and degrees of mobility.	building. Where level access is not possible, ramps compliant with Australian Standards are provided. Corridors are well lit and highly visible without turns which provides safety in crime prevention. Units are large and appropriately shaped with good access to daylight and ventilation. Resident service areas such as garbage rooms, bicycle storage areas are located on Basement level 1 for ease of access.	
7 Safety (1) Good design optimises safety and security within the development and the public domain. (2) Good design provides for quality public and private spaces that are clearly defined and fit for the intended purpose. (3) Opportunities to maximise passive surveillance of public and communal areas promote safety. (4) A positive relationship between public and private spaces is achieved through clearly defined secure access points and well lit and visible areas that are easily maintained and appropriate to the location and purpose.	The development provides good casual surveillance from various vantage points – main lobby entrances are accessed and highly visible from Mary Street. Wrap around balconies with aspects to the streets provide casual surveillance to the streets and beyond. Shopfronts at the ground level with full height glazing provides street activation which deters crime. The residential lobbies have high ceilings and good daylighting and are secured from retail entries. Access point to the carpark is also highly visible from the street, internally potential concealment areas are avoided in the carpark design. The site perimeters are secured with gates to deter trespassers. Site security will be supplemented with surveillance cameras at strategic points. The roof top landscaped areas is only accessible to the residents via security lift access fobs.	Yes
8 Housing diversity and social interaction (1) Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets. (2) Well designed residential apartment development responds to social context by providing housing and facilities to suit the existing and future social mix. (3) Good design involves practical and flexible features, including— (a) different types of communal spaces for a broad range of people, and (b) opportunities for social interaction among residents.	The development has a total of 80 apartments. The proposal provides the following dwelling mix: - 8 x 1-bedroom dwellings; - 62 x 2-bedroom dwellings; and - 10 x 3-bedroom dwellings. The unit mix is acceptable in this regard. Unit areas in this development is larger than prescribed in the ADG ranging from 79sqm- 103sqm and provides a variety of layout and floor finishes to facilitate purchaser's budget and preferences. Some units are designed to accommodate study nooks to cater for work from home circumstances.	Yes

	Adaptable units are designed to minimise alterations works required to deliver the layout from preadaptation to post adaptation. A positive social impact arises from the level of accessibility of the site. Access to and through the development have been designed to ensure that all people (regardless of physical ability) are able to negotiate public spaces without hindrance. The communal open space located at the roof aims to encourage passive recreation and social interaction with unobstructed views to the Sydney CBD.	
9 Aesthetics (1) Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. (2) Good design uses a variety of materials, colours and textures. (3) The visual appearance of well designed residential apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.	The development which was designed prior to 2011 achieves a built form with good proportions, articulation and a balanced composition of solid and transparent materials. The development is comprised predominantly of facebrick facade with glass balustrade. Exposed concrete structures are rendered and painted. The use of facebrick as façade cladding has been selected for durability & provides a low maintenance building not subjected to periodical repainting. This is also consistent with the materials used on a large number of existing buildings in the immediate locality. The composition of window openings, spacing of vertical structural elements all reflect the internal layout of the apartments and the rhythm of the existing streetscape.	Yes

Apartment Design Guide			
3A Site Analysis	Various descriptive measures and objectives.	A site analysis plan was submitted.	Yes
3B Orientation	Various descriptive measures and objectives.	The mixed-use building is as constructed and defines the site by facing both street frontages and incorporates direct access from the street via a lift core.	Yes
3C Public domain interface	Various descriptive measures and objectives.	Direct street access to ground floor apartments cannot be provided on the ground floor of shop top housing development.	Yes.

<table>
<tr><td></td><td></td><td>The pedestrian access to the building is clearly delineated for the various uses.

Upper level windows and balconies face the street frontages.</td><td>Yes.</td></tr>
<tr><td>3D Communal and Public Open Spaces</td><td>Provide minimum 25% x site area for communal open space.</td><td>Communal open space provided exceeds 700sqm. Minimum required area is 445sqm.

Roof top open space achieves in excess of 2hrs solar access in mid winter.

Seating and passive recreational facilities such as painted chess board is provided. Rooftop space to be fitted with strategically placed lighting. Private and public spaces are clearly delineated.</td><td>Yes.</td></tr>
<tr><td>3E Deep soil zones</td><td>Deep soil zones are to meet the following minimum requirements:

<table><tr><th>Site Area</th><th>Dimensions</th><th>Deep Soil</th></tr><tr><td>Less than 650m^2</td><td></td><td>7%</td></tr><tr><td>650m^2 to 1,500m^2</td><td>3m</td><td>7%</td></tr><tr><td>Greater than 1,500m^2</td><td>6m</td><td>7%</td></tr><tr><td>Greater than 1,500m^2 with significant existing tree</td><td>6m</td><td>7%</td></tr></table></td><td>Site area = 1,779sqm.

The development site originally include the adjacent heritage building. Deep soil planting was allocated to the ground floor of the heritage building site, hence no deep soil planting is allocated the subject apartment site.</td><td>No - existing and unchanged</td></tr>
</table>

<table>
<tr>
<td>3F Visual privacy</td>
<td>Separation between windows and balconies is provided to ensure visual privacy is achieved.
<table>
<tr><th>Building height</th><th>Habitable rooms & balconies</th><th>Non habitable rooms</th></tr>
<tr><td>Up to 12m (4 storeys)</td><td>6m</td><td>3m</td></tr>
<tr><td>Up to 25m (5-8 storeys)</td><td>9m</td><td>4.5m</td></tr>
<tr><td>Over 25m (9 + storeys)</td><td>12m</td><td>6m</td></tr>
</table>
Minimum required separation distances from buildings to the side and rear boundaries are as follows:</td>
<td>The development site originally approved greater than 18m building separation between other buildings.</td>
<td>Yes</td>
</tr>
<tr>
<td>3G Pedestrian access and entries</td>
<td>Various descriptive measures and objectives.</td>
<td>The communal building access points are well articulated.</td>
<td>Yes.</td>
</tr>
<tr>
<td>3H Vehicle Access</td>
<td>Various descriptive measures and objectives.</td>
<td>Driveway and basement ramp is accessed from the lowest possible part of the site.</td>
<td>Yes.</td>
</tr>
<tr>
<td>3J Bicycle and car parking</td>
<td>For development in the following locations:
• on sites that are within 800 metres of a railway station or light rail stop in the Sydney Metropolitan Area; or
• on land zoned, and sites within 400 metres of land zoned, B3 Commercial Core, B4</td>
<td>The apartment mix is as follows:

- 70 x 1 and 2 bedroom
- 10 x 3 bedroom

Council’s Senior Development Engineer reviewed the proposal under DA2025/0911 and recommended the</td>
<td>Yes, subject to conditions.</td>
</tr>
</table>

	Mixed Use or equivalent in a nominated regional centre. The minimum car parking requirement for residents and visitors is set out in the Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant council, whichever is less. The car parking needs for a development must be provided off street.	following condition: *"The retail car space number RT16 on basement level 1, residential visitor car space number R19 on basement level 2, residential visitor car space number R61 on basement level 3, and residential visitor car space number R101 on basement level 4 shall be deleted."* As a result, 145 car parking spaces and 1 loading bay space are provided under DA2025/0911, comprising of at least: - 98 car parking spaces for residential occupants. - 17 car parking spaces for residential visitors. - 28 commercial/retail premises spaces. - 2 electric vehicles (EV) only charging car parking spaces on basement level 1. 10 car parking spaces out of the 145 car parking spaces for people with mobility impairment/disabilities in accordance with the relevant Australian Standards. As per 3J of the Apartment Design Guide, the *lesser* car parking requirement is prescribed under the RMS Guide for Traffic Generating Development.	

4A Solar and daylight access	Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid-winter in the Sydney Metropolitan Area and in the Newcastle and Wollongong local government areas. A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid-winter.	70% (56) apartments receive solar access. 30% (24) apartments do not receive solar access. This is due to the orientation of the development and have been considered by council previously. Balconies and overhangs are incorporated into the design to provide private outdoor space & shading. Solar access has been maximised given the site constraints.	No, existing and unchanged to levels 1-3
4B - Natural ventilation	At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed. Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.	Out of the 80 units proposed, 48 units (60%) of the units are either dual aspect or cross through apartments and can be considered to be naturally ventilated. The building depth exceeding 18m is due to the proposed built form as a single tower building. Notwithstanding this the built form is considered acceptable as the proposal achieves satisfactory daylight and natural ventilation for units within the development. Further, the extent of the variation is numerically small.	Yes, Existing and unchanged as approved under DA-219/2011 No, but acceptable due to floor finish. Existing and unchanged as approved under DA-219/2011

<table>
<tr>
<td>4C - Ceiling heights</td>
<td>Measured from finished floor level to finished ceiling level, minimum ceiling heights are:

<table>
<tr><th>Type / Use</th><th>Minimum ceiling height</th></tr>
<tr><td>Habitable rooms</td><td>2.7m.</td></tr>
<tr><td>Non habitable rooms</td><td>2.4m.</td></tr>
<tr><td>For 2 storey apartments</td><td>2.7m for main living area floor.
2.4m for second floor where its area does not exceed 50% of the apartment area.</td></tr>
<tr><td>Attic spaces</td><td>1.8m at edge of room with a 30 degree minimum ceiling slope.</td></tr>
<tr><td>If located in mixed use areas</td><td>3.3m for ground and first floor to promote future flexibility of use.</td></tr>
</table>

These minimums do not preclude higher ceilings if desired.</td>
<td>Generally 2.7m is achieved, some areas are noted as having 2.65m due to floor finish.

Non habitable rooms generally achieve 2.4m.

Ground floor retail spaces achieve min. 3.3m ceiling height</td>
<td>No, but acceptable due to floor finish. Existing and unchanged as approved under DA-219/2011</td>
</tr>
<tr>
<td>4D - Apartment size and layout</td>
<td>Apartments are required to have the following minimum internal areas:
<table>
<tr><th>Apartment type</th><th>Minimum area</th></tr>
<tr><td>Studio</td><td>35m^2</td></tr>
<tr><td>1 bedroom</td><td>50m^2</td></tr>
<tr><td>2 bedroom</td><td>70m^2</td></tr>
<tr><td>3 bedroom</td><td>95m^2</td></tr>
</table>
</td>
<td>All unit internal areas exceed the minimum requirement. Habitable rooms are located <8m from a window. Master bedroom sizes exceed 10sqm. Bedrooms generally have min. dimension of 3m.</td>
<td>Yes</td>
</tr>
</table>

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<td></td>
<td>Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms.

Habitable room depths are limited to a maximum of 2.5 times of the ceiling height. In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window.

Master bedrooms have a minimum area of 10m^2 and other bedrooms 9m^2 (excluding wardrobe space). Bedrooms have a minimum dimension of 3m (excluding wardrobe space). Living rooms or combined living/dining rooms have a minimum width of:
- 3.6m for studio and 1 bedroom apartments.
- 4m for 2 and 3 bedroom apartments.</td>
<td>A majority of 2 bedroom units have min. 4.0m for the living rooms. A small number of units have 3.8m width per floor.</td>
<td></td>
</tr>
<tr>
<td>4E - Private open space and balconies</td>
<td>All apartments are required to have primary balconies as follows:

<table>
<tr><th>Dwelling type</th><th>Minimum area</th><th>Minimum depth</th></tr>
<tr><td>Studio apartments</td><td>4m^2</td><td>-</td></tr>
<tr><td>1 bedroom apartments</td><td>8m^2</td><td>2m</td></tr>
</table>
</td>
<td>Balcony sizes meet minimum or exceed minimum requirements.</td>
<td>Yes.</td>
</tr>
</table>

<table>
<tr>
<td></td>
<td>
<table>
<tr><td>2 bedroom apartments</td><td>10m^2</td><td>2m</td></tr>
<tr><td>3 plus bedroom apartments</td><td>12m^2</td><td>2.4m</td></tr>
</table>

The minimum balcony depth to be counted as contributing to the balcony area is 1m.
</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4F - Common circulation and spaces</td>
<td>The maximum number of apartments off a circulation core on a single level is eight.

Daylight and natural ventilation should be provided to all common circulation spaces that are above ground. Windows should be provided in common circulation spaces and should be adjacent to the stair or lift core or at the ends of corridors.</td>
<td>Five (5) apartments are located off a circulation corridor.

The ground floor circulation/communal open spaces is unchanged.</td>
<td>Yes.

Yes – existing and unchanged.</td>
</tr>
<tr>
<td>4G - Storage</td>
<td>In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided:
<table>
<tr><th>Dwelling type</th><th>Storage</th></tr>
<tr><td>Studio apartments</td><td>4m^3</td></tr>
<tr><td>1 bedroom apartments</td><td>6m^3</td></tr>
<tr><td>2 bedroom apartments</td><td>8m^3</td></tr>
<tr><td>3 plus bedroom apartments</td><td>10m^3</td></tr>
</table>
</td>
<td>At least 50% of the required storage for each dwelling type are not provided within all 80 apartments. Storage cages are provided for all apartments in the basement.

Storage is accessible from either circulation or living areas.</td>
<td>No, but acceptable</td>
</tr>
<tr>
<td>4H Acoustic Privacy</td>
<td>Various descriptive measures and objectives.</td>
<td>Recommendations from the acoustic noise report will be conditions on any consent. The as built development is to be checked for compliance with acoustic, NCC and</td>
<td>Yes, subject to conditions.</td>
</tr>
</table>

		AS at Construction Certificate stage	
4J Noise and pollution	Various descriptive measures and objectives.	The development is not exposed to unreasonable noise sources. Glazing to mitigate noise is to be undertaken in accordance with acoustic consultant's recommendations. The facade is comprised of solid brick balustrades on the lower level apartments to mitigate noise pollution.	Yes – existing and unchanged.
4K Apartment mix	Various descriptive measures and objectives.	The proposed apartment mix is considered satisfactory.	Yes.
4M Facades	Various descriptive measures and objectives.	The lift core and stairwells are well integrated into the building mass and adds to the visual interest by adding to the articulation of the development. Facade composition comprise, rendered finishes, facebrick, glass and aluminium. PVC downpipes are exposed on facades which has been approved under DA-219/2011. Building entrances are recessed. Apartment layouts is expressed in the facade	Yes.
4N Roof design	Various descriptive measures and objectives.	Satisfactory roof design is proposed. Roof top balustrade is set back. Lift cores are not visible from the street.	Yes.
4O Landscape Design / 4P Planting on structures	Various descriptive measures and objectives.	No objection to the landscaping design was raised by Council's Tree Management Officer. Development has been approved under DA-219/2011 with landscaping contained to the ground level and no rooftop planting.	Yes.

		- Landscaped plan is provided for DA2025/0911.	
4Q Universal design	Various descriptive measures and objectives.	A total of 80 residential apartments are constructed. Adaptable units are provided in the development as approved under DA-219/2011.	Yes
4S Mixed use	Various descriptive measures and objectives.	The proposal maximises retail and commercial activity at the ground level.	Yes.
4T Awnings and signage	Various descriptive measures and objectives.	Continuous awning is provided and integrated with the building design. Future signages to be part of separate DA	Yes.
4U Energy efficiency	Various descriptive measures and objectives.	Solar panels are proposed. Windows are provided for natural ventilation, orientated to maximise solar access. Overhangs are provided to provide shading over window openings.	Yes
4V Water management and conservation	Various descriptive measures and objectives.	A valid and amended Basix Certificate has been submitted. Civil design plans are provided to manage stormwater runoffs.	Yes, subject to conditions.
4W Waste management	Various descriptive measures and objectives.	Waste Management report is provided. A large garbage room is provided in the basement to house waste , recycling bins and a separate area is allocated for the temporary storage of bulky waste. A bin tug is to be provided to take bins from the basement level to the street collection point	Yes.
4X Building Maintenance	Various descriptive measures and objectives.	Materials used such as facebrick and limiting the	Yes.

		use of rendering reduces the frequency of maintenance such as re-painting over the life of the building. Overhangs provide some level of protection from weathering.	

DOCUMENTS ASSOCIATED WITH REPORT ELPP022/26

Attachment 8

Cumberland LEP 2021 Assessment Table

CUMBERLAND CITY COUNCIL

CUMBERLAND LOCAL PLANNING PANEL

Attachment 8 - Cumberland Local Environmental Plan 2021 - DA2025/0911 Assessment

Clause	Comments	Compliance
Clause 1.2 Aims of Plan.	The particular aims of this Plan are as follows: (aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts, (a) to provide a comprehensive planning framework for the sustainable development of land in Cumberland, (b) to provide for a range of land uses and development in appropriate locations to meet community needs, (c) to facilitate economic growth and employment opportunities within Cumberland, (d) to conserve and maintain the natural, built and cultural heritage of Cumberland, (e) to provide for community facilities and services in Cumberland to meet the needs of residents, workers and visitors, (f) to promote development that is environmentally sustainable. The proposal is environmentally sustainable which minimises impacts to adjoining properties within the Lidcombe Town Centre and satisfies the aims of Section 1.2 of the CLEP 2021.	Yes
Clause 2.3 Zone objectives and Land Use Table	The proposed development is defined as *shop top housing,* which is permissible with consent in the E1 Local Centre land use zone. ***shop top housing*** means one or more dwellings located above the ground floor of a building, where at least the ground floor is used for commercial premises or health services facilities. **Note—** Shop top housing is a type of ***residential accommodation***—see the definition of that term in this Dictionary. The objectives of E1 zone are: • To provide a range of retail, business and	Yes

	community uses that serve the needs of people who live in, work in or visit the area. • To encourage investment in local commercial development that generates employment opportunities and economic growth. • To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council's strategic planning for residential development in the area. • To encourage business, retail, community and other non-residential land uses on the ground floor of buildings. • To promote active street frontages on the ground floor of buildings that attract pedestrian traffic and that facilitate active and vibrant centres with inviting public domain areas. The proposed development is consistent with the E1 zone objective (dot point 3) as the built form of the upper-most levels and design of the common areas maintains the approved setbacks and maintains the residential amenity of future occupants approved under development consent no. DA-219/2011.	
Section 2.6 Subdivision – consent requirements	Subdivision is not proposed under this application.	N/A
Section 2.7 Demolition requires development consent	The proposal proposes minimal demolition works to the balustrades of levels 1 and level 9 rooftop and internal reconfigurations to levels 1 to 8.	Yes, subject to conditions
Section 4.3 Height of buildings	The permissible building height limit of **38 metres** applies to the site under the Cumberland LEP 2021. A building height of **30.9 metres** was approved DA-219/201 to the top of the lift overrun under the Auburn LEP 2010. A building height of **31.1 metres** approved DA-219/2011/A to the top of the lift overrun under the Auburn LEP 2010. A maximum building height of **32.1 metres** is proposed under DA2025/0911 to the top of the	Yes

	roof over lift overrun structure (RL 53.03). The proposal complies with this clause.	
Clause 4.4 Floor space ratio (FSR)	Maximum permissible FSR is **5:1** under the Cumberland LEP 2021. The approved gross floor area under DA-219/2011 was 7,511.69 square metres which equates to a FSR of 2.65:1 and which included the existing police station heritage item. The approved gross floor area under DA-219/2011/A was 8949.5 square metres which equates to a FSR of 3.15:1 and which was inclusive of the excess in parking of some 21 spaces provided for the development, for which additional parking in excess of Council's parking requirement, contributed to the FSR calculations. On 27 March 2019, the Land and Environment Court of NSW (Case number/title 2018/00268096 See Win Holdings (ABN 65 132 944 542) ATF See Win Trust (ABN 38 124 477 479) v Cumberland Council) approved development application no. DA-531/2017 for Torrens Title Subdivision of one lot into two lots, creation of access easement and Strata Tile subdivision of the existing mixed use development at 11John Street, Lidcombe. On 5 August 2020, Council's authorised person endorsed subdivision certificate no. SC2020/29 for plan of subdivision of Lot 300 in DP 1142325 into Lot 301 in DP 1258463 and Lot 302 in DP 1258463. On 17 September 2020, plan of subdivision of Lot 300 in DP 1142325 was registered with the NSW Land and Registry Service. Lot 301 in DP 1258463, being 1,051 square metres, was known as 11A John Street, Lidcombe and was occupied by the former Lidcombe Police Station brick building. Lot 302 in DP 1258463, being 1,779 square metres was known as 11 John Street, Lidcombe and was occupied multi-storey building of 9 levels and 4 storey basement.	Yes

	There is no change to the approved floor space ratio of the buildings on site and no further building or development work is proposed. No assessment of floor space ratio is required in this instance.	
Clause 5.10 Heritage Conservation	Due to mapping error, the site is identified as a heritage item of local significance (I181), titled 'Lidcombe Police Station' on land at Lot 300 in DP 1142325, 11 John Street, Lidcombe. Under the original approval under DA-219/2011 a Heritage Impact Statement prepared by Colin Israel dated 8 June 2011 was submitted to accompany the development application. On 27 March 2019, the Land and Environment Court of NSW (Case number/title 2018/00268096 See Win Holdings (ABN 65 132 944 542) ATF See Win Trust (ABN 38 124 477 479) v Cumberland Council) approved development application no. DA-531/2017 for Torrens Title Subdivision of one lot into two lots, creation of access easement and Strata Tile subdivision of the existing mixed use development at 11John Street, Lidcombe. On 5 August 2020, Council's authorised person endorsed subdivision certificate no. SC2020/29 for plan of subdivision of Lot 300 in DP 1142325 into Lot 301 in DP 1258463 and Lot 302 in DP 1258463. On 17 September 2020, plan of subdivision of Lot 300 in DP 1142325 was registered with the NSW Land and Registry Service. Lot 301 in DP 1258463, being 1,051 square metres, was known as 11A John Street, Lidcombe and was occupied by the former Lidcombe Police Station brick building. Lot 302 in DP 1258463, being 1,779 square metres was known as 11 John Street, Lidcombe and was occupied multi-storey building of 9 levels and 4 storey basement. The application does not involve work on the land formerly known as Lidcombe Police Station. As no further building or development work is proposed, no heritage conservation assessment is required in this instance. The proposal complies with this clause.	Yes

Clause 5.21 Flood Planning	The site is not identified as flood affected property or within the flood planning area.	N/A
Clause 6.1 Acid Sulfate Soils	The site is identified as affected by 'Class 5' acid sulfate soils. Conditions are imposed ensuring measures are made to satisfy the objectives of this clause.	Yes, subject to conditions
Clause 6.2 Earthworks	No further excavation beyond the approved DA-219/2011 and subsequent modification DA-219/2011/A is proposed under DA2025/0911.	Yes
Clause 6.4 Essential Services	Council is satisfied that adequate arrangements for the supply of water and electricity, the disposal and management of sewage, stormwater drainage and suitable vehicular access can be made available when required. Council's Senior Development Engineer and Endeavour Energy have reviewed the proposal and raised no objections subject to conditions.	Yes, subject to conditions
Clause 6.7 Stormwater Management	The proposal has been assessed by Council's Senior Development Engineer and no stormwater management objections subject to conditions were raised.	Yes, subject to conditions
Clause 6.9 Salinity	The site is not identified as affected by 'salinity'.	N/A
Clause 6.12 Urban Heat	The proposed development incorporates landscape elements, given the limited opportunities for deep soil zones, along the southern, eastern and northern areas of the site to mitigate urban heat. A Section J report was provided. The proposed development is considered to be satisfactory with regard to the provisions of this clause.	Yes
Clause 6.13 Ground floor development in Zones E1, E2 and MU1	The objective of this clause is to ensure that active uses are provided at the street level in certain business zones to encourage the presence and movement of people. The proposal maintains the 9 ground floor retail premises that encourages interaction between the inside of the building and the public domain. The proposal complies with this clause.	Yes

DOCUMENTS ASSOCIATED WITH REPORT ELPP022/26

Attachment 9

Cumberland DCP 2021 Assessment Table

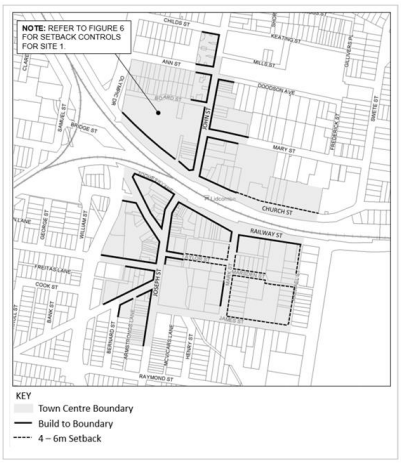
Attachment 9 – Cumberland DCP 2021 Assessment table – DA2025/0911 11 John Street Lidcombe

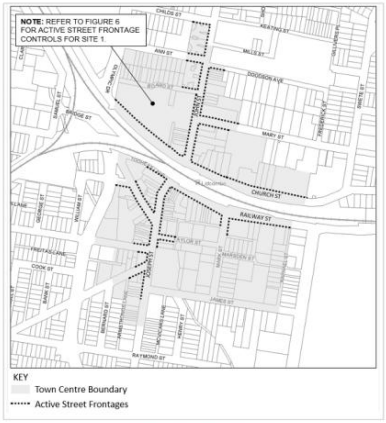
<table>
<tr><th>Relevant Control</th><th>Compliance with Requirements</th><th>Complies</th></tr>
<tr><td colspan="3">Part B – Development in Residential Zones</td></tr>
<tr><td colspan="3">Part B3 – Residential Flat Buildings
The ADG takes precedence over a DCP. Therefore, the DCP provisions do not repeat or seek to vary any controls under the ADG. Where there are inconsistencies between the controls set out in this DCP and the ADG, the ADG shall prevail.</td></tr>
<tr><td>3.1 Building envelope</td><td>C2. Residential flat building development shall be provided in accordance with Table 7 for RFB Setbacks.

<table><tr><td>Front setbacks (min)</td><td>No less than 6m or correspond with the existing prevalent building setback or with emerging setbacks in areas undergoing transition</td></tr><tr><td>Secondary street setbacks (min)</td><td>2m for laneways and 4m for other roads</td></tr><tr><td>Side setback (min)</td><td>3m</td></tr><tr><td>Rear setback (min)</td><td>Up to 4 storeys: 20% the length of the site, or 6m, whichever is greater

5 storeys or more: 30% the length of the site</td></tr><tr><td>Site area</td><td>1,000m²</td></tr><tr><td>Street frontage</td><td>24m</td></tr></table></td><td>There are no changes to the existing an approved built form under DA2025/0911.</td><td>Existing and unchanged.</td></tr>
<tr><td></td><td>C3. For residential flat building not captured by SEPP 65, the development is also to achieve the objectives and design criteria of the ADG.</td><td>This residential flat building is captured by SEPP 65 which is now part of the Housing SEPP 2021.</td><td>Existing and unchanged.</td></tr>
<tr><td>3.3 Car parking</td><td>C1. Refer to Part G3 of this DCP, or section 3J-1 of the ADG for car parking provision requirements.</td><td colspan="2">The car parking rates proposed comply with Part G3 of the Cumberland DCP 2021. Refer to the Housing SEPP 2021 assessment in Attachment 7.</td></tr>
<tr><td colspan="4">Part B5 Adaptable housing and housing mix</td></tr>
<tr><td>2.1 Adaptable housing</td><td>C1. Adaptable housing complying with AS 4299 is to be provided in multi-dwelling housing, residential flat buildings, and the residential</td><td>There are no changes to the existing an approved adaptable housing under DA2025/0911.</td><td>Existing and unchanged.</td></tr>
</table>

	component of mixed-use developments.		
2.2 Housing Mix	C1. A minimum 10% mix of one bedroom/studio dwellings and a minimum 10% mix of three plus-bedroom dwelling types shall be provided, with the balance provided as two bedroom dwellings. An alternate mix of dwelling types may be considered by Council where the Applicant can demonstrate that the local demographic statistics indicates otherwise. Specific details would need to be provided with the development application to support this.	There are no changes to the existing an approved apartment mix under DA2025/0911.	Existing and unchanged.
Part C – Development in Business Zones			
3.1 Lot size and Frontage	C1. Unless otherwise stated as site specific controls in this DCP, the minimum lot frontage for shop top housing development within Zone B2 Local Centre and Zone B4 Mixed Use shall be: • up to 3 storeys: 20m; and • 4 storeys or greater: 30m Lot size and frontage shall provide an appropriate site configuration that achieves: • adequate car parking area and manoeuvring for vehicles in accordance with AS2890. • ground level frontage that is activated and not dominated by access apertures to car parking areas; and • the required setbacks and building separation set out by this DCP or the Apartment Design Guide.	The site has a frontage of 59.595m (to Mary Street) which exceeds the required 30m. The proposed development provides adequate car parking in the basement levels of the building. The ground level is activated by shops and access to the basement is limited to a 6m wide access.	Existing and unchanged.
3.2 Setbacks and Separation	C2. For B2 and B4 zones, or unless otherwise stated in site specific controls within this DCP, a street wall height (i.e. podium height) of 3 storeys with a zero setback to the street is required.	The existing development has a zero-front setback at ground level and steps back to a minimum of 3m on the upper levels as was originally approved.	Yes – existing and unchanged.
3.3 Landscaping and Open Space	C1. Landscape reinforces the architectural character of the street and positively contributes to maintaining a consistent streetscape character.	It is proposed to provide landscaped communal open space including seating and activities on the roof top for the residents of the apartments.	Yes – existing and unchanged.
3.6 Building Use	C1. Ground floor uses in business zones are to comprise non-residential uses.	The ground floor of the proposed development comprises nine (9) retail outlets with at least 80% glazing to Mary Street thereby promoting active shopfronts.	Yes – existing and unchanged.
3.9 Roof Design	C1. Roof design shall be integrated into the overall building design.	The roof top landscaping and has been designed to provide visual interest to the skyline when viewed from the street level and surrounding vantage points. The	Yes.

		lift overruns and services are setback from the building edge facing Mary Street. Solar panels and landscaping will be provided for sustainable functions.	
3.10 Awnings	C1. Continuous awnings are required to be provided to all active street frontages (except laneways).	The addition of the awning over Retail 09 complies being 2.4m deep, more than 1.2m from the kerb and generally 3.2m above the pavement.	Yes.
3.11 Visual and acoustic privacy	Visual Privacy C2. Residential components of mixed use developments are to comply with the controls in Part B of this DCP and the Apartment Design Guide (as applicable).	The existing building maximises outlook and views to the street without compromising visual privacy. No changes are proposed to existing windows or balconies. The upper levels are already set back from the street frontage which minimises impacts from traffic noise.	Yes – existing and unchanged.
3.21 Pedestrian access and building entry	C1. The design of buildings shall comply with Australian Standards for Access and Mobility.	The development proposes upgrades to the entries of retail premises in particular on the western elevation to ensure compliance with Australian Standards for Access and Mobility. Entry doors will be mirrored to ensure they open inwards and are wide enough to ensure ease of access to all users.	Yes, subject to conditions.
Part F2-5 – Lidcombe Town Centre			
2.1 Setbacks Build to Boundary (Mary Street and John Street)	Setbacks within the town centre shall be consistent with Figure 2.  *Figure 2: Building setbacks within Lidcombe Town Centre.*	The site is located within the town centre boundary. The proposed development is existing however, has been built to the front boundary at Mary Street.	Yes.
2.2 Active Frontages	As a minimum, buildings shall provide active street frontages consistent with Figure 3.	The proposed development does not seek to change existing approved uses at ground level. Notwithstanding, the existing development provides active frontages in accordance with Section 2.2 along Mary Street.	Yes.

	 *Figure 3: Active street frontages within the Lidcombe Town Centre*		
2.4 Key Sites Site 2: Mary Street North	C1. Public open space shall be provided at the intersection of John and Mary Streets, or within close proximity to this intersection. C2. Retail frontages shall be provided at street level on John Street. C3. Outdoor dining is encouraged along John Street.	The site is identified as being within 'Site 2- Mary Street North'. The proposed alterations and additions provide development which is sensitive in scale to the nearby heritage item and would not adversely impact the sites strategic significance within the Lidcombe Town Centre.	Yes.
Part G – General Controls			
Part G2 – Heritage			
2.4 Specific Controls for Development in the Vicinity of a Heritage Item	Context C2. The development shall be designed having regard to its environmental and built context, to the existing streetscape character and to any heritage items or conservation areas that may be located nearby. Streetscape Character C6. Window and door openings, building lines and building massing of new development should also be designed in the context of its adjoining development.	The site is identified to contain a local heritage item, I181 (Former Lidcombe Police Station), which is located to the west of the development. The proposed development comprises of alteration and additions for rectification works to the existing shop top housing development. Considering the minor scope of works, the proposed development is not likely to adversely impact the significance of the heritage item.	Yes.
Part G3 – Traffic, Parking, Transport & Access (Vehicle)			
4.3 Basement Parking	C1. Basement garages and driveways shall be permitted in accordance with the relevant Australian Standards. Where slope conditions require a basement, the area of the basement shall not significantly exceed the area required to meet the car parking and access requirements for the development.	The proposal involves only minor alterations to the existing basement to provide for the requisite residential, retail and visitor car and bicycle parking.	Yes.

4.4 Development in Business Zones	Parking C10. Parking rates shall comply with the minimum parking rates in Section 3 of this Part of the DCP. .	The proposed alterations to the existing basement levels will result in a development that complies with the DCP requirements for parking and access.	
4.9 Electric vehicle charging points	C2. The installation of a 'Level 2' electric vehicle charging point is encouraged for all new residential and non-residential development where possible.	The proposal provides for two (2) vehicular charging points within basement level B1 noting that the building was not designed, approved or constructed with the anticipation of EV charging.	Yes, subject to conditions.
Part G4 – Stormwater & Drainage			
2.2 Method of stormwater disposal from the site	C1. All stormwater collecting as a result of the carrying out of development under this DCP must be directed by a gravity fed or charged system to: (a) a public drainage system, or (b) an inter-allotment drainage system, or (c) an on-site disposal system.	Stormwater drainage is considered satisfactory by Council's Development Engineers subject to conditions.	Yes, subject to conditions.
2.6 Flood Risk Management	C1. The proposed development does not result in any increased risk to human life and does not increase the potential flood affectation on other development or properties.	Satisfactory.	Yes.
	C7. The filling of flood prone land, where acceptable and permitted by this Part, must involve the extraction of the practical maximum quantity of fill material from that part of the site adjoining the waterway.	No major fill is proposed.	Yes.
	C8. The proposed development shall comply with Council's Flood Risk Management Policy.	Considered satisfactory by Council's Development Engineers.	Yes.
2.7 Water Sensitive Urban Design, water quality and water re-use	*Water Sensitive Urban Design (WSUD)*		
	C1. All development applications for sites of 2,500sqm, or more in area must be supported by a Water Sensitive Urban Design Strategy, prepared by a qualified civil engineer with suitable experience.	The subject site is 1,779sqm only.	Not applicable.
	C2. Development for the subdivision of sites of 2,500sqm or more in area must achieve the stormwater flow targets in the Water Sensitive Urban Design Strategy, unless public water quality and flow structures downstream of the site allow these targets to be met. Details of compliance must be included in the Water Sensitive Urban Design Strategy supporting the development application.		
	C3. All other developments shall provide appropriate water sensitive treatments.	Considered satisfactory by Council's Development Engineers subject to conditions.	Yes.

	Water quality		
	C4. Water quality devices are required to prevent pollutants from commercial, industrial developments and car parking areas entering the waterways in order to improve waterway health and to develop and maintain ecologically sustainable waterways.	Considered satisfactory by Council's Development Engineers subject to conditions.	Yes.
	Water reuse		
	C5. For all developments (excluding single dwellings and dual occupancies), rainwater tanks or a water reuse device shall be incorporated into the stormwater drainage system with a minimum storage size of 5,000L (for site area less than 1,500sqm) and 10,000L (for site area greater than 1,500sqm).	Considered satisfactory by Council's Development Engineers subject to conditions.	Yes.
	C10. The ESCP shall be in accordance with the standards outlined in Managing Urban Stormwater: Soils and Construction by the NSW Department of Housing.		
Part G5 – Sustainability, Biodiversity & Environmental Management			
2.1 Groundwater	C1. Operating practices and technology, including dewatering, shall not contaminate groundwater or adversely impact on adjoining properties and infrastructure. Any dewatering activities may require concurrence from the NSW Government. Any application to discharge ground and surface water to Council's stormwater system must be accompanied by a Dewatering Management Plan.	Satisfactory, subject to conditions.	Yes.
	C2. Groundwater is to be recharged, where possible, while still protecting and/or enhancing groundwater quality, using water sensitive urban design.	Satisfactory, subject to conditions.	Yes.
	C3. Protection measures for groundwater are to be proportional to the risk the development poses. Where the potential risk to groundwater is high, a separate Groundwater Impact and Management Report will be required.	Satisfactory, subject to conditions.	Yes.
	C4. The applicant must demonstrate that there will be no adverse impacts on surrounding or adjacent properties, infrastructure or groundwater dependant ecosystems as a result of: • changes in the behaviour of groundwater created by the method of construction chosen; and/or • changes to the behaviour of groundwater of the surrounding area, created by the nature of the	Satisfactory, subject to conditions.	Yes.

	constructed form and groundwater management system used.		
2.3 Land contamination	C1. Prior to the submission of a development application, an assessment is to be made by the applicant under Clause 7 of SEPP No. 55 as to whether the subject land is contaminated prepared in accordance with the relevant Department of Planning, Industry and Environment Guidelines and the Guideline to Asbestos Management in Cumberland Council 2018.	Refer to Resilience and Hazards SEPP 2021 assessment.	Yes.
	C2. In accordance with Clause 7 (1) of SEPP No. 55 Council will not consent to development unless it has considered whether land is contaminated, and if the land is contaminated is suitable for the proposed purpose or is satisfied that the land will be appropriately remediated. Where land is proposed to be subject to remediation, adequate documentation is to be submitted to Council supporting the categorisation.		
2.5 Biodiversity	C1. Development is to be sited and designed to minimise the impact on indigenous flora and fauna, including canopy trees and understorey vegetation, and on remnant native ground cover species.	Trees identified for removal from the site approved under DA-219/2011 does not contains any biodiversity value as discussed in the Biodiversity and Conservation SEPP 2011.	Yes.
2.6 Energy efficiency and renewables	C1. New development shall implement energy efficient design and promote renewable energy sources through the inclusion of solar panels, skylights, cross ventilation and other such measures.	This is achieved where required.	Yes.
Part G7 – Tree Management & Landscaping			
2.1 Preservation of trees	C1. The following are not considered to be substantive criteria for tree removal: • flower, leaf or fruit fall causing nuisance; • to increase general natural light; • to enhance views; • to reduce shade created by a tree; • tree not suiting existing or proposed landscape; • unsubstantiated fear of tree failure; • a tree being too large or high; and • to increase direct sunlight onto solar panels or pool heating apparatus.	The development application was referred to Council's Tree Management Officer for comment who has advised that the proposal is satisfactory and therefore can be supported subject to recommended conditions of consent.	Yes, subject to conditions.
2.2 Tree management and proposed development	C1. Development shall be designed to incorporate existing trees that are identified as being suitable for retention, with adequate setbacks to any works and protection measures stipulated in	Council's Senior Tree Management and Landscape Officer raised no issue with the proposed landscape plan on the site. Conditions of development	Yes, subject to conditions.

	accordance with AS4970-2009 to ensure their long-term survival.	consent be imposed should the application to be supported by the local planning panel.	
	C2. Development proposals must consider existing trees situated on adjacent properties with adequate setbacks to any works and protection measures stipulated in accordance with AS4970-2009 to ensure their long-term survival.	Conditions of development consent be imposed should the application to be supported by the local planning panel.	Yes, subject to conditions.
2.3 Landscaping	C1. Where a landscape plan is required, it shall be prepared by an appropriately qualified person such as an experienced Landscape Architect/Landscape Designer. The landscape plan shall be prepared at a minimum scale of 1:100, be fully documented with the inclusion of a plant schedule and show sufficient detail to enable construction.	Revised landscape plans prepared by a suitably qualified professional were submitted. Council's Senior Tree Management and Landscape Officer reviewed the landscape plans and raised no objections subject to conditions.	Yes, subject to conditions.
Part G8 – Waste Management			
3.3 Residential	*Bin requirements*		
	C1. The waste service requirements for residential developments shall comply with Table 2.	There is no change to existing waste management practices or the waste management plan under DA2025/0911.	Existing and unchanged.
	Bin storage area requirements		
	C5. Waste and recycling bin storage areas must be constructed in accordance with the requirements of the Building Code of Australia (BCA).	There is no change to existing waste management practices or the waste management plan under DA2025/0911.	Existing and unchanged.
	C6. All developments must ensure separate residential and commercial bin storage areas, which shall be located behind the primary building line and adequately screened.	There is no change to existing waste management practices or the waste management plan under DA2025/0911.	Existing and unchanged.
	Multi-dwelling housing and residential flat buildings		
	C10. The minimum door width needs to be greater than 1.4m to allow movability of bins and disabled access.	There is no change to existing waste management practices or the waste management plan under DA2025/0911.	Existing and unchanged.
	Location and appearance		
	C23. The bin storage area must be located and designed to reduce adverse impacts upon the residents of any dwelling on the site and upon neighbouring properties.	There is no change to existing waste management practices or the waste management plan under DA2025/0911.	Existing and unchanged.
	Bulk waste storage area requirements		
	C28. Low rise medium density housing and residential flat building developments must provide a bulky household waste storage area and needs to be that is located adjacent to the communal bin storage area.	There is no change to existing waste management practices or the waste management plan under DA2025/0911.	Existing and unchanged.

3.5 Bin transfer requirements	C1. Waste and recycling bins shall be positioned in locations that permit easy, direct and convenient access for users of the facility and permit easy transfer of bins to the collection point.	There is no change to existing waste management practices or the waste management plan under DA2025/0911.	Existing and unchanged.
	C6. An electric portable bin tug device must be used for bin movement where the grade exceeds 1:14. Specifications for a typical portable bin tug device are provided as a guide in Table 3.	There is no change to existing waste management practices or the waste management plan under DA2025/0911.	Existing and unchanged.
3.6 Collection area requirements	C1. All developments must allocate a suitable collection point for collection of waste and recycling bins from either inside the development (on-site) or from kerbside (off-site).	There is no change to existing waste management practices or the waste management plan under DA2025/0911.	Existing and unchanged.
3.7 Collection vehicle requirements	C1. All proposed developments will need to accommodate a Heavy Rigid Vehicle (HRV) for all waste collection.	There is no change to existing waste management practices or the waste management plan under DA2025/0911.	Existing and unchanged.

Item No: ELPP023/26

DEVELOPMENT APPLICATION - 481 WOODVILLE ROAD, GUILDFORD

Directorate: Environment and Planning
Responsible Officer: Acting Executive Manager City Planning and Development

Application lodged	20 January 2026.
Applicant	Anthony Al Douaihy.
Owner	Mr E Kaltoum & Mrs M Kaltoum.
Application No.	DA2026/0014.
Description of Land	481 Woodville Road Guildford being Lot 40 in DP 218008.
Proposed Development	Site preparation, subdivision of the land into two (2) lots, construction of a detached dwelling and a secondary dwelling on Lot A and an attached dual occupancy and secondary dwellings associated with each dwelling on Lot B with Torrens tile subdivision of the land into a further two (2) lots.
Site Area	1,328 square metres.
Zoning	R2 Low Density Residential Zone.
Disclosure of political donations and gifts	Nil disclosure.
Cost of works	$2,860,000.00.
Heritage	No.
Principal Development Standards	**Minimum Lot Size** Permissible: 550 square metres. Proposed: 550.132 square metres for Lot A and 785.359 square metres for Lot B. and **Height of Building**: Permissible: 9m. Proposed: 7m for Lot B and 6.8m for Lot A.
Issues	Allotment size. Front setback. Bedroom size. Solar access. Landscaped area. Driveway setback. Internal storage.

SUMMARY:

1. Development Application 2026/0014 was lodged on the 20 January 2026 for the site preparation, subdivision of the land into two (2) lots, construction of a detached dwelling and a secondary dwelling on Lot A and an attached dual occupancy and

secondary dwellings associated with each dwelling on Lot B with Torrens tile subdivision of the land into a further two (2) lots.

2. The application was publicly notified to occupants and owners of the adjoining properties for a period of 14 days between 5 February 2026 and 19 February 2026. In response, no submissions were received.

3. The application was publicly re-notified to occupants and owners of the adjoining properties for a period of 7 days between 16 April 2026 and 23 April 2026. In response, one submission was received.

4. The variations are as follows:

Control	Required	Provided	% variation
Section 53(2)(a) of State Environmental Planning Policy (Housing) 2021: Secondary Dwellings minimum lot size.	450 square metres.	Lot 2: 391.025 square metres. Lot 3: 394.334 square metres.	13.1%. 12.37%.
Section 2.1, Control C1, Part B1 of the CDCP 2021: Front Setback to the primary street.	6m.	5.2m.	13.3%.
Section 2.9, Control C4, Part B1 of CDCP 2021: Minimum single bedroom area.	10 square metres.	9.8 square metres.	2%.
Section 2.11, Control C2, Part B1 of the CDCP 2021: Solar access.	3 hours sunlight to one or more living areas and to 50% of private open space between 8:00am and 4:00pm on June 21.	**For new dwelling within proposed Lot 2** 1 hour of sunlight between 8am and 9am on June 21 to the living area.	66.6%.
Section 3.2, Control C2, Part B2 of CDCP 2021: Solar Access.	3 hours of sunlight to one living area and to 50% of the private open space of adjoining dwellings between 8am and 4pm on June 21.	2/483 Woodville Road 1 hour of sunlight to the private open space. 3/483 Woodville Road	66.6%. 100%.

		No solar access to the private open space. 4/483 Woodville Road 2 hours of sunlight to its private open space.	33.3%.
Section 3.4, Control C1, Part B2 of CDCP 2021: Landscaped Area.	20%	18.13%	9.34%.
Section 4.1, Control C5, Part G3 of CDCP 2021: Driveway Setback.	1m	800mm	20%.
Objective 2.1H -1 of the Low Rise Housing Diversity Design Guide: Solar Access	A living area or a principal private open space in each dwelling to receive 3 hours of sunlight between 9am and 3pm on June 21.	**For dwelling within proposed Lot 2** 2 hours of solar access to the principal private open space between 9am and 11am. **For dwelling within proposed Lot 3** 1 hour of solar access to the principal private open space between 9am and 10am.	**For dwelling within proposed Lot 2** 33.3% **For dwelling within proposed Lot 3** 66.6%
Objective 2.1M-1 of the Low Rise Housing Diversity Design Guide: Internal Storage.	10 cubic metres.	6.27 cubic metres for both dwellings within proposed lot B.	37.3%.

5. The application is referred to the Panel as the proposal contravenes a development standard by more than 10%.

6. The application is recommended for approval subject to the conditions as recommended in the Council's assessment report.

REPORT:

Subject Site and Surrounding Area

The site forms Lot 40 in DP 218008 and is known as 481 Woodville Road, Guildford. The site has an area of 1,328 square metres and has a frontage to Woodville Road of 22.99m. The site has a fall of approximately 1.89m from front to rear.

The site resides within a residential area with the surrounding area comprising of dwelling houses, dual occupancies, multi-dwelling housing and a residential flat building. The subject site is directly adjacent to a classified road known as “Woodville Road”.

The subject site resides within the curtilage of the Woodville Road Corridor Planning Proposal. However, the subject site does not reside within any of the key sites of the planning proposal and as a result, the subject property does not form part of the planning proposal.

A site inspection of the premises carried out on 04/02/2026 identified that the site is currently vacant. The site inspection reveals the presence of a bus stop at the front of the site.

The location of the site is shown below in red:

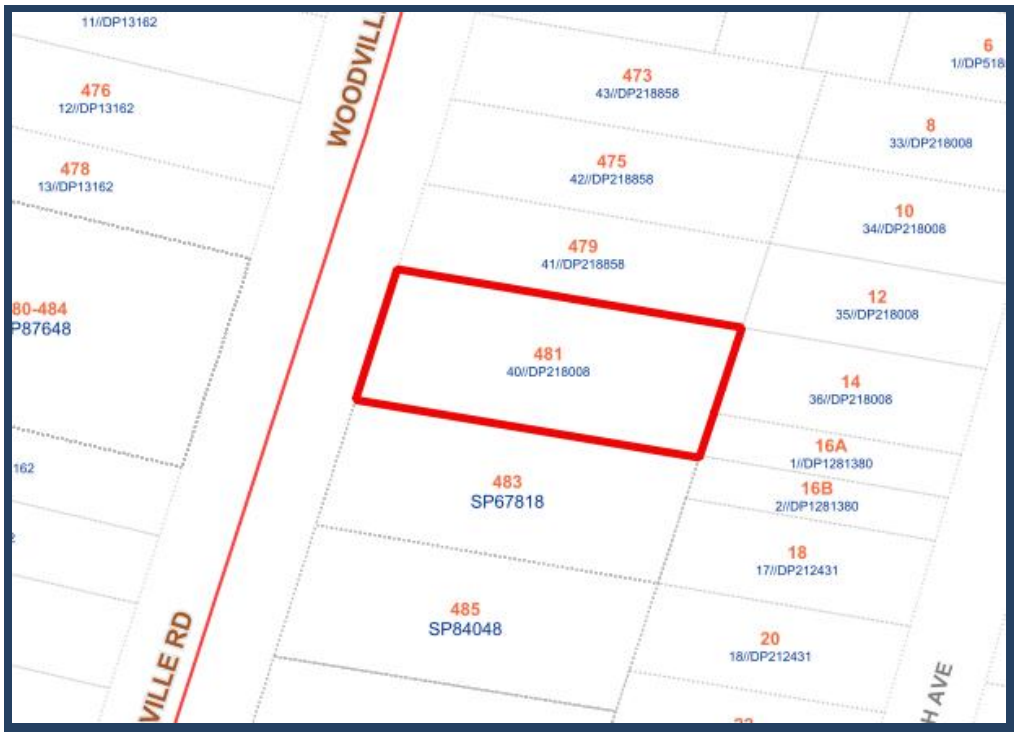


Figure 1 – Locality Plan of subject site



Figure 2 – Aerial view of subject site



Figure 3 – Street view of subject site

Description of The Development

Development application 2026/0014 is proposing site preparation works, the subdivision of the land into two (2) lots, construction of a detached dwelling and a secondary dwelling on Lot A and an attached dual occupancy and secondary dwellings associated with each dwelling on Lot B with Torrens tile subdivision of the land into a further two (2) lots. A detailed breakdown of the proposal is provided below:

1 - Subdivision of the land into two (2) Torrens title lots which comprises of the following:

- Lot A: occupying 550.132 square metres.
- Lot B: occupying 785.359 square metres.

2 - Construction of a two storey single dwelling occupying 222.5 square metres on Lot A, which comprises of the following:

- 4 bedrooms.
- 4 bathrooms.
- A street facing balcony on the first floor.
- A rumpus room.
- A study room.
- A single garage.
- A kitchen/living/dining area.
- A rear alfresco.

3 - Construction of a single storey detached secondary dwelling on Lot A, which comprises the following:

- 2 bedrooms.
- 2 bathrooms.
- A living/dining/kitchen area.
- A rear alfresco.

4 - Construction of a two storey attached dual occupancy on Lot B with each dwelling occupying 192.6 square metres which comprises of the following:

- 5 bedrooms for Dwelling 2.
- 4 bedrooms for Dwelling 3.
- 3 bathrooms for each dwelling.
- A study room for Dwelling 3.
- A street facing balcony for each dwelling.
- A single garage for each dwelling.

- A laundry for each dwelling.
- A kitchen/living/dining area for each dwelling.
- A rear alfresco for each dwelling.

5 - Construction of two single storey secondary dwellings that are associated with the two dwellings within Lot B, which comprises of the following:

- 2 bedrooms for each secondary dwelling.
- A bathroom for each secondary dwelling.
- A kitchen/living/dining area for each secondary dwelling.

6 - Further subdivision of Lot B into two (2) lots, which comprises of the following:

- Lot 2: occupying 391.025 square metres.
- Lot 3: occupying 394.334 square metres.

Applicants Supporting Statement

The applicant has provided a Statement of Environmental Effects prepared by Pragma Urban Planning dated April 2026 which was received by Council on the 07 April 2026 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

Development Engineering

The development application was referred to Council's Development Engineer for comment who has advised that the development proposal is satisfactory, subject to conditions.

Environmental Health

The development application was referred to Council's Environmental Health Officer for comment who has advised that the proposal is satisfactory and therefore can be supported subject to conditions.

Tree Management

The development application was referred to Council's Tree Management Officer for comment who has advised that the proposal is satisfactory and therefore can be supported subject to conditions.

External Referrals

Endeavour Energy

The development application was referred to Endeavour Energy who has advised that the proposal is satisfactory and therefore can be supported subject to conditions.

Transport for New South Wales

The development application was referred to Transport for NSW and has advised that the proposal is satisfactory and therefore can be supported subject to conditions.

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:

State Environmental Planning Policies (SEPPs)	Relevant Clause(s)	Compliance with Requirements
• **State Environmental Planning Policy (Biodiversity and Conservation) 2021.**	Chapter 2 - Vegetation in non Rural Areas.	No tree removal within the property is proposed. The proposal does not exceed the biodiversity offsets scheme threshold and therefore, no further assessment is required.
	Chapter 6 - Water Catchments. Sydney Harbour Catchment.	The subject site is located within the Sydney Harbour Catchment. It is determined that given the location of the site, a detailed assessment is not required given that there is no direct impact upon the catchment and no direct impact upon watercourses. As such, the development is acceptable under the provisions that came into effect on Monday 21 November 2022.
• **State Environmental Planning Policy (Resilience and Hazards) 2021.**	Chapter 2 - Coastal Management.	The subject site is not identified as a coastal wetland or 'land identified as "proximity area for coastal wetlands" or coastal management area.
	Chapter 4 - Remediation of Land.	A review of Council's files has revealed that the site has been historically used for residential purposes and there is no evidence

	Part 4.6.	to suggest that the site is contaminated or used for potentially contaminating activities. Additionally, the proposed development has been reviewed by Council's Environmental Health Officer who has raised no objections in terms of the development's compliance with the SEPP. *1.* As such, it is considered that the development application is satisfactory under Part 4.6 of Chapter 4 of the State Policy, subject to conditions.
• **State Environmental Planning Policy (Transport and Infrastructure) 2021.**	Chapter 2 - Infrastructure.	State Environmental Planning Policy (Transport and Infrastructure) 2021 is relevant to the development application as follows.
	Clause 2.48	<u>Chapter 2 - Infrastructure</u>. Determination of development applications (Subpart (2) - Give written notice to electricity providers and take account of responses received within 21 days. <u>Comment</u> **1.** The subject site is in close proximity to an existing power pole. The application has been reviewed by Endeavour Energy and has considered it to be acceptable, subject to conditions.
	Clause 2.119	The application is subject to clause 2.119 of the SEPP as the site has frontage to a classified road identified as "Woodville Road". The subject development has been referred to Transport for NSW who has advised that the development is acceptable, subject to conditions.
• **State Environmental Planning Policy (Housing) 2021**	A secondary dwelling is permitted on the R2 or R3 land-use zones only.	Yes – the site is zoned as a R2 Low Density Residential Zone.

Secondary Dwellings (Chapter 3 Pt. 1 Div. 1 & 2)	A secondary dwelling cannot be subdivided from the subject lot.	Yes – not proposed.
	Only one (1) primary dwelling and only one (1) secondary dwelling is permitted on the subject land.	Yes – there will be one primary dwelling and one secondary dwelling per lot.
	The maximum permissible floor area for a secondary dwelling is sixty (60) square metres.	Complies – the proposed floor area for each secondary dwelling is as follows: • Lot 1: 60 square metres. • Lot 2: 54 square metres. • Lot 3: 58 square metres.
	Site area minimum of 450m².	Yes – Lot 1 has an area of 550.132 square metres. **No** – Lots 2 and 3 have an area of 391.025 square metres and 394.334 square metres respectively. See Clause 4.6 discussion below.
	Same number of parking spaces as before.	Complies – the site is currently vacant.
• **State Environmental Planning Policy (Sustainable Buildings) 2022**	Chapter 2 Standards for residential Development - BASIX	The following BASIX Certificates have been submitted: • Certificate Number: 1810094M_05 (dated 24 April 2026). • Certificate Number: 1810095M_05 (dated 24 April 2026). It is shown that the proposal will meet the required target for Water, Thermal Comfort and Energy. The BASIX Certificates are determined as being acceptable for approval.

Local Environmental Plans

Cumberland Local Environmental Plan 2021

The provision of the Cumberland Local Environmental Plan 2021 is applicable to the development proposal. It is noted that the development achieves compliance with most of the key statutory requirements of the Cumberland Local Environmental Plan 2021 and the objectives of the R2 Low Density Residential Zone.

(a) Permissibility:

The proposed land uses of the proposed development are as follows:

Dwelling House

A dwelling house is defined within the Cumberland Local Environmental Plan as *"a building containing only one dwelling."*

A dwelling house is permissible with consent within the R2 Low Density Residential Zone.

Dual Occupancy (attached)

A Dual Occupancy (attached) is defined within the Cumberland Local Environmental Plan as *"2 dwellings on one lot of land that are attached to each other but does not include a secondary dwelling.*

Note.

Dual occupancies (attached) are a type of ***dual occupancy****—see the definition of that term in this Dictionary."*

A dual occupancy is permissible with consent within the R2 Low Density Residential Zone.

Secondary Dwelling

A Secondary Dwelling is defined within the Cumberland Local Environmental Plan as "*a self-contained dwelling that—*

(a*) is established in conjunction with another dwelling (the principal dwelling), and*

(b) is on the same lot of land as the principal dwelling, and

(c) is located within, or is attached to, or is separate from, the principal dwelling."

Although secondary dwellings are prohibited within the R2 Low Density Residential Zone within the Cumberland Local Environmental Plan, that prohibition is overridden by Section 49 of State Environmental Planning Policy (Housing) 2021 and as such, is permissible within the R2 Low Density Residential Zone under that planning instrument.

Torrens title subdivision in the form as shown on the plans is permissible with consent pursuant to Clause 2.6 of the Cumberland Local Environmental Plan 2026.

The relevant matters to be considered under the Cumberland LEP 2021 and the applicable clauses for the proposed development are summarised below. A comprehensive LEP assessment is contained in Appendix A.

Cumberland LEP 2021 Compliance Table.

DEVELOPMENT STANDARD	COMPLIANCE	DISCUSSION
4.1 Minimum Subdivision Lot Size – 550 square metres.	Yes	Proposed lot sizes at the first stage of subdivision are: • Lot A: 550.007 square metres. • Lot B: 785.359 square metres.
4.1B Minimum lot sizes for dual occupancies and semi-detached dwellings in Zones R2 and R3 – 550 square metres.	Yes.	Proposed lot B - 785.359 square metres.
4.3 Height of Buildings – 9m.	Yes.	7 metres Dwelling house within proposed Lot A. 6.8 metres - Dual occupancy within proposed Lot B.
4.4 Floor Space Ratio – No FSR in R2 Zone.	N/A	Clause 4.4 does not apply to the subject site as it is within the R2 Low Density Residential Zone.

1 - Clause 4.6 - Variation to Lot Size of Section 53(2)(a) SEPP (Housing) 2021

Clause 4.6 aims to achieve better design outcomes for and from development by allowing an appropriate degree of flexibility to development standards if particular circumstances are satisfied.

The application seeks to vary the development standard for minimum lot size for secondary dwellings of Section 53(2)(a) of State Environmental Planning Policy (Housing) 2021.

Consent may only be granted upon the consent authority being satisfied that the applicant has demonstrated in a document submitted with the application that (a) compliance with the development standard is unreasonable or unnecessary in the circumstances and (b) there are sufficient environmental planning grounds to justify the contravention of the development standard.

(a) compliance with the development standard is unreasonable or unnecessary in the circumstances.

The decision of *Wehbe v Pittwater Council* (2007) 156 LGERA 446; [2007] NSWLEC 827, affirmed in *Initial Action Pty Ltd v Woollahra Municipal Council* [2018] NSWLEC 118 set out five common and non-exhaustive ways in which an applicant might

demonstrate that compliance with a development standard is unreasonable or unnecessary. They were that:

(i) the objectives of the development standard are achieved notwithstanding non-compliance with the standard.

(ii) the underlying objective or purpose is not relevant to the development with the consequence that compliance is unnecessary.

(iii) the underlying objective or purpose would be defeated or thwarted if compliance was required with the consequence that compliance is unreasonable.

(iv) the development standard has been virtually abandoned or destroyed by the Council's decisions in granting development consents that depart from the standard and hence compliance with the standard is unnecessary and unreasonable.

(v) the zoning of the particular land on which the development is proposed to be carried out was unreasonable or inappropriate so that the development standard, which was appropriate for that zoning, was also unreasonable or unnecessary as it applied to that land and that compliance with the standard in the circumstances of the case would also be unreasonable or unnecessary.

Applicant's justification:

The objectives of the development standard are achieved notwithstanding non-compliance with the standard. The objective of the development standard is as follows: "(1) The objective of this section is to identify development standards for particular matters relating to development for the purposes of a secondary dwelling that, if complied with, prevent the consent authority from requiring more onerous standards for the matters." The applicant states that the main objective of this clause is to prevent consent authorities from imposing more onerous standards. In this instance the CDCP 2021 permits detached secondary dwellings on lots with an area of 380 square metres of which the proposal complies. Accordingly, the objective of the clause is achieved and strict adherence to the non-discretionary lot size standard is not warranted.

Planner's comments:

The objectives of the development standard are achieved notwithstanding the non-compliance with the development standard as it contributes to the diverse range of housing within the locality, provides an affordable type of accommodation, does not result in adverse amenity or environmental impacts towards the surrounding area, and is in close proximity to public transport.

The proposed secondary dwellings also enhance the local area and does not result in adverse bulk and scale impacts towards adjoining properties as each proposed lot complies with the site coverage, deep soil zone and POS requirements within the Cumberland DCP. Despite the shortfall in the development standard, the proposed development complies with the minimum lot size requirement within the Cumberland DCP which is 380 square metres in area.

Therefore, the objectives of the development standard are achieved despite the non-compliance with the development standard.

(b) there are sufficient environmental planning grounds to justify the contravention of the development standard.

In respect of there being sufficient environmental planning grounds to justify the contravention of the development standard, Initial Action found that although the phrase 'environmental planning' is not defined, it would refer to grounds that relate to the subject matter, scope and purpose of the *Environmental Planning and Assessment Act 1979*, including the objects in s.1.3. To be sufficient, the environmental planning grounds advanced in the written request must justify the contravention of the development standard, not simply promote the benefits of carrying out the development as a whole *Four2Five Pty Ltd v Ashfield Council* [2015] NSWCA 248.

Applicant's justification:

The applicant states that Initial action confirms there is no requirement to demonstrate a neutral or beneficial outcome in this context. The proposal strictly complies with the minimum lot size requirement under the CDCP 2021. Accordingly, it would be inappropriate to impose a non-discretionary standard, the objective of which is to prevent consent authorities from applying more onerous requirements, consistent with section 4.15(3A)(a) of the Environmental Planning and Assessment Act 1979, which provides:

"(3A) Development control plans if a development control plan contains provisions that relate to the development that is the subject of a development application, the consent authority-

(a) if those provisions set standards with respect to an aspect of the development and the development application complies with those standards—is not to require more onerous standards with respect to that aspect of the development".

The applicant goes on to state that the public interest is considered in this section having already established consistency with the objectives of Clause 53(2)(a) of the Housing SEPP in a previous section and as such, the objectives of the R2 zone within the CLEP 2021 2021 are considered below:

- "To provide for the housing needs of the community within a low density residential environment."

  The variation to the non-discretionary lot size requirement is consistent with the desired low density character of the area prescribed by the CDCP 2021.

- "To encourage residential development that maintains the amenity of the surrounding area".

  The secondary dwellings are not expected to result in undue amenity impacts on the surrounding area.

The proposal is considered to result in neutral or positive impacts with respect to each of the applicable objectives of the R2 Zone. There are no discernible, undue, adverse or unreasonable impacts on the broader community and as such there are no public interest matters that would prevent a variation being granted in this instance.

Planner's comments:

There are environmental planning grounds to justify the contravention of the development standard as it would be inappropriate to enforce full compliance with the development standard whilst the Cumberland DCP 2021 imposes a minimum lot size requirement of 380 square metres for secondary dwellings.

Additionally, the proposed secondary dwellings are in the public interest as they do not result in adverse amenity impacts towards the surrounding area and are also in full compliance with the remainder of State Environmental Planning Policy (Housing) 2021, the Cumberland Local Environmental Plan 2021 and the Cumberland DCP 2021.

Therefore, there are sufficient environmental planning grounds to justify the contravention of the development standard.

Conclusion

As the applicant's justification has satisfied the test under clause 4.6, the application is capable of being approved, subject to a satisfactory merit assessment.

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

Council has received a Gateway Determination from the Department of Planning, Housing and Infrastructure for the Draft Woodville Road Corridor Planning Proposal. As part of this approval, public exhibition of the Draft Woodville Road Corridor Planning Proposal has commenced. The public exhibition was carried out between the 4 March 2025 to 17 April 2025.

The Draft Planning Proposal seeks to revitalise Woodville Road by amending planning controls in the Cumberland Local Environmental Plan (CLEP) 2021 for 31 sites located around the three (3) precincts of Woodville North, Merrylands East and Woodville South.

The subject application was received on 20/01/2026 and is a site that falls within the Draft Woodville Road Corridor.

The subject property does not fall within any of the Planning Proposal Sites within the Woodville Road Corridor Planning Proposal. As such, the land zoning, maximum building height and floor space ratio are not proposed to be altered on the subject site. Additionally, the proposed development is not affected by proposed Clause 6.22 as it is not proposed to provide affordable housing. Furthermore, proposed Clause 6.23 does not affect the proposed development as it is not within any of the planning proposal sites. Moreover, proposed Clause 6.24 does not impact the proposed development as wintergardens are not proposed.

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

The Cumberland Development Control Plan 2021 (CDCP) and the Low-Rise Housing Diversity Design Guide (the Design Guide) provides guidance for the design and operation of development to achieve the aims and objectives of the Cumberland Local Environmental Plan 2021. A comprehensive assessment and compliance table is contained in Attachment B.

The proposed development complies with the provisions of the CDCP and the Design Guide with the exception of the controls outlined below.

The following section highlights non-compliances with the Cumberland Development Control Plan 2021. The variations sought are as follows:

- The front setback under Section 2.1 of Part B1.
- Minimum single bedroom area under Section 2.9 of Part B1.
- Solar access under Section 2.11 of Part B1
- Solar access under Section 3.2 of Part B2.
- Landscaped area under Section 3.4 of Part B2.
- Driveway setback under Section 4.1 of Part G3.

The following section highlights non-compliances with the Design Guide. The variations sought are as follows:

- Solar access under Objective 2.1H-1.
- Internal storage under Objective 2.1M-1.

Regardless of these departures, the proposed development is considered acceptable on merit from an environmental planning viewpoint and can be supported as discussed in detail below:

1 - Front Setback – Part B1

Section 2.1, Control C1 of Part B1 of the Cumberland DCP requires that the minimum front setback required for a single dwelling is 6m.

The proposed front setback of the single dwelling within proposed lot 1 is 5.2m as measured from the front porch. This is a variation of approximately 13.3% (0.8m). The variation is considered acceptable on merit as the control allows for a protrusion of 900mm in the form of articulation structures such as balconies, porches and eaves.

Additionally, the proposed single dwelling complies with the site coverage and deep soil zone requirements. Furthermore, the proposed development does not adversity affect the streetscape of the area as front setback is greater than the 3.5m front setback of the adjoining building to the north. Moreover, the proposed front setback does not result in adverse privacy impacts. As such, the proposed street setback is satisfactory.

2 - Minimum Single Bedroom Area – Part B1

Section 2.9, Control C4 of Part B1 of the Cumberland DCP requires that the minimum area of a single bedroom within a single dwelling be at least 10 square metres (excluding the built in wardrobe). Bedroom 2 of both dwellings within proposed lot B have an area of 9.8 square metres. This is a variation of approximately 2% (0.2 square metres). The variation is considered acceptable on merit as the shortfall is minor in nature.

3 - Solar Access – Part B1

Section 2.11, Control C2 of Part B1 of the Cumberland DCP requires that single dwellings ensure that adjoining dwellings receive at least 3 hours of solar access to one living area and 50% of the required POS on June 21. The living area of the proposed dwelling within proposed Lot 2 will receive at least one hour of sunlight between 8am and 9am on June 21.

This is a variation of approximately 66.6%. This variation is considered acceptable in this instance as the proposed development is on a lot with an east-west orientation, which makes it impracticable to achieve full compliance with the requirement. Additionally, 50% of the required private open space within proposed lot 2 will receive at least 4 hours of sunlight between 10am and 2pm on June 21.

Furthermore, the proposed dwelling exceeds the side and rear setback requirements. Likewise, the proposed single dwelling complies in full with the building height, site coverage and landscaped area requirements.

Moreover, the northern facing living area windows of the proposed dwelling within proposed Lot 2 will receive approximately 6 hours of solar access between 8am and 2pm on December 22 (summer solstice). On March 21 and September 23, the northern facing living room windows will receive at least 2 hours of sunlight between 8am and 10am. Therefore, this variation is considered acceptable on merit in this instance.

4 - Solar Access – Part B2

Section 3.2, Control C1 of Part B2 of the Cumberland DCP requires that dual occupancies must ensure that adjoining properties receive at least 3 hours of sunlight to at least one main living area and to at least 50% of the private open space between 8am and 4pm on June 21. The adjoining property to the south consists of 5 dwellings within a single multi dwelling development. The solar access that each dwelling receives to their private open space is:

- 1/483 Woodville Road: 50% of the private open space receives at least 4 hours of sunlight between 12pm and 4pm on June 21 (complies).
- 2/483 Woodville Road: 50% of the private open space receives at least 1 hour of sunlight between 3pm and 4pm on June 21 (66.6% variation).
- 3/483 Woodville Road: the private open space will not receive sunlight on June 21 (100% variation).

- 4/483 Woodville Road: 50% of the private open space receives at least 2 hours of sunlight between 10am and 12pm on June 21 (33.3% variation).

- 5/483 Woodville Road: 50% of the private open space receives at least 3 hours of sunlight between 8am and 11am on June 21 (complies).

The variation to the solar access requirements for the private open space of 2 - 4 at 483 Woodville Road are considered acceptable on merit as the proposed dual occupancy within proposed Lot B complies with the side setback requirements for both the ground and first floor.

The proposed dual occupancy exceeds the front, side and rear setback requirements. Furthermore. there have been no objections regarding solar access from the adjoining property to the south.

The private open space of each townhouse unit will receive 8 hours of solar access between 8am and 4pm on December 22. Additionally, the private open space of each townhouse unit will receive at least 4 hours of solar access between 1pm and 4pm on March 21 and September 23. Therefore, the variation is considered acceptable on merit in this instance.

5 - Landscaped Area – Part B2

Section 3.4, Control C1 of Part B2 of the Cumberland DCP requires that the total landscaped area required for a dual occupancy be a minimum of 20% (157.07 square metres) of the total site area. The landscaped area occupies approximately 18.13% (142.4 square metres) of proposed lot B that will contain the dual occupancy. This is a variation of approximately 9.3%. This variation is considered acceptable in this instance as the shortfall is minor in nature at 14.67 square metres. Additionally, a large concrete area is required within the front setback of the property so as to permit vehicles to enter and exit the property in a forward direction.

Furthermore, the proposed dual occupancy development provides sufficient amenity for the residents. Therefore, this variation is considered acceptable on merit in this instance.

6 - Minimum Driveway Setback – Part G3

Section 4.1, Control C5 of Part G3 of the Cumberland DCP requires that all new driveways be setback at least 1m from the side boundary. The proposed driveway is setback 800mm from the property boundary. This is a variation of approximately 20% (200mm). The variation is considered acceptable as the existing driveway (which is within the road reserve) has a side setback of approximately 750mm. Additionally the proposed driveway cannot be relocated due to the presence of a bus stop at the front of the site.

Furthermore, the development engineer has no objections to the location of the property driveway. Therefore, the variation is considered acceptable on merit in this instance.

7 - Solar Access – Objective 2.1H-1

Objective 2.1H-1 of the Low Rise Housing Diversity Design Guide requires that either a living area or the principal private open space in each dwelling of the proposed dual occupancy must receive at least 3 hours of sunlight between 9am and 3pm on June 21.

Most of the matters raised under this Part are similar to what is raised under Items 3 and 4 above and do not need to be repeated.

In addition to the above, the principal private open space of the dwelling within proposed lot 2 will receive at least 3 hours of solar access between 9am and 12pm on March 21, September 23 and on December 22.

Furthermore, the principal private open space of the dwelling within proposed lot 3 will receive at least 3 hours of sunlight between 9am and 12pm on December 22 and at least 2 hours of sunlight between 9am and 11am on March 21 and September 23.

The proposed addition of a skylight directly above each alfresco of dwellings 2 and 3 will improve the amenity of the residents. Likewise, the remaining private open space within proposed lots 2 and 3 will receive at least 4 hours of solar access between 8am and 12pm on June 21. The variation is considered acceptable on merit in this instance.

8 - Minimum Internal Storage – Objective 2.1M-1

Objective 2.1M-1 of the Low Rise Housing Diversity Design Guide requires that for dual occupancy dwellings with 3 or more bedrooms, 10 cubic metres of storage is required (excluding the storage provided in bathrooms and bedrooms). Both dwellings within proposed lot B provides 6.27 cubic metres of storage underneath the stairs. This is a variation of approximately 37.3%.

The variation is considered acceptable in this instance as there is sufficient space within the living area, the entry area and the media room for the provision of internal fixtures. Therefore, this variation is considered acceptable on merit in this instance.

Proposed draft amendments to the Cumberland Development Control Plan 2021

The subject site falls within the Draft Woodville Road Corridor. Amendments to the Cumberland DCP are proposed. The proposed development is not impacted by the proposed amendments to the Cumberland DCP as the site does not fall within the Merrylands East Precinct nor does the site fall within any of the planning proposal sites within the Woodville Road Corridor.

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)(iiia))

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 Regulation 2021 (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.

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

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

In accordance with Council's Notification requirements contained within the Cumberland DCP 2021 the proposal was publicly notified for a period of 14 days between 5 February 2026 and 19 February 2026. The notification generated no submissions in respect of the proposal.

Due to substantial amendments of the original proposal, the application was subsequently re-notified for a period of 7 days between 16 April 2026 and 23 April 2026. The notification generated one submission in respect of the proposal. The issues raised in the public submission are summarised and commented on as follows:

Issue	Planner's Comment
Concerned that the construction of the proposed development will cause adverse amenity impacts in terms of noise and dust and that it will result in adverse health impacts and make the home environment feel intrusive, stressful and effectively uninhabitable during that construction phase. Given the factors raised above, the proposed development does not adequately consider the impact on neighbouring properties and their right to reasonable amenity and liveability.	The proposed development will not result in adverse amenity impacts during the construction phase in terms of noise, dust, air pollution, subject to conditions being imposed to mitigate the construction impacts.
Requests that council carefully assess these impacts and reconsider the application or impose strict conditions to mitigate noise, dust and other construction-related disturbances.	If the conditions of consent designed to mitigate the construction impacted are violated and are reported by residents, then Council's Development Compliance Team will investigate and impose compliance orders.

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.

CUMBERLAND LOCAL INFRASTRUCTURE CONTRIBUTIONS PLAN

The development would require the payment of contributions in accordance with Cumberland Local Infrastructure Contributions Plan 2020.

In accordance with the Contribution Plan a contribution is payable, pursuant to Section 7.11 of the EP&A Act, calculated on the cost of works. A total contribution of $98,302.00 would be payable prior to the issue of a Construction Certificate.

HOUSING AND PRODUCTIVITY OF CONTRIBUTION (HPC)

In accordance with s7.24, s7.26 and s7.28 of the Environmental Planning and Assessment Act, 1979, the proposed development is subject to the payment of the Housing and Productivity Contribution (HPC).

A condition of consent has been imposed on the development consent in accordance with s7.28 of the EP&A Act 1979 requiring the payment of the HPC.

DISCLOSURE OF POLITICAL DONATIONS AND GIFTS

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

CONCLUSION:

The proposed development is appropriately located within the R2 Low Density Residential Zone under the relevant provisions of the Cumberland LEP however, variations in relation to the minimum lot size required for Secondary Dwellings under Section 53(2)(a) of State Environmental Planning (Housing) 2021 is sought. Variations to the front setback, minimum bedroom area, solar access, landscaped area, driveway setback and internal storage under the Cumberland DCP and the Low Rise Housing Diversity Design Guide are also sought.

Having regard to the assessment of the proposal from a merit perspective, Council may be satisfied that the development has been responsibly designed and provides for acceptable levels of amenity for future residents. It is considered that the proposal successfully minimises adverse impacts on the amenity of neighbouring properties. Hence the development, irrespective of the departures noted above, is consistent with the intentions of Council's planning controls and represents a form of development contemplated by the relevant statutory and non-statutory controls applying to the land.

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 listed in the attached schedule.

CONSULTATION:

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

FINANCIAL IMPLICATIONS:

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

POLICY IMPLICATIONS:

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

COMMUNICATION / PUBLICATIONS:

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

REPORT RECOMMENDATION:

1. **That the Clause 4.6 variation request to contravene the minimum lot size for the secondary dwellings development standard, pursuant to Section 53(2)(a) of State Environmental Planning Policy (Housing) 2021, be supported.**

2. **That development application 2026/0014 for site preparation, subdivision of the land into two (2) lots, construction of a detached dwelling and a secondary dwelling on Lot A and an attached dual occupancy and secondary dwellings associated with each dwelling on Lot B with Torrens tile subdivision of Lot B into a further two (2) lots on land at 481 Woodville Road Guildford be approved subject to conditions listed in the attached schedule.**

ATTACHMENTS

1. Draft Notice of Determination ⇩
2. Architectural Plans ⇩
3. Landscape Plans ⇩
4. Clause 4.6 Variation Request - Minimum Lot Size for Secondary Dwellings ⇩
5. Appendix A - Cumberland LEP 2021 Assessment ⇩
6. Appendix B - Cumberland DCP 2021 Assessment ⇩
7. Redacted Submissions ⇩

DOCUMENTS ASSOCIATED WITH REPORT ELPP023/26

Attachment 1

Draft Notice of Determination

CUMBERLAND CITY COUNCIL

DEVELOPMENT APPLICATION
DRAFT CONDITIONS OF CONSENT

Under the *Environmental Planning and Assessment Act, 1979*

Application No:	DA2026/0014
Applicant:	A Al Douaihy 27 Grose Street PARRAMATTA NSW 2150
Property Description:	481 Woodville Road Guildford Lot 40 DP 218008
Development:	Site preparation, subdivision of the land into two (2) lots, construction of a detached dwelling and a secondary dwelling on Lot A and an attached dual occupancy and secondary dwellings associated with each dwelling on Lot B with Torrens tile subdivision of the land into a further two (2) lots.
Determined by:	Cumberland Local Planning Panel.

CONDITIONS OF CONSENT

General Conditions

1. **DAGCA01- General**
This consent shall lapse five years after the date from which it operates unless building, engineering or construction work has physically commenced.

(Reason: Advisory)

2. **DAGCA02 - Approved Plans and Supporting Documents**
The development must be carried out in accordance with the following endorsed plans and documents, except as otherwise provided by the conditions of this consent.

Reference/Dwg No	*Title/Description*	*Prepared By*	*Date/s*
Project No. 970, Sheet No. A005, Rev No. 02	Site Subdivision Plan (Stage 1)	Design Formation Architects	19/03/2026
Project No. 970, Sheet No. A006, Rev No. 02	Site Subdivision Plan (Stage 2)	Design Formation Architects	19/03/2026
Project No. 970, Sheet No. A101, Rev No. 02	Site Plan	Design Formation Architects	19/03/2026
Project No. 970, Sheet No. A102, Rev No. 02	Lot 1 - Ground Floor Plan	Design Formation Architects	19/03/2026
Project No. 970, Sheet No. A103, Rev No. 02	Lot 1 - Secondary Ground Floor Plan	Design Formation Architects	19/03/2026
Project No. 970, Sheet No. A104, Rev No. 02	Lot 1 - First Floor Plan	Design Formation Architects	19/03/2026
Project No. 970, Sheet No. A105, Rev No. 02	Lot 2 & 3 - Ground Floor Plan	Design Formation Architects	19/03/2026
Project No. 970, Sheet No. A106, Rev No. 02	Lot 2 & 3 - Secondary Ground Floor Plan	Design Formation Architects	19/03/2026
Project No. 970, Sheet No. A107, Rev No. 02	Lot 2 & 3 - First Floor Plan	Design Formation Architects	19/03/2026
Project No. 970, Sheet No. A108, Rev No. 02	Roof Plan	Design Formation Architects	19/03/2026
Project No. 970, Sheet No. A201, Rev No. 02	Elevations (Lot 2 & 3 Northern & Eastern	Design Formation Architects	19/03/2026

	Elevations)		
Project No. 970, Sheet No. A202, Rev No. 02	Elevations (Lot 2 & 3 Southern & Western Elevations)	Design Formation Architects	19/03/2026
Project No. 970, Sheet No. A203, Rev No. 02	Elevations (Lot 1 Northern & Eastern Elevations)	Design Formation Architects	19/03/2026
Project No. 970, Sheet No. A204, Rev No. 02	Elevations (Lot 1 Southern & Western Elevations)	Design Formation Architects	19/03/2026
Project No. 970, Sheet No. A205, Rev No. 02	Elevations (Lot 1 Secondary Dwelling)	Design Formation Architects	19/03/2026
Project No. 970, Sheet No. A206, Rev No. 02	Elevations (Lot 2 Secondary Dwelling)	Design Formation Architects	19/03/2026
Project No. 970, Sheet No. A207, Rev No. 02	Elevations (Lot 3 Secondary Dwelling)	Design Formation Architects	19/03/2026
Project No. 970, Sheet No. A208, Rev No. 02	Sections (Lot 1)	Design Formation Architects	19/03/2026
Project No. 970, Sheet No. A209, Rev No. 02	Sections (Lot 2 & 3)	Design Formation Architects	19/03/2026
Project No. 970, Sheet No. A210, Rev No. 02	Sections (Secondary Dwellings)	Design Formation Architects	19/03/2026
Project No. 970, Sheet No. A400, Rev No. 02	Schedules	Design Formation Architects	19/03/2026
Project No. 25-5180 L01 and L02, Sheet 1 and 2, Rev B	Landscape Plan	Zenith Landscape Designs	22/04/2026
Reference No. 251578-01L-DD	Road Noise Traffic Assessment	Acoustic Consulting Engineers	18/07/2025
Job No. 26051	Arboricultural Impact Assessment	Temporal Tree Management	25/03/2026
SYD26/00095/01	Transport for NSW Conditions	Transport for NSW	12/02/2026
CNR-91899	Endeavour Energy Conditions	Endeavour Energy	02/02/2026
-	Waste Management Plan	Design Formation Architects	Submitted to Council on 08/05/2026
Cert. No. 1810094M_05	BASIX Certificate	Elias Aboutannous	24/04/2026
Cert. No. 1810095M_05	BASIX Certificate	Elias Aboutannous	24/04/2026

For comprehension of approved levels, reference has been made to survey plan reference No. 9688 prepared by Ramsay Surveyors dated 30/01/2025.

(Reason: To confirm and clarify the details of the approval)

3. **DAGCF01 - Surface Runoff**
Allowances shall be made for surface runoff from adjacent properties and to retain existing surface flow path systems through the site. Existing surface water flows from upstream properties shall not be diverted or treated in a manner that results in adverse effects for any other property.

(Reason: To prevent adjoining properties from being adversely affected by existing surface water flows

4. **DAGCF02 - Utility Services**
If the development causes damage to utility services or if it requires the adjustment or relocation of utility services, the applicant shall carry out works, at the applicant's expense, to the service/s to the satisfaction of the utility provider.

(Reason: To protect and ensure the ongoing integrity of utility infrastructure)

5. DAGCZ01 - Transport for NSW Conditions

a) The design and construction of the vehicle crossover on Woodville Road shall be in accordance with AS2890 and TfNSW requirements. Details of these requirements should be obtained by email to developerworks.sydney@transport.nsw.gov.au.

Detailed design plans of the vehicular crossover are to be submitted to TfNSW for approval prior to the issue of a construction certificate and commencement of any road works. Please send all documentation to development.sydney@transport.nsw.gov.au.

A plan checking fee and lodgement of a performance bond is required from the applicant prior to the release of the approved road design plans by TfNSW.

b) 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 AS 2890.1-2004. Parking Restrictions may be required to maintain the required sight distances at the driveway.

c) The Applicant shall be responsible for all public utility adjustment/relocation works, necessitated by the above work, and as required by the various public utility authorities and/or their agents.

d) A Road Occupancy Licence (ROL) should be obtained from Transport Management Centre for any works that may impact on traffic flows on Woodville Road during construction activities. A ROL can be obtained through <https://myrta.com/oplinc2/pages/security/oplincLogin.jsf>.

(Reason: To ensure that Transport for NSW Conditions are complied with)

Conditions Which Must be Satisfied Prior to the Issue of a Construction Certificate

6. DACCA01 - Amendments to Approved Plans

Amended plans/documents shall be submitted to the Council or registered certifier prior to the issue of a Construction Certificate incorporating the following matters:

a) The bedroom window W2.08 shall be amended to have an area of no more than 2 square metres.
b) The living room windows W3.05 and W3.06 shall be amended to either be treated with fixed obscured glazing to a height of at least 1.5m above the finished floor level or be raised to have a sill height of at least 1.5m above the finished floor level.
c) The bedroom window W3.10 shall be amended to have an area of no more than 2 square metres.
d) A privacy screen shall be installed on the northern elevation of the alfresco associated with dwelling 2, which shall have a height of at least 1.5m above the finished floor level.
e) A privacy screen shall be installed on the southern elevation of the alfresco associated with dwelling 3, which shall have a height of at least 1.5m above the finished floor level.
f) The architectural plans are to be amended to provide a sealed pedestrian path on the side of the each primary dwelling to enable unimpeded access from Woodville Road to each secondary dwelling.

(Reason: To confirm and clarify the terms of Council's approval)

7. DACCA02 - Application for a Construction Certificate

Construction work must not commence until a Construction Certificate has been obtained from Council or a registered certifier.

(Reason: Statutory requirement)

8. DACCA04 - Works Within the Boundary

No portion of the works are to encroach beyond the boundaries of the subject property. Alternatively, documentary evidence that the owner of the adjoining property has no objection to the required works or access, is to be submitted to the Council or registered certifier prior to the issue of a Construction Certificate.

(Reason: To ensure protection of adjoining properties)

9. DACCB01 - Damage Deposit for Council Infrastructure

A damage deposit of $5,645 shall be paid to Council prior to the issue of the Construction Certificate. Council may use part or all of the deposit to carry out rectification work to Council's infrastructure that was damaged as a result of carrying out development works. Unused portions of the damage deposit can be refunded following the completion the issue of an Occupation Certificate and a written request to release the deposit.

(Reason: To encourage protection of Council infrastructure and to fund rectification works for damaged Council infrastructure)

10. DACCB02 -Payment of Bonds, Fees and Long Service Levy

The Council or registered certifier is to ensure and obtain written proof prior to the issue of a Construction Certificate that all bonds, fees and contributions as required by this consent have been paid to the applicable authority. This includes payment of a long service levy as required under part 5 of the *Building and Construction Industry Long Service Payments Act 1986*.

(Reason: To ensure that the applicable bonds, fees and levies are paid)

11. DACCB03 - Section 7.11 Contribution

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 the *Cumberland Local Infrastructure Contributions Plan 2020* is to be paid to Council. The amount of contribution payable is $98,302.00 as at the date of this consent but is subject to change by the consumer price index to the date of payment. A copy of the *Cumberland Local Infrastructure Contributions Plan 2020* can be viewed on Council's website

(Reason: To ensure compliance with Cumberland Local Infrastructure Contributions Plan)

12. DACCB05 - Fees to be paid to Council

Types of fees	**Amount**	**Payment timing**
Damage Deposit	$5,645.00	Prior to CC
Sect. 7.11 Contributions	$98,302.00 + CPI	Prior to CC
OSD Bond	$8,010.00	Prior to CC
Construction Traffic Management Plan	$409.00	Prior to CC
Kerb Crossing Bond (Related to Driveways)	$4060.00	Prior to CC
Driveways Inspections	$444.00	Prior to CC
TOTAL	$116,870.00 + CPI where applicable	

Payment of the above fees shall be paid to Council in accordance with timing stipulated above. Please note that other fees and charges may be applicable to the proposal. Fees to be paid to Council will be determined at the time of payment in accordance with Council's adopted Fees and Charges Policy and may therefore exceed the fee amount quoted above.

Note: In the event that the applicant does not apply for a refund of bonds, Council will forfeit the bonds and it will be transferred to the Infrastructure Reserve seven years after the completion of works in accordance with Council's Construction Bonds Management Policy.

(Reason: Statutory requirement and information)

13. DACCB06 - Photographic Record of Council Property - Damage Deposit

Prior to demolition commencing and prior to the issue of a Construction Certificate, the applicant shall submit to Council a full photographic record of the condition of Council's assets (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 assets 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 arose during the course of demolition or construction work, Council may require either part or full re-instatement of its

assets.

Failure to provide a full 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.

(Reason: To assist in the appropriate assignment of costs for any damage to Maintain Council public assets)

14. DACCC01 - Footpath and Driveway Design Levels

Detailed footpath levels shall be obtained from Council before finalisation of the footpath and driveway design with the Construction Certificate application by lodging an 'Application for Property Boundary Line Levels'. Any required adjustments shall be included in the Construction Certificate plans. Unless an alternative specific design is submitted and approved by Council, the footpath and driveway levels adjoining the site shall generally be as follows:

a) The internal driveway levels shall be designed to meet Council's footpath verge levels such that a maximum cross fall of 2.5% is achieved where the footpath crosses the driveway.
b) The levels of the driveway at the property boundary shall incorporate a cross fall equivalent to the general longitudinal grade of the street.
c) The approved boundary line levels are to be incorporated in plans and submitted for approval under section 138 of the *Roads Act 1993*.

(Reason: To ensure appropriate vehicular access that has regard to prevailing topography and that preserves safe pedestrian access)

15. DACCC02 - Protection or Management of Public Access

If the work involved in the demolition or construction of a building is likely to disrupt or obstruct pedestrian or vehicular traffic in a public place, or the building involves the closure of a public place, a barrier, fence or hoarding shall be erected prior to the commencement of any work, subject to approval of a Road Occupancy Licence by Council.

(Reason: Public safety)

16. DACCC07 - Driveway Design

Detailed driveway plans prepared by a suitably qualified and practising engineer shall be submitted to and approved by the Council or registered certifier. The plans shall include a longitudinal section for each edge of the driveway / ramp from the centreline of the road to the parking spaces which demonstrates that grades and transitions comply with clauses 2.5.3 and 2.6 of AS2890.1:2004.

Levels at the property boundary shall accord to those obtained from Council via an *Application for Property Boundary Line Levels*.

(Reason: To ensure safe and suitable vehicular access)

17. DACCE02 - Construction Management Plan

Prior to the issue of any Construction Certificate, a Construction Management Plan shall be submitted to the Council or registered certifier providing details of the following:

a) Actions and works proposed to ensure safe access to and from the site, including how the road and footpath area will be protected from building activities, plant and materials delivery, or static loads from cranes, concrete pumps and the like.
b) The proposed method of loading and unloading excavation machines, building materials, formwork and the like.
c) The proposed areas within the site to be used for a builder's site office and amenities, the storage of excavated material, construction materials and waste containers during the construction period.
d) The proposed method of support designed by a qualified practising professional engineer with Engineers Australia membership for any excavation adjacent to adjoining properties or the road reserve.

(Reason: Safety, amenity and protection of public infrastructure and the environment)

18. DACCE03 - Construction Traffic Management Plan (CTMP)

Prior to the issue of any Construction Certificate, the applicant shall submit and have approved by Council, a detailed CTMP. The plan shall demonstrate how construction and delivery vehicles will

access the development site during the demolition, excavation and construction phase of the development. The plan shall be certified by a suitably qualified and experienced traffic consultant and all traffic associated with the subject development shall comply with the terms of the approved CTMP.

The following matters must be addressed in the CTMP:

a) A detailed description and route map of the proposed truck/construction vehicle access routes.
b) The locations of any proposed Construction Works Zones along the site frontage.
c) Provide a construction schedule.
d) Tradesperson parking (parking shall be provided on-site where possible).
e) Provide relevant traffic control plans (must be certified by a suitably qualified RMS ticket holder).
f) Provide relevant pedestrian management plans.
g) A site plan which indicates site entrances and exits, turning areas within the site for construction and spoil removal vehicles allowing a forward ingress and egress for all construction vehicles on the site (superimposed truck swept path diagrams). Site entrances and exits shall be controlled by a certified traffic controller.

(Reason: Traffic safety and amenity during construction phase)

19. DACCF02 - Landscape Maintenance Strategy

To ensure the survival of landscaping following works, a landscape maintenance strategy for the owner/occupier to administer over a 12 month establishment period following the issue of the Occupation Certificate shall be prepared and provided to the satisfaction of Council or registered certifier. The strategy is to address maintenance issues such as, but not limited to plant survival, irrigation, soil testing, weeding, staking, fertilizing, remedial pruning and plant replacement.

(Reason: Ensure landscape survival)

20. DACCG07 - Maintaining Sight Lines

All new walls adjacent to vehicular crossings must not exceed a height of 600mm above the internal driveway level for a distance of 1.5m within the site, or within a splay 1.5m by 1.5m to provide satisfactory sight lines. Details showing compliance are to be submitted to the Council or registered certifier prior to the issue of a Construction Certificate.

(Reason: Safety)

21. DACCG08 - Passing Bay at the Driveway

The internal driveway must have a clear width of at least 5.5m for the first 6m inside the property to allow entering and exiting vehicles to pass within the site. Should the driveway narrow after this point, there is to be a splay to the narrower portion in accordance with Australian Standard 2890.1:2004.

(Reason: To ensure convenient driveway passage that caters for the safe passing of vehicles comply with relevant standards)

22. DACCJ03 - Certification of the Stormwater Drainage System Design

Prior to the issue of a Construction Certificate, the proposed stormwater design shall be certified by a qualified practising civil engineer as complying with Council's Development Control Plan and AS/NZS3500.3.

(Reason: Adequate stormwater management)

23. DACCJ05- Grated Drain

A grated trench drain shall be provided across the garages. Unless otherwise designed by a qualified civil engineer, the dimensions of the trench grate shall not be less than 200mm wide by 150mm deep at the shallow end and shall have a minimum slope of 2%. This trench drain shall be connected to an approved drainage system. The grated drain calculation shall be in accordance with AS/NZS3500.3.

The above information must be indicated on all relevant drawings submitted with the Construction Certificate application.

(Reason: To mitigate the impacts of stormwater)

24. **DACCJ11 - 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 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 support for neighbouring buildings)

25. **DACCK06 - Retaining Walls**
Retaining walls greater than 1.0m above the 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 the Construction Certificate application.

(Reason: To ensure safety and the proper design or retaining structures)

26. **DACCK07 - Structural Engineer's Details**
Structural engineer's details prepared and certified by a practising qualified structural engineer of all reinforced concrete and structural members shall be submitted with the Construction Certificate application to the Council or registered certifier.

(Reason: To ensure safety and the proper design or structural elements of the building)

27. **DACCL05 - Compliance with Acoustic Report**
Prior to the issue of a Construction Certificate, the construction drawings and construction methodology must be assessed and certified by a suitably qualified acoustic consultant, being a consultant who holds a current member grade of the Australian Acoustic Society, as being in accordance with any requirements and recommendations of the approved acoustic report prepared by Acoustic Consulting Engineers Pty Ltd dated 18 July 2025 and referenced 251578-01L-DD.

(Reason: To ensure appropriate noise attenuation measures are used)

28. **DACCN01 - Housing and Productivity Contribution (HPC)**
Prior to the Issue of the Construction Certificate, the housing and productivity contribution (HPC) set out in the table below is required to be made.

Housing and productivity contribution	Amount
Housing and productivity contribution (base component)	$23,786.78
Total housing and productivity contribution	$23,786.78

The HPC must be paid using the NSW planning portal.

At the time of payment, the amount of the HPC is to be adjusted in accordance with the *Environmental Planning and Assessment (Housing and Productivity Contributions) Order 2024* (**HPC Order**).

The HPC may be made wholly or partly as a non-monetary contribution (apart from any transport project component) if the Minister administering *the Environmental Planning and Assessment Act 1979* agrees.

The HPC is not required to be made to the extent that a planning agreement excludes the application of Subdivision 4 of Division 7.1 of the *Environmental Planning and Assessment Act 1979* to the development, or the HPC Order exempts the development from the contribution.

(Reason: To require contributions towards the provision of regional infrastructure)

29. **DACCZ01 - First Stage of Subdivision**
The first stage of subdivision into two (2) Torrens lots shall be registered with the New South Wales Land Registry Services prior to the issue of Construction Certificate.

(Reason: Statutory Requirement and Information)

30. DACCZ02 - Detailed Stormwater Design

Prior to the issue of the Construction Certificate, a detailed stormwater drainage plan for the safe disposal of stormwater from the site shall be prepared in accordance with Council's Development Control Plan and engineering policies. The plan shall be submitted to and approved by the Council or registered certifier.

Note: Where the proposed design extends within the public road area, separate approval under s.138 of the Roads Act 1993 must be obtained from Council prior to the commencement of works.

(Reason: Stormwater management)

31. DACCZ03 - Traffic – Driveway

Prior to the issue of the Construction Certificate, the following shall be carried out to the satisfaction of Council or the registered certifier:

1. The vehicular crossing shall be at least 5.5m to allow entering and exiting vehicles to pass each other.
2. Sight distance to pedestrians shall be provided to ensure adequate visibility between vehicles leaving the property and pedestrian on the frontage road footpath in accordance with figure 3.3 in AS2890.1-2004. In this regard, sight triangles (2m x 2.5m) shall be kept clear of obstructions to visibility.
3. Approvals of Transport for NSW, and the Cumberland Local Transport Forum are to be obtained for the adjustment of adjacent bus stop pole, bus zone and clearway signs affected by the development.

(Reason: To ensure relevant authorities' approvals and a convenient vehicular crossing)

Conditions Which Must be Satisfied Prior to the Commencement of any Development Work

32. DAPCA01 - Appointment of Principal Certifier

No work shall commence in connection with this Development Consent until:

a) A Construction Certificate for the building work has been obtained.
b) the person having the benefit of the development consent has:
   (i) appointed a principal certifier for the building work, and
   (ii) given at least 2 days' notice to the Council, and the principal certifier if not the Council, of the person's intention to commence the erection of the building, and
c) The principal certifier has, no later than 2 days before the building work commences:
   (i) notified the Council 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
d) The person carrying out the building work has notified the principal certifier that the person will carry out the building work as an owner-builder, if that is the case
e) 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 certifier of 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.

(Reason: Statutory requirements)

33. DAPCA02 - Home Building Compensation Fund

No residential building work within the meaning of the Home Building Act 1989 may commence until:

a) A contract of insurance in accordance with Part 6 of the Home Building Act 1989 is entered into and is in force, where such a contract is required under that Act;
b) The Principal Certifier is satisfied 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 (unless the work is to be carried out by an owner-builder);
c) If the work is to be carried out by an owner builder, that the owner builder is the holder of any owner-builder permit required under the Home Building Act 1989;

d) Written notice of the following information has been provided to Council;
- 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 the Home Building Act 1989.
- 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 the Home Building Act 1989, the number of the owner-builder permits.

Where Council is not the Principal Certifier, the Principal Certifier is responsible for notifying Council of the above matters.

Where arrangements for doing residential building work change while the work is in progress so that the above information becomes out of date, the Principal Certifier (if not Council) must provide Council with written notice of the updated information.

(Reason: Statutory requirement)

34. DAPCA03 - Site Safety Fencing

Site fencing to a minimum height of 1.8m shall be erected before the commencement of any work and shall be maintained throughout the duration of works to exclude public access to the site.

(Reason: Statutory requirement and health and safety)

35. DAPCA04 - Principal Certifier Sign

Prior to commencement of any work, signage must be erected in a prominent position on the work site that:

a) shows the name, address and telephone number of the Principal Certifier;
b) shows the name and address of the principal contractor (if any) and a telephone number on which that person may be contacted outside of work hours.
c) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained whilst ever the work is being carried out and must be removed when the work has been completed.

(Reason: Statutory requirement)

36. DAPCA05 - Sydney Water Tap in Approvals

The approved plans must be submitted through the Sydney Water 'Tap in' portal to determine whether the development application will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Sydney Water 'Tap in' customers will receive an approval receipt. For further details please refer to Sydney Water's web site at www.sydneywater.com.au/tapin or call1300 082 746.

The Principal Certifier must ensure that the plans have been approved through the Sydney Water 'Tap in' process and an approval receipt is issued prior to the commencement of works.

(Reason: Statutory requirement)

37. DAPCA06 - Toilet Amenities for People Working at the Site

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

a) have a hinged door capable of being fastened from both inside and outside;
b) be constructed of weatherproof material;
c) have a rigid and impervious floor; and
d) have a receptacle for, and supply of, deodorising fluid.

(Reason: To ensure suitable toilet amenities are provided for workers)

38. DAPCB03 - Protection of Landscape Features

To limit the potential for damage to the following tree/s to be retained, the area beneath their canopies must be fenced prior to the commencement of demolition, excavation or building works.

Species	Location	TPZ	SRZ
Callistemon viminalis x1 (T1)	Council nature strip	2m	1.5m
Melaleuca linarifolia x1 (T2)	483 Woodville Road	6m	2.7m
Melaleuca linarifolia x1 (T3)	483 Woodville Road	4.2m	2.3m
Morus alba x1 (T4)	14 Lough Avenue	4.8m	2.5m
Ligustrum lucidium x1 (T5)	14 Lough Avenue	2m	1.7m
Nerium oleander x1 (T6)	479 Woodville Road	2m	1.9m
Murraya paniculata X1 (T7)	479 Woodville Road	2m	1.7m
Morus alba x1 (T8	483 Woodville Road	2m	1.5m
Pittosporum undulatum x1 (T9)	483 Woodville Road	2.4m	1.9m
Jacaranda mimosifolia x1 (T10)	483 Woodville Road	2m	1.5m

The fencing must extend as per the measurements in the above table beyond the trees' trunk, be at least 1.8m high, be kept in place until the completion of the building works and be marked by appropriate signage notifying site workers that the tree is to be retained and protected.

All areas within the perimeter of the safety fencing shall be covered with woodchip mulch to a depth of 100mm (or where steep grades prevent this, the area shall be protected with a suitable material) to facilitate moisture levels. Adequate soil moisture must be maintained during the course of the construction works through the implementation of a permanent or temporary automatic drip irrigation system.

(Reason: Protection of trees to be retained)

39. DAPCD02 - Separate Approval for Works in the Public Road (External Works) - Section 138 Roads Act

In accordance with section 138 of the *Roads Act 1993* and prior to works commencing, the applicant must submit a Road and Footpath Opening Permit application that is accompanied by detailed plans. Written approval must be obtained from the appropriate road authority under the *Roads Act 1993* for any works in the road reserve prior to the commencement of works.

Where the work is likely to have an impact on the operation of an arterial road then a Road Occupancy Licence must be obtained from the relevant road authority. The application should be lodged at least 10 days prior to the planned commencement date. When lodging the 'Application for Road Occupancy Licence' fees are payable in accordance with Council's adopted fees and charges.

(Reason: Protection of Public Assets and information)

Conditions Which Must be Satisfied During any Development Work

40. DADWA01 - Construction Hours

Construction and all related activities including the delivery of materials to the site may only take place between the hours of 7.00am to 6.00pm Mondays to Fridays and 8.00am to 4.00pm Saturdays. No work is to occur on Sundays and public holidays.

Where the development involves the use of jackhammers / rock breakers and the like or other heavy machinery, such equipment may only be used between the hours of 7.00am and 6.00pm Monday to Friday, excluding public holidays.

Note: Construction hours may also be regulated through State legislation and policies, and any works need to comply with these requirements.

(Reason: To minimise impacts on neighbouring properties)

41. DADWA02 - Dust Control

Where applicable, the following are to be satisfied/complied with during demolition, construction and any other site works:

a) Where a dust nuisance is likely to occur, suitable screens and/or barricades shall be erected during the demolition, excavation and building works. If necessary, water sprays shall be used on the site to reduce the emission of dust. Screening shall consist of shade cloth or a similar material at least 2m high and secured to a chain wire fence or in a manner otherwise directed

by Cumberland Council.

b) As and when directed by Council, measures identified below are to be implemented to control the emission of dust:
   - Erection and regular maintenance of dust screens around the perimeter of the site for the duration of the work.
   - Dust must be suppressed by means of a fine water spray. Water used for dust suppression must not be contaminated or allowed to enter the stormwater system.
   - Soil and material stockpiles are to be kept damp or covered.
   - Stockpiles of soil or other materials are to be placed away from drainage lines, gutters or stormwater pits or inlets.
   - Stockpiles of contaminated soil shall be stored in a secure area and be covered if remaining on site for more than 24 hours.

(Reason: To prevent the movement of dust outside the boundaries of the site)

42. DADWA03 - Site Management

All possible and practical steps shall be taken to prevent nuisance to the occupants of the surrounding neighbourhood from windblown dust, debris, noise and the like during the demolition, excavation and building works.

(Reason: Health and amenity)

43. DADWA05 - Construction Management Plan

All development activities and traffic movements must be carried out in accordance with the approved Construction Management Plan.

A copy of the plan must be kept on site at all times and made available to the Principal Certifier or Council on request.

(Reason: Safety, amenity and protection of public infrastructure and the environment))

44. DADWA06 - Stamped Plans

Stamped plans, specifications, documentation and the consent shall be available on site at all times during construction.

(Reason: To ensure compliance with approved plans)

45. DADWA07 - General Site Requirements during Construction

All of the following are to be satisfied/complied with during construction and any other site works:

a) A single entrance is permitted to service the site for construction. The footway and nature strip at the service entrance must be planked out with close boarded, hardwood timber footpath protection pads. The pad shall cover the entire width of the footpath for the full width of the entrance area.
b) Care must be taken during construction to prevent any damage to adjoining buildings.
c) Adjoining owner property rights and the need for owner's permission must be observed at all times, including the entering onto land for the purpose of undertaking works.
d) Any excess construction materials are to be recycled wherever practicable.
e) The disposal of construction waste must be in accordance with the requirements of the *Protection of the Environment Operations Act 1997*.
f) All waste on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the *Protection of the Environment Operations Act 1997*.
g) All excavated material removed from the site shall be disposed of to an authorised waste disposal facility.
h) All materials on site or being delivered to the site are to generally be contained within the site. The requirements of the *Protection of the Environment Operations Act 1997* must be complied with when placing/stockpiling loose material, disposing of concrete waste, or other activities likely to pollute drains or water courses.
i) Any materials stored on site must be stored out of view or in such a manner so as not to cause unsightliness when viewed from nearby lands or roadways.

(Reason: To ensure protection to public spaces and prevent unauthorised access to the site)

46. **DADWA10 – Electricity and Telecommunication Connections**
Where electricity and telecommunication connection is provided via an intermediate service pole, there may be only one pole per Torrens Title lot.

(Reason: Environmental Amenity

47. **DADWA14 - Classification of Waste**
Prior to the exportation of waste (including fill or soil) from the site, the waste materials must be classified in accordance with the provisions of the *Protection of the Environment Operations Act 1997* and the NSW EPA's *Waste Classification Guidelines*, Part1: Classifying Waste (2014). The materials must be transported and disposed of in accordance with the *Protection of the Environment Operations Act 1997* and the requirements of their relevant classification.

(Reason: Environmental protection)

48. **DADWA17 - Notification of New Contamination Evidence**
Any new information which comes to light during site preparation, remediation, demolition or construction works which has the potential to alter previous conclusions about site suitability and contamination must be notified to the Principal Certifier and Council.

Council may require a NSW accredited site auditor to be engaged to review the contamination assessment and remediation/validation process. If appropriate, Council may also require a new Remedial Action Plan (RAP) to be prepared and implemented to ensure the site can be made suitable for the approved use in light of the new information.

Where a NSW accredited Site Auditor is engaged, an Occupation Certificate must not be issued until a Section A Site Audit Statement has been submitted to Council by the Auditor confirming the site is now suitable for the proposed use.

(Reason: To ensure controls are in place for contamination management)

49. **DADWA20 - Road and Footpath Opening Permit**
Section 138 of the *Roads Act 1993* provides that a person must not carry out a work in, on or over a public road (which includes the verge / footpath area); dig up or disturb the surface; remove or interfere with a structure, work or tree on a public road; or pump water into a road without the consent or the appropriate roads authority. Should such work be required within a road for which Council is the roads authority, the applicant is to apply for Road and Footpath Opening Permit. A permit is to be obtained prior to any works within the public road taking place. When lodging the 'Application for Road and Footpath Opening Permit' fees are payable in accordance with Council's adopted fees and charges.

Note: Road and Footpath Opening Permits do not include driveways, laybacks and major stormwater drainage construction, which are covered by a separate application process.

(Reason: Maintain public asset)

50. **DADWB02 - Tree Protection**
To minimise impacts on trees to be retained, no fill shall be placed and no building materials shall be stored under the drip lines of trees to be retained.

(Reason: Tree preservation)

51. **DADWB07 - Tree Preservation - Excavation within the Structural Root Zone (SRZ)**
To minimise disturbance to retained trees, no excavation shall take place within the SRZ, as defined in section 3.3.5 of AS 4970 - 2009 'Protection of Trees on Development Sites'.

(Reason: Tree preservation)

52. **DADWC01 - Obstruction/Temporary Occupation of the Public Road/Footpath Area**
The road inclusive of footpath area is not to be occupied by building plant such as cranes and cement trucks, building materials, waste materials, waste bins, toilets and the like unless prior approval for such is obtained from the Council (or in the case of a classified road, from Transport for NSW) in the form of a Road Occupancy Licence.

(Reason: To ensure suitable and safe functioning of public road areas)

53. **DADWC02 - Compliance with the National Construction Code**
All building work must be carried out in accordance with the provisions of the National Construction Code.

(Reason: Prescribed statutory control)

54. **DADWC06- Air Conditioning Units for Low and Medium Density Residential**
Air conditioning units are to be located to the ground level of the side or rear yards or within basement garages and not within the frontages of the property. Air conditioning units are not to be visible from the street or public place and are not to obscure windows/window frames or architectural features of the building. The air conditioning shall be appropriately noise attenuated so as not to exceed a background noise by more than 5dB(A) measured from any habitable room on an adjoining property.

(Reason: To ensure that air conditioning units associated with the development are appropriately located)

55. **DADWC16 - Waste Management**
Requirements of the approved Waste Management Plan shall be complied with during site preparation and throughout demolition and construction phases of the development.

(Reason: Compliance with approval)

56. **DADWC19 - Sediment and Erosion Control Measures**
During works, the following measures are to be implemented on the site to assist with sedimentation control during the construction phase of the project:

a) 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 or waterways.
b) Stockpiles of topsoil, sand, aggregate, soil or other material shall not be located on any drainage line or easement, natural watercourse, footpath or roadway. Stockpiles shall be protected with adequate sediment controls.
c) The installation of gutters, downpipes, and the connection of downpipes to the stormwater disposal system shall take place prior to the fixing of the roof cladding.

The above measures are to be maintained at all times to the satisfaction of Council and the Principal Certifier. Failure to do so may result in the issue of penalty notices.

(Reason: To minimise/prevent impacts on waterways by minimising soil erosion and sediment leaving the site)

57. **DADWD03 - Critical Stage Inspections - General**
Work must not proceed beyond each critical stage until the Principal Certifier is satisfied that work is proceeding in accordance with this consent, the Construction Certificate(s) and the Act. 'Critical Stage Inspections' means the inspections prescribed by the Regulations for the purposes of section 6.5 of the Act or as required by the Principal Certifier and any Service Agreement.

Note: The Principal Certifier may, in addition to inspections, require the submission of Compliance Certificates, survey reports or evidence of suitability in accordance with Part A2.2 of the National Construction Code in relation to any matter relevant to the development.

(Reason: Statutory requirement)

58. **DADWD04 - Inspections for Building Work (Classes 1 or 10)**
The following critical stage inspections must be carried out:
a) After the excavation for, and prior to the placement of, any footings;
b) Prior to pouring any in-situ reinforced concrete building element;
c) Prior to covering of the framework for any floor, wall, roof or other building element;
d) Prior to the covering waterproofing in any wet areas;
e) Prior to covering any stormwater drainage connections; and

f) After the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

The Principal Certifier may nominate additional inspections which need to be carried out.

Prior to issuing an Occupation Certificate or Subdivision Certificate, the Principal Certifier must be satisfied that the work has been inspected on the above occasions.

The last critical stage inspection must be carried out by the Principal Certifier. Earlier critical stage inspections may be carried out by the Principal Certifier or, if the Principal Certifier agrees, by another certifier.

For each inspection, the principal contractor or the owner-builder must notify the Principal Certifier at least 48 hours before each required inspection needs to be carried out.

(Reason: Statutory requirement)

Conditions Which Must be Satisfied Prior to the Issue of an Occupation Certificate

59. DAOCA01 - Occupation Certificate

A person must not commence occupation or use of the whole or any part of a new building or change the use of the whole building or any part of an existing building, unless an Occupation Certificate has been issued in relation to the building or part. Before issuing an Occupation Certificate, the Principal Certifier must be satisfied that:

a) All required inspections, including applicable mandatory critical stage inspections, have been carried out; and

b) Any preconditions to the issue of the certificate required by a development consent have been met.

(Reason: Statutory requirement)

60. DAOCA02 - Final Clearance

A final clearance is to be obtained from the relevant energy service provider.

(Reason: To ensure power is available for the site)

61. DAOCA03 - Section 73 Compliance Certificate

A section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained prior to the issue of the Occupation Certificate. Application must be made through Sydney Water or an authorised Water Servicing Coordinator (WSC). An assessment will be made to determine the availability of water and sewer services, which may require extension, adjustment or connection to Sydney Water mains. Please refer to Sydney Water's website to learn more about applying through an authorised WSC or Sydney Water.

(Reason: To meet Sydney Water's requirements to adequately service the new development)

62. DAOCA04 - Structural Engineer's Certificate

A certificate from the supervising structural engineer responsible for the design shall be submitted to the Principal Certifier certifying that all foundation works/reinforced concrete/structural members have been carried out/erected in accordance with the engineer's requirements and the relevant standards/codes.

(Reason: To ensure the building is constructed in a structurally sound manner)

63. DAOCA08 - Certification of Engineering Works

Prior to the issue of an Occupation Certificate, the following documents must be submitted to the Principal Certifier.

a) Work as executed drawings prepared by a registered surveyor for completed engineering works.

b) Certification from a qualified practising professional engineer with Engineers Australia membership under the appropriate professional category, that the following matters have been constructed in accordance with the approved plans and conditions of consent:

- the stormwater drainage system;

- car parking provision;
- the dimension of parking spaces and any aisles and circulation ramps conform to AS2890.1;
- any related footpath works; and
- the proposed driveway and layback.

(Reason: Asset management)

64. DAOCA10 - 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)

65. DAOCA11 - Civil Works on the Footway

The following works are to be carried out at the applicant's expense and to Council's satisfaction prior to the issue of any Occupation Certificate:

a) reconstruct sections of cracked or defective footpath along the full frontage of the site;
b) construct a new vehicular crossing;
c) remove any redundant vehicular crossings and replace with kerb and gutter to match the adjoining.

Where the applicant nominates Council to undertake the civil and stormwater works, they must contact Council in order to obtain an estimated cost for construction and contract to undertake the works.

(Reason: To preserve Council's assets and amenity)

66. DAOCB04 - Acoustic Verification Report

Prior to the issue of the Occupation Certificate, a suitably qualified acoustic consultant, being a consultant who holds current member grade of the Australian Acoustical Society, must prepare an acoustic verification report to the satisfaction of the Principal Certifier that confirms the following:

a) All recommendations contained in the DA acoustic report prepared by Acoustic Consulting Engineers Pty Ltd dated 18 July 2025 and referenced 251578-01L-DD have been implemented, and
b) The project specific noise criteria established in the DA acoustic report and any other noise and vibration criteria specified in this consent are being complied with.

(Reason: To protect residential amenity)

67. DAOCF01 - Landscape Works

Prior to the issue of an Occupation Certificate all landscaping/tree planting works are to be completed to a professional standard in accordance with the approved landscape plan/s. Certification of completion of the landscape/tree planting works in accordance with the approved plans and relevant conditions of this consent from the landscape designer or a similarly qualified person, not being the installer of the works, is to be provided to the Principal Certifier.

(Reason: Landscape certification)

68. DAOCF05 - Unpaved Verge Area

The unpaved verge area shall be turfed.

(Reason: To ensure an appropriate streetscape outcome)

69. DAOCG01 - Certification of the Constructed Stormwater Drainage System

The constructed stormwater drainage system shall be certified by a qualified practising civil engineer as being in accordance with Council's Development Control Plan and engineering policies.

(Reason: Adequate stormwater management)

70. DAOCH02 - Covenant for Stormwater Infrastructure

A positive covenant shall be created under section 88B and/or section 88E of the *Conveyancing Act 1919* to the satisfaction of Council for the ongoing retention, maintenance and operation of the stormwater system inclusive of any on-site stormwater detention, together with any related

compensatory flood storage, overland flowpath, pollution control device, mechanical pump-out system or charged line system. Council shall be identified as the authority with power to release, vary or modify the covenant. The wording of the covenant shall be consistent with the Council's standard terms as available on Council's website. The document shall be submitted to Council for endorsement prior to lodgement for registration with the NSW Land Registry Services.

(Reason: Compliance and adequate maintenance of the stormwater system)

71. **DAOCH03 - OSD Identification Plate**
Prior to the issue of an Occupation Certificate, the applicant shall install an identification plate near or on the control structure of the on-site stormwater detention system that advises the registered proprietor of their responsibility to maintain the facility and to not tamper with it in any manner without the written consent of Council. The wording and plate shall be in accordance with Council's requirements.

(Reason: To promote the ongoing maintenance of the on-site stormwater detention system)

72. **DAOCH05- Evidence of Subdivision Registration**
The Torrens title plan of subdivision must be registered prior to the issue of the Occupation Certificate.

(Reason: To ensure orderly development having regard to the location of buildings)

73. **DAOCH09 - Completion of Public Road Assets**
To ensure assets in the public road, including vehicular crossings, pedestrian footpaths, kerbing, guttering and any roadworks are completed to a satisfactory level, an Occupation Certificate is not to be issued until such time as a satisfactory completion certificate has been obtained from Council's engineers.

(Reason: Satisfactory completion of assets in the public road)

74. **DAOCH14 - Telecommunications/TV Antennae**
No more than one telecommunications/TV antenna is to be installed to the building. Satellite dishes, telecommunications antenna and other ancillary facilities shall be located away from the primary street frontage and incorporated into the overall building design.

(Reason: To prevent the proliferation of telecommunications/TV antennae)

75. **DAOCH23 - Service Pit Relocation**
The existing Telstra/NBN pit shall be relocated as per the approved plan at no cost to Council.

(Reason: To ensure the service pit has been relocated as per the approved plans and to mitigate the prospect of damage to the pit)

76. **DAOCI01 - Adjustment to Traffic Control Measures**
Adjustment of traffic control measures is to take place, at the applicant's expense, in accordance with the terms of the approval from the Cumberland Traffic Committee.

(Reason: To ensure traffic control measures such as street signs and line marking are sited located in an approved and appropriate location)

77. **DAOCI12 - Positive Covenant - On Site Detention**
A positive covenant shall be created under section 88B and/or section 88E of the *Conveyancing Act 1919* to the satisfaction of Council requiring the ongoing retention, maintenance and repair of the on site detention system. Council shall be identified as the authority with power to release, vary or modify the covenant. The wording of the covenant shall be consistent with the Council's standard terms as available on Council's website. The document shall be submitted to Council for endorsement prior to lodgement for registration with the NSW Land Registry Services.

(Reason: To ensure proper upkeep and functionality of the on site detention system)

78. **DAOCI13 - Restriction of the Use of Land - On Site Detention**
A restriction on the use of land shall be created under section 88B and/or section 88E of the *Conveyancing Act 1919* to the satisfaction of Council preventing alteration to the on site detention

system without the prior approval of the Council. Council shall be identified as the authority with power to release, vary or modify the restriction. The wording of the restriction shall be consistent with the Council's standard terms as available on Council's website. The document shall be submitted to Council for endorsement prior to lodgement for registration with the NSW Land registry Services.

(Reason: To ensure the on site detention system is not altered so as to adversely affect functionality of the system)

79. DAOCZ01 - Registration of Final Plan with NSW Land Registry Services
Prior to the issue of Occupation Certificate for the secondary dwellings, the final plan of subdivision must be registered with the NSW Land Registry Services for the dual occupancy subdivision.

(Reason: Statutory requirement and information)

Conditions Which Must be Satisfied Prior to the Issue of a Subdivision Certificate

80. DASCA04 – Application for Subdivision Certificate
An application for a Subdivision Certificate must be lodged with Council.

Note: In accordance with s.6.5(3) of the Environmental Planning and Assessment Act 1979, a certifier that issues a Subdivision Certificate must be Council unless an environmental planning instrument permits a registered certifier to issue a certificate.

(Reason: To comply with statutory requirements)

81. DASCB03 – Internal Boundary Easement/s
As part of the subdivision, easements are to be created for dividing walls, eaves, gutters and/or downpipes that encroach over internal boundaries.

(Reason: To allow future residents access to maintain dividing walls, eaves, gutters and downpipes)

82. DASCB04 - Easements - Subdivision
Prior to the issue of a Subdivision Certificate, easements must be created over the following:
a) the alignment of inter allotment drainage lines.
b) the area required for on-site detention.
c) rights of carriageway within relevant allotment(s).

The easements and terms thereof must be created under the provisions of s.88B of the Conveyancing Act, 1919.

(Reason: To facilitate access to shared service areas)

Conditions Which Must be Satisfied During the Ongoing Use of the Development

83. DAOUC15 - Noise - Residential buildings
The air conditioner/s/ mechanical ventilation systems/rainwater tank pumps must comply with the requirements of Protection of the Environment Operations (Noise Control) Regulation 2017 and shall not:
a) emit noise that is audible within a habitable room in any other residential property (regardless of whether any door or window to that room is open):
   - before 8.00am and after 10.00pm on any Saturday, Sunday or public holiday; or
   - before 7.00am and after 10.00pm on any other day; and
b) emit a sound pressure level when measured at the boundary of any other residential property, at a time other than those specified in (i) and (ii) above, which exceeds the background (LA90, 15minutes) by more than 5dB(A). The source noise level must be measured as a LAeq 15 minute.

(Reason: To protect residential amenity)

84. DAOUC17 - Structure Borne Noise
Structure borne noise emitted from the development must not exceed the following criteria when measured inside any separate sensitive noise receiver at any time:
a) Residential receivers: LA1, Slow 15 minute ≤ LA90, 15 minute + 0 dB(A)

(Reason: To protect residential amenity)

85. **DAOUC30 - Privacy**
All privacy measures shall be maintained throughout the lifetime of the development.

(Reason: Privacy)

86. **DAOUC31 - Secondary Dwelling**
No separating fences shall be erected between the primary/principal and secondary dwellings on the subject site.

(Reason: To comply with the approved development)

87. **DAOUD02- Landscape Maintenance - General**
All open space areas are to be regularly maintained in a neat and tidy state. Lawn areas are to be kept mown and gardens weeded and mulched with any dead plants replaced. Property owners must maintain trees in a safe growing condition.

(Reason: Safety and landscape amenity)

88. **DAOUE01 - Registration of Final Plan**
Upon issue of a Subdivision Certificate, the final plan of subdivision must be registered with the NSW Land Registry Services.

(Reason: To give effect to the subdivision)

89. **DAOUE04 - Vehicle Access**
All vehicles are to enter and exit the site in a forward direction.

(Reason: Traffic and pedestrian safety)

Advisory Notes

90. **DAANN01 - 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 it is recommended that you contact Before You Dig before excavating or erecting structures. If alterations are required to the configuration, size, form or design of the development upon contacting the 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 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 Before You Dig service in advance of any construction or planning activities.

91. **DAANN03 - Dividing Fences**
The erection of dividing fences under this consent does not affect the provisions of the *Dividing Fences Act 1991*. Under that Act, all relevant parties must agree prior to the erection of any approved dividing fence/s under this consent.

Council has no regulatory authority in this area and does not adjudicate civil disputes relating to the provision of or payment for the erection of dividing fences.

If there is a neighbour dispute about the boundary fence, the Community Justice Centre can provide mediation services.

92. **DAANN08 - Process for Modification**
The plans and/or conditions of this Consent are binding and may only be modified upon approval of an application under s.4.55 of the *Environmental Planning and Assessment Act, 1979*. A modification application shall be accompanied by the appropriate fee, application form and required information. You are not to commence any action, works or the like on the requested modification unless and until a modified consent is issued.

93. **DAANN09 - Review of Determination**
In accordance with the provisions of section 8.2 of the *Environmental Planning and Assessment Act 1979*, you can request a review of a determination not relating to a complying development certificate, application for designated development or application for Crown development. A review application may not be determined after the period within which any appeal may be made to the Court if no appeal was made. To determine a review application within that time limit, the application must be submitted well in advance of the appeal right timeframe. A fee as per Council's current Pricing Policy, Fees and Charges, is payable for a review application.

94. **DAANN10 - Right of Appeal**
Section 8.7 and 8.10 of the *Environmental Planning and Assessment Act 1979*, gives the applicant the right of appeal to the Land and Environment Court within six months after the date the decision appealed against is notified or registered on the NSW Planning Portal.

95. **DAANN13 - Work Health and Safety**
For information regarding, codes of practice and guidelines regarding demolition and construction work, visit the SafeWork NSW.

DOCUMENTS ASSOCIATED WITH REPORT ELPP023/26

Attachment 2

Architectural Plans

PROPOSED SINGLE DWELLING AND DUAL OCCUPANCY WITH SECONDARY DWELLINGS
481 WOODVILLE RD
GUILDFORD 2161
LOT 40 IN DP 218008





SITE CALCULATIONS AS PER CUMBERLAND DCP 2023	LOT 1:	LOT 2:	LOT 3:
TOTAL SITE AREA:	550.132 m²	391.025 m²	394.334 m²
MAXIMUM SITE COVERAGE PERMITTED:	357.58 m² | 65.00 %	273.72 m² | 70.00 %	276.03 m² | 70.00 %
TOTAL PROPOSED SITE COVERAGE:	199.02 m²	171.54 m²	173.35 m²
MINIMUM REQUIRED LANDSCAPED AREA (20%):	110.02 m²		
TOTAL PROPOSED LANDSCAPED AREA:	233.24 m²		
MINIMUM REQUIRED PRIVATE OPEN SPACE:	50.00 m²	30.00 m²	30.00 m²
TOTAL PROPOSED PRIVATE OPEN SPACE:	>50.00 m²	>30.00 m²	>30.00 m²

SITE CALCULATIONS AS PER LOW RISE DIVERSITY GUIDE & CUMBERLAND DCP

TOTAL SITE AREA:	785.359 m²
MINIMUM REQUIRED LOT FRONTAGE:	15.000 m
LOT FRONTAGE:	15.000 m
MAXIMUM GROSS FLOOR AREA PERMITTED:	496.34 m²
PROPOSED GROSS FLOOR AREA GROUND FLOOR:	234.74 m²
PROPOSED GROSS FLOOR AREA FIRST FLOOR:	181.51 m²
TOTAL PROPOSED GROSS FLOOR AREA:	416.25 m²
MINIMUM REQUIRED LANDSCAPED AREA (20%):	157.07 m²
TOTAL PROPOSED LANDSCAPED AREA:	214.53 m²
MINIMUM REQUIRED FRONT LANDSCAPED AREA:	25.00 % | 39.43 m²
TOTAL PROPOSED FRONT LANDSCAPED AREA:	31.44 % | 49.58 m²
MINIMUM REQUIRED REAR LANDSCAPED AREA:	50.00 % | 78.55 m²
TOTAL PROPOSED REAR LANDSCAPED AREA:	201.20 m²
MINIMUM REQUIRED PRIVATE OPEN SPACE (PER DWELLING):	16.00 m²
TOTAL PROPOSED PRIVATE OPEN SPACE (PER DWELLING):	>16.00 m²

DRAWING LIST

DRAWING NUMBER	DRAWING NAME	CURRENT REVISION
A001	COVER PAGE	02
A002	SPECIFICATIONS AND NOTES	02
A003	SITE COMPLIANCE DIAGRAMS	02
A004	SITE ANALYSIS	02
A005	SITE SUBDIVISION PLAN	02
A006	SITE SUBDIVISION PLAN	02
A101	SITE PLAN	02
A102	LOT 1 - GROUND FLOOR PLAN	02
A103	LOT 1 - SECONDARY DWELLING GROUND FLOOR PLAN	02
A104	LOT 1 - FIRST FLOOR PLAN	02
A105	LOT 2 & 3 - GROUND FLOOR PLAN	02
A106	LOT 2 & 3 - SECONDARY GROUND FLOOR PLAN	02
A107	LOT 2 & 3 - FIRST FLOOR PLAN	02
A108	ROOF PLAN	02
A201	ELEVATIONS	02
A202	ELEVATIONS	02
A203	ELEVATIONS	02
A204	ELEVATIONS	02
A205	ELEVATIONS	02
A206	ELEVATIONS	02
A207	ELEVATIONS	02
A208	SECTIONS	02
A209	SECTIONS	02
A210	SECTIONS	02
A300	SHADOW DIAGRAMS	02
A301	SHADOW DIAGRAMS	02
A302	SHADOW DIAGRAMS	02
A303	AXONOMETRIC SHADOW DIAGRAMS	02
A304	AXONOMETRIC SHADOW DIAGRAMS	02
A305	AXONOMETRIC SHADOW DIAGRAMS	02
A306	AXONOMETRIC SHADOW DIAGRAMS	02
A307	AXONOMETRIC SHADOW DIAGRAMS	02
A308	AXONOMETRIC SHADOW DIAGRAMS	02
A309	ELEVATIONAL SHADOW DIAGRAMS	02
A310	ELEVATIONAL SHADOW DIAGRAMS	02
A311	ELEVATIONAL SHADOW DIAGRAMS	02
A312	ELEVATIONAL SHADOW DIAGRAMS	02
A313	ELEVATIONAL SHADOW DIAGRAMS	02
A314	ELEVATIONAL SHADOW DIAGRAMS	02
A315	STREETSCAPE ELEVATION	02
A400	SCHEDULES	02
A401	NOTIFICATION PLANS	02
A402	STREET NUMBERING PLAN	02

DESIGN FORMATION ARCHITECTS

CONTACT:
A: 203/25-27 GROSE ST PARRAMATTA NSW 2150
M: +61 422 566 912
E: GEORGE@DESIGNFORMATION.COM.AU

NOM. ARCHITECT: GEORGE YOUSSEF 11535

TRUE NORTH:

PROJECT STATUS: ISSUED FOR CLIENT REVIEW

PREPARED FOR: DAMIAN KALTOUM

PROJECT TYPE: PROPOSED ATTACHED DWELLINGS WITH SECONDARY DWELLINGS

PROJECT NO: 970

REV NO: 02

DRAWN BY: AAD

CHECKED BY: GY

PROJECT ADDRESS: 481 WOODVILLE RD GUILDFORD 2161

ORIGINAL ARCHITECT:

SHEET NO: A001

TITLE: COVER PAGE

GENERAL NOTES

1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, AUSTRALIAN STANDARDS, STATUTORY REGULATIONS AND LOCAL AUTHORITY REQUIREMENTS, INCLUDING CONDITIONS OF CONSENT.
2. DO NOT SCALE OFF THIS DRAWING. ONLY USE DIMENSIONS PROVIDED.
3. CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCING WORK.
4. DESIGN FORMATION DRAWINGS TO BE READ IN CONJUNCTION WITH ALL CONTRACT DOCUMENTS FROM ALL CONSULTANTS.
5. CONTRACTOR TO NOTIFY DESIGN FORMATION OF ANY DISCREPENCIES, DIMENSIONAL INCONSISTENCIES, OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING.
6. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED
7. DESIGN FORMATION TO REVIEW ALL CONTRACTOR'S DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION.
8. PROGRESS WORK TO BE VERIFIED AGAINST DRAWINGS FOLLOWING EXECUTION AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO CONTRACTOR PROCEEDING WITH NEXT TRADE.

ALL CONSTRUCTION TO COMPLY AT MINIMUM WI

CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTION
SPEC. C1.1 FIRE RESISTING CONSTRUCTION
SPEC. C1.10 FIRE HAZARD PROPERTIES
SPEC. C.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
CLAUSE C1.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
CLAUSE C1.12 SPEARATION OF EQUIPMENT
CLAUSE C1.13 ELECTRICITY SUPPLY SYSYEM
CLAUSE C.3 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)
CLAUSE C3.8 OPENING IN FIRE ISOLATED EXITS
CLAUSE C3.15 OPENING FOR SERVICE INSTALLATIONS
CLAUSE D1.10 DISCHARGE FROM EXITS
CLAUSE D2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL
CLAUSE D2.13 GOINGS AND RISERS
CLAUSE D2.14 LANDINGS
CLAUSE D2.16 BALUSTRADES
CLAUSE D2.17 HANDRAILS
CLAUSE D2.21 OPERATION OF LATCH
CLAUSE D2.23 SIGNS ON DOORS
CLAUSE D3.2 GENERAL BUILDING ACCESS REQUIREMENTS
CLAUSE D3.3 PARTS OF BUILDING TO BE ACCESSIBLE
CLAUSE D3.6 IDENTIFIED FACILITIES
CLAUSE E2.2 FIRE HYDRANTS
CLAUSE E3.6 FIRE INDICATORS
CLAUSE F1.7 WATERPROOFING OF WET AREAS
CLAUSE F1.9/F1.10 DAMP PROOFING
CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS
PART F4 LIGHTING AND VENTILATION
CLAUSE F5.4 SOUND INSULATION OF FLOORS
CLAUSE F5.5 SOUND INSULATION OF WALLS
CLAUSE F5.6 SOUND INSULATION OF SERVICES
CLAUSE F5.7 SOUND INSULATION OF PUMPS

ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSEF4.4 & AS1680
BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 3.2
ENERGY EFFICIENCY/GLAZING: TO COMPLY WITH J2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
HOT WATER: SYSTEMS TO COMPLY WITH PART J7 OF BCA
MASONRY: TO COMPLY WITH AS1720
MECHELEC/HYDRAULIC: BCA CLAUSE C3.15 & AS1530 4-2005
MECHANICAL AIRCONDITIONING: TO COMPLY WITH PART J5 OF BCA
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786
PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECHELEC/HYDRAULIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1530 4-2005
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740

ISSUE	AMENDMENTS	DATE
02	ISSUED FOR DA	19-03-2026
01	ISSUED FOR CLIENT REVIEW	18-12-2024

GENERAL DEVELOPMENT NOTES:

1. POWDER COATED ALUMINIUM GUTTERS & DOWNPIPES. STORMWATER TO DISCHARGE TO STREET - REFER TO HYDRAULIC ENGINEERS PLANS (CLIENT TO DECIDE ON COLOURS & FINISHES).
2. POWDER-COATED ALUMINIUM FRAMED GLASS WINDOWS & SLIDING DOORS (CLIENT TO DECIDE ON COLOURS & FINISHES).
3. DEMOLITION & EXCAVATION TO BE CARRIED OUT BY LICENSED CONTRACTORS. FOR SEDIMENT FENCING DETAILS REFER TO SITE MANAGEMENT & SEDIMENT CONTROL PLAN.
4. THE DEVELOPMENT HAS BEEN DESIGNED TO BEST MEET THE GUIDELINES OF COUNCIL & THE B.C.A (ALL WORK ON SITE SHALL SIMILARLY BE CARRIED OUT TO ADHERE TO THE REQUIREMENTS OF LOCAL COUNCIL AND THE B.C.A).
5. ALL PORCHS, GARAGES, VERANDAHS, BALCONIES & THE LIKE TO HAVE A MINIMUM 85mm STEPDOWN. (ENGINEERS DETAILS TO SUPERCEDED).
6. BITUMINOUS MASONRY ARTICULATION JOINTS ON UNARTICULATED WALLS WITH LENGTHS GREATER THAN 6m TO BE LOCATED BEHIND DOWNPIPE WHERE POSSIBLE (CLIENT TO DECIDE).
7. ALL BALUSTRADES TO BE A MINIMUM 1000mm ABOVE FINISHED FLOOR LEVEL RAILS TO BE SPACED SO AS TO PREVENT A 125mm SPHERE PENETRATING THROUGH.
8. BALCONIES TO BE SUITABLY WATERPROOFED & GRADED TO SUIT THE REQUIREMENTS OF THE B.C.A.
9. ALL BATHROOM, ENSUITES, LAUNDRIES AND BALCONIES (ENCLOSED) TO HAVE FLOOR WASTES. BE SETDOWN AND WATERPROOFED.
10. LAND TO BE BATTER AS SHOWN WITH A SOLID GROUND LINE (EXISTING GROUND LEVELS SHOWN DASHED) MAXIMUM BATTER ON STABLE GROUND NOT TO EXCEED 1 IN 4 (IN WHICH CASE RETAINING WALLS ARE TO BE INCORPORATED - TO ENGINEERS SPECIFICATIONS).

GENERAL CONSTRUCTION NOTES:

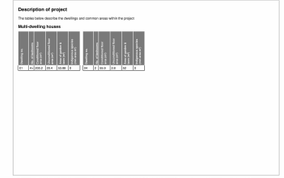
1. THESE DRAWINGS SHALL BE READ IN CONJUNCTION WITH ALL ARCHITECTURAL AND OTHER CONSULTANT'S DRAWINGS AND SPECIFICATIONS AND WITH SUCH OTHER WRITTEN INSTRUCTIONS AS MAY BE ISSUED DURING THE COURSE OF THE CONTRACT. ALL DISCREPANCIES SHALL BE REFERRED TO THE CONTRACT ADMINISTRATOR BEFORE PROCEEDING WITH THE WORK.
2. ALL DIMENSIONS RELEVANT TO SETTING OUT AND OFF-SITE WORK SHALL BE VERIFIED BY THE CONTRACTOR BEFORE CONSTRUCTION AND FABRICATION IS COMMENCED. THE ARCHITECTURAL DRAWINGS SHALL NOT BE SCALED.
3. DURING CONSTRUCTION THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING THE STRUCTURE IN A STABLE CONDITION AND ENSURING NO PART SHALL BE OVERSTRESSED UNDER CONSTRUCTION ACTIVITIES. TEMPORARY BRACING SHALL BE PROVIDED BY THE CONTRACTOR AS REQUIRED.
4. ALL WORKMANSHIP AND MATERIALS ARE TO BE IN ACCORDANCE WITH THE RELEVANT CURRENT S.A.A. CODES INCLUDING ALL AMENDMENTS, AND THE LOCAL STATUTORY AUTHORITIES, REGULATIONS, ETC., EXCEPT WHERE VARIED BY THE CONTRACT DOCUMENTS.
5. THE APPROVAL OF A SUBSTITUTION SHALL BE SOUGHT FROM THE ENGINEER,BUT IS NOT AN AUTHORISATION FOR AN EXTRA. ANY EXTRA INVOLVED MUST BE VERIFIED WITH THE ARCHITECT BEFORE THE WORK COMMENCES.
6. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS STATED OTHERWISE. ALL LEVELS ARE EXPRESSED IN METRES TO AHD.
7. SETTING-OUT DIMENSIONS AND SIZES OF STRUCTURAL MEMBERS SHALL NOT BE OBTAINED BY SCALING THE STRUCTURAL DRAWINGS. ANY SETTING-OUT DIMENSIONS SHOWN IN THE STRUCTURAL DRAWINGS SHALL BE CHECKED BY THE CONTRACTOR BEFORE CONSTRUCTION COMMENCES.
8. DURING THE ALTERATION, THE EXISTING BUILDING SHALL BE PROTECTED ESPECIALLY FROM THE RAIN.
9. WORKMANSHIP, QUALITY AND STANDARDS OF WORK SHALL FOLLOW THE NEW SOUTH WALES GUIDE TO STANDARD AND TOLERANCES 2017.

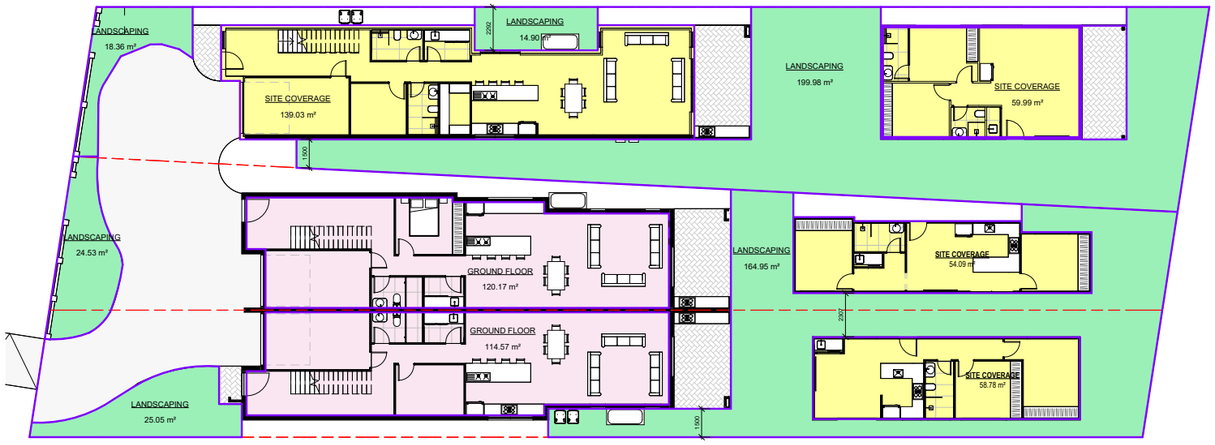
SCHEDULE OF AUSTRALIAN STANDARD TO BE FOLLOWED:

1. AS 1288 - GLASS IN BUILDINGS, SELECTION & INSTALLATION.
2. AS/NZS 1170 - STRUCTURAL DESIGN ACTIONS.
3. AS 1562 - DESIGN & INSTALLATION OF SHEET ROOF & WALL CLADDING, METAL.
4. AS/NZS - DESIGN & INSTALLATION OF SHEET ROOF & WALL CLADDING, CORRUGATED FIBRE-REINFORCED CEMENT & PLASTICS.
5. AS 1668 - THE USE OF MECHANICAL VENTILATION & AIR CONDITIONING IN BUILDINGS.
6. AS/NZS 1680 - INTERIOR LIGHTING & SAFE MOVEMENT.
7. AS 1684 - RESIDENTIAL TIMBER-FRAMED CONSTRUCTION.
8. AS 1926 - SWIMMING POOL SAFETY.
9. AS 2047 - WINDOWS IN BUILDINGS, SELECTION & INSTALLATION.
10. AS 2049 - ROOF TILES.
11. AS 2050 - INSTALLATION OF ROOF TILES.
12. AS/NZS 2269 - PLYWOOD, STRUCTURAL SPECIFICATIONS.
13. AS 2870 - RESIDENTIAL SLABS & FOOTINGS CONSTRUCTION.
14. AS/NZS 2904 - DAMP-PROOF COURSES & FLASHINGS.
15. AS/NZS 3500 - PLUMBING & DRAINAGE, STORMWATER DRAINAGE, HEATED SERVICES & DOMESTIC INSTALLATIONS.
16. AS 3600 - CONCRETE STRUCTURES.
17. AS 3660 - TERMITE MANAGEMENT.
18. AS 3700 - MASONRY STRUCTURES.
19. AS 3740 - WATERPROOFING OF WET AREAS IN RESIDENTIAL BUILDINGS.
20. AS 3786 - SMOKE ALARMS.
21. AS 3959 - CONSTRUCTION OF BUILDINGS IN BUSH-FIRE-PRONE AREAS.
22. AS 4055 - WIND LOADS FOR HOUSING.
23. AS 4100 - STEEL STRUCTURES.
24. AS/NZS 4200 - PLIABLE BUILDING MEMBRANES & UNDERLAYS. MATERIALS & INSTALLATION REQUIREMENTS.
25. AS 4254 - DUCKWORK FOR AIR-HANDLING SYSTEMS IN BUILDINGS.
26. AS/NZS - 4600 - COLD-FORMED STEEL STRUCTURES.
27. AS 4773 - MASONRY FOR SMALL BUILDINGS, DESIGN & CONSTRUCTION.
28. AS/NZS 4858 - WET AREA MEMBRANES.
29. AS3000 ELECTRICAL INSTALLATIONS.
30. AS3008 ELECTRICAL INSTALLATIONS - SELECTION OF CABLES.
31. AS/NZS 3017 ELECTRICAL INSTALLATIONS - VERIFICATION GUIDELINES.
32. AS/NZS 3100 APPROVAL AND TEST SPECIFICATION - GENERAL REQUIREMENTS FOR ELECTRICAL EQUIPMENT.
33. AS 4586-2013 SLIP RESISTANCE CLASSIFICATION OF NEW PEDESTRIAN SURFACE MATERIAL (CLASS P2 FOR TILES IN BATHROOM, TOILET, AND KITCHEN)






Description of project
The tables below describe the dwellings and common areas within the project
Multi-dwelling houses
No. 1 3 bed 2 bed 2 bed 2



GROUND FLOOR GFA + SITE COVERAGE DIAGRAM



LEVEL 1

1 : 150

SITE CALCULATIONS AS PER CUMBERLAND DCP 2023

	LOT 1:	LOT 2:	LOT 3:
TOTAL SITE AREA:	550.132 m²	391.025 m²	394.334 m²
MAXIMUM SITE COVERAGE PERMITTED:	357.58 m² | 65.00 %	273.72 m² | 70.00 %	276.03 m² | 70.00 %
TOTAL PROPOSED SITE COVERAGE:	199.02 m²	171.54 m²	173.35 m²
MINIMUM REQUIRED LANDSCAPED AREA (20%):	110.02 m²		
TOTAL PROPOSED LANDSCAPED AREA:	233.24 m²		
MINIMUM REQUIRED PRIVATE OPEN SPACE:	50.00 m²	30.00 m²	30.00 m²
TOTAL PROPOSED PRIVATE OPEN SPACE:	>50.00 m²	>30.00 m²	>30.00 m²

SITE CALCULATIONS AS PER LOW RISE DIVERSITY GUIDE & CUMBERLAND DCP

TOTAL SITE AREA:	785.359 m²
MINIMUM REQUIRED LOT FRONTAGE:	15.000 m
LOT FRONTAGE:	15.000 m
MAXIMUM GROSS FLOOR AREA PERMITTED:	496.34 m²
PROPOSED GROSS FLOOR AREA GROUND FLOOR:	234.74 m²
PROPOSED GROSS FLOOR AREA FIRST FLOOR:	181.51 m²
TOTAL PROPOSED GROSS FLOOR AREA:	416.25 m²
MINIMUM REQUIRED LANDSCAPED AREA (20%):	157.07 m²
TOTAL PROPOSED LANDSCAPED AREA:	214.53 m²
MINIMUM REQUIRED FRONT LANDSCAPED AREA:	25.00 % | 39.43 m²
TOTAL PROPOSED FRONT LANDSCAPED AREA:	31.44 % | 49.58 m²
MINIMUM REQUIRED REAR LANDSCAPED AREA:	50.00 % | 78.55 m²
TOTAL PROPOSED REAR LANDSCAPED AREA:	201.20 m²
MINIMUM REQUIRED PRIVATE OPEN SPACE (PER DWELLING):	16.00 m²
TOTAL PROPOSED PRIVATE OPEN SPACE (PER DWELLING):	>16.00 m²

DESIGN FORMATION ARCHITECTS

NOM. ARCHITECT: GEORGE YOUSSEF
NSW REGO: 11535

CONTACT:
A: 203/25-27 GROSE ST PARRAMATTA NSW 2150
M: +61 422 566 912
E: GEORGE@DESIGNFORMATION.COM.AU

TRUE NORTH:

PROJECT STATUS: ISSUED FOR CLIENT REVIEW

PREPARED FOR: DAMIAN KALTOUM

PROJECT TYPE: PROPOSED ATTACHED DWELLINGS WITH SECONDARY DWELLINGS

PROJECT NO: 970

REV NO: 02

DRAWN BY: AAD

CHECKED BY: GY

PROJECT ADDRESS: 481 WOODVILLE RD GUILDFORD 2161

ORIGINAL ARCHITECT:

SHEET NO: A003

TITLE: SITE COMPLIANCE DIAGRAMS

GENERAL NOTES

1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, AUSTRALIAN STANDARDS, STATUTORY REGULATIONS AND LOCAL AUTHORITY REQUIREMENTS, INCLUDING CONDITIONS OF CONSENT.
2. DO NOT SCALE OFF THIS DRAWING. ONLY USE DIMENSIONS PROVIDED.
3. CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCING WORK.
4. DESIGN FORMATION DRAWINGS TO BE READ IN CONJUNCTION WITH ALL CONTRACT DOCUMENTS FROM ALL CONSULTANTS.
5. CONTRACTOR TO NOTIFY DESIGN FORMATION OF ANY DISCREPENCIES, DIMENSIONAL INCONSISTENCIES, OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING.
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7. DESIGN FORMATION TO REVIEW ALL CONTRACTOR'S DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION.
8. PROGRESS WORK TO BE VERIFIED AGAINST DRAWINGS FOLLOWING EXECUTION AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO CONTRACTOR PROCEEDING WITH NEXT TRADE.

ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS
SPEC. C1.1 FIRE RESISTING CONSTRUCTION
SPEC. C1.10 FIRE HAZARD PROPERTIES
SPEC. C.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
CLAUSE C1.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
CLAUSE C1.12 SPEARATION OF EQUIPMENT
CLAUSE C1.13 ELECTRICITY SUPPLY SYSTEM
CLAUSE C2.12 SEPARATION OF EQUIPMENT (OF OPENINGS)
CLAUSE C3.8 OPENING IN FIRE ISOLATED EXITS
CLAUSE C3.15 OPENING FOR SERVICE INSTALLATIONS
CLAUSE D1.10 DISCHARGE FROM EXITS
CLAUSE D2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL
CLAUSE D2.13 GOINGS AND RISERS
CLAUSE D2.14 LANDINGS
CLAUSE D2.16 BALUSTRADES
CLAUSE D2.17 HANDRAILS
CLAUSE D2.21 OPERATION OF LATCH
CLAUSE D2.23 SIGNS ON DOORS
CLAUSE D3.2 GENERAL BUILDING ACCESS REQUIREMENTS
CLAUSE D3.3 PARTS OF BUILDING TO BE ACCESSIBLE
CLAUSE D3.6 IDENT. OF ACCESSIBLE FACILISERVFEATURES
CLAUSE D3.8 TACTILE INDICATORS
CLAUSE F1.7 WATERPROOFING OF WET AREAS
CLAUSE F1.9/F1.10 DAMP PROOFING
CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS
PART F4 LIGHTING AND VENTILATION
CLAUSE F5.4 SOUND INSULATION OF FLOORS
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ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSEF4.4 & AS1680
BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 3.2
ENERGY EFFICIENCYGLAZING: TO COMPLY WITH J2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
HOT WATER: SYSTEMS TO COMPLY WITH PART J7 OF BCA
MASONRY: TO COMPLY WITH AS3700
MECHELEC/HYDRAULIC: BCA CLAUSE C3.15 & AS1530 4-2005
MECHANICAL AIRCONDITIONING: TO COMPLY WITH PART J5 OF BCA
MECHANICAL EXHANUST VENTILATION: TO COMPLY WITH AS1668 & AS68.2
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786
PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELEC/HYDRAULIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1530 4-2005
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740

ISSUE	AMENDMENTS	DATE
02	ISSUED FOR DA	19-03-2026
01	ISSUED FOR CLIENT REVIEW	18-12-2024



DESIGN FORMATION ARCHITECTS

TRUE NORTH:

PROJECT STATUS: ISSUED FOR CLIENT REVIEW

PREPARED FOR: DAMIAN KALTOUM

PROJECT TYPE: PROPOSED ATTACHED DWELLINGS WITH SECONDARY DWELLINGS

PROJECT ADDRESS: 481 WOODVILLE RD GUILDFORD 2161

CONTACT:
A: 203/25-27 GROSE ST PARRAMATTA NSW 2150
M: +61 422 566 912
E: MELROSE@DESIGNFORMATION.COM.AU

PROJECT NO: 970 | **REV NO:** 02

DRAWN BY: AAD | **CHECKED BY:** GY

ORIGINAL ARCHITECT:

NOM. ARCHITECT: GEORGE YOUSSEF 11535

SHEET NO: A004

TITLE: SITE ANALYSIS

GENERAL NOTES

1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, AUSTRALIAN STANDARDS, STATUTORY REGULATIONS AND LOCAL AUTHORITY REQUIREMENTS, INCLUDING CONDITIONS OF CONSENT.
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CLAUSE C.3 ACCEPTABLE METHODS OF PROTTECTION (OF OPENINGS)
CLAUSE C3.8 OPENING IN FIRE ISOLATED EXITS
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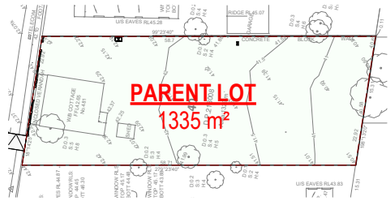

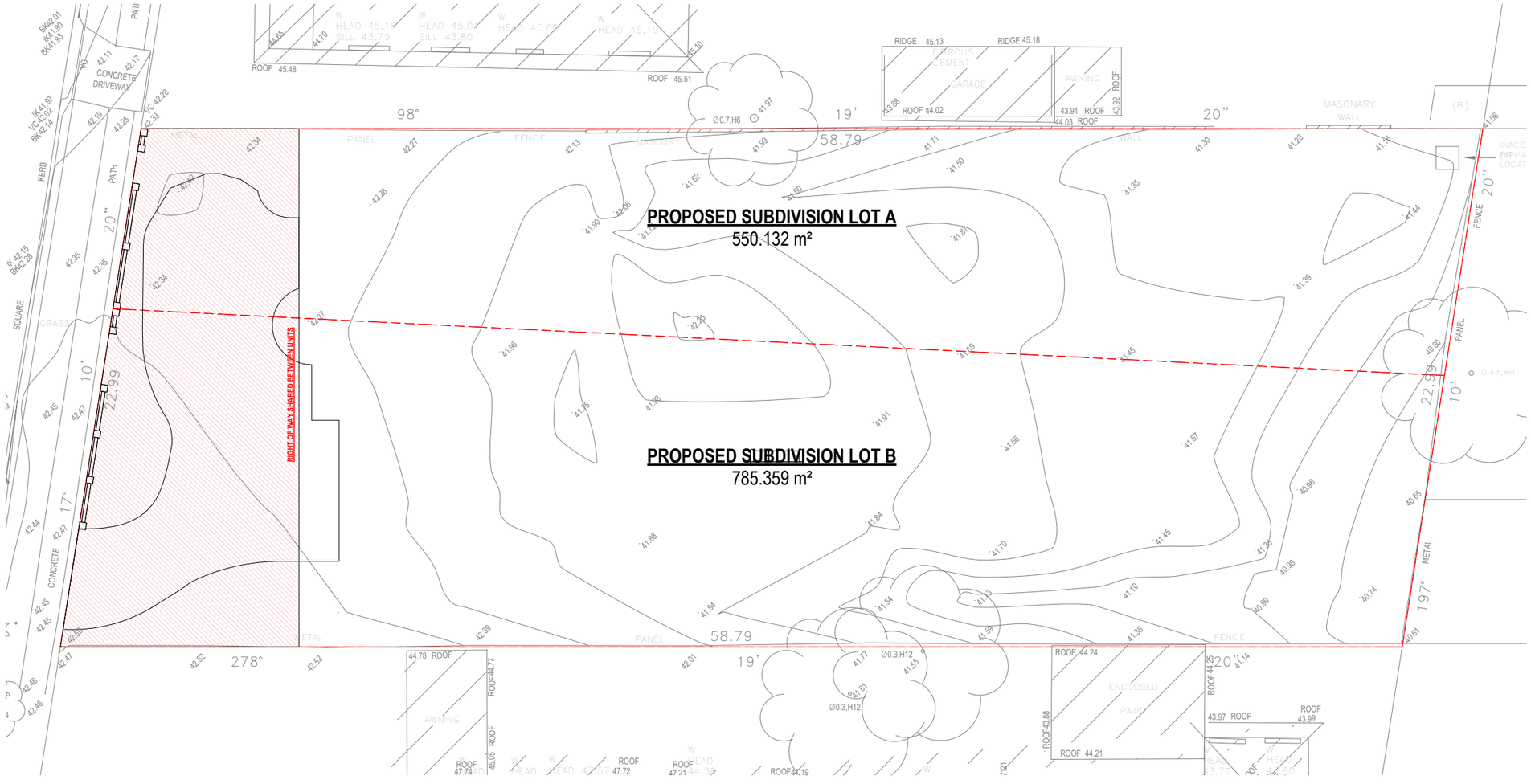

DESIGN FORMATION ARCHITECTS

CONTACT:
A: 203/25-27 GROSE ST PARRAMATTA NSW 2150
M: +61 422 566 912
E: INFO@DESIGNFORMATION.COM.AU

NOM. ARCHITECT: GEORGE YOUSSEF
NSW REG: 11535

TRUE NORTH:

PROJECT STATUS: ISSUED FOR CLIENT REVIEW

PREPARED FOR: DAMIAN KALTOUM

PROJECT TYPE: PROPOSED ATTACHED DWELLINGS WITH SECONDARY DWELLINGS

PROJECT NO: 970
REV NO: 02
DRAWN BY: AAD
CHECKED BY: GY

PROJECT ADDRESS: 481 WOODVILLE RD GUILDFORD 2161

ORIGINAL ARCHITECT:

SHEET NO: A005

TITLE: SITE SUBDIVISION PLAN

GENERAL NOTES

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CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS
PART F4 LIGHTING AND VENTILATION
CLAUSE F5.4 SOUND INSULATION OF FLOORS
CLAUSE F5.5 SOUND INSULATION OF WALLS
CLAUSE F5.6 SOUND INSULATION OF SERVICES
CLAUSE F5.7 SOUND INSULATION OF PUMPS

ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSEF4.4 & AS1680
BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 3.2
ENERGY EFFICIENCY/GLAZING: TO COMPLY WITH J2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
HOT WATER: SYSTEMS TO COMPLY WITH PART J7 OF BCA
MASONRY: TO COMPLY WITH AS 3700
MECHELEC/HYDRAULIC: BCA CLAUSE C3.15 & AS1530 4-2005
MECHANICAL EXHANUST VENTILATION: TO COMPLY WITH AS1668 & AS68.2
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786
PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELEC/HYDRAULIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1530 4-2005
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740

ISSUE	AMENDMENTS	DATE
02	ISSUED FOR DA	19-03-2026
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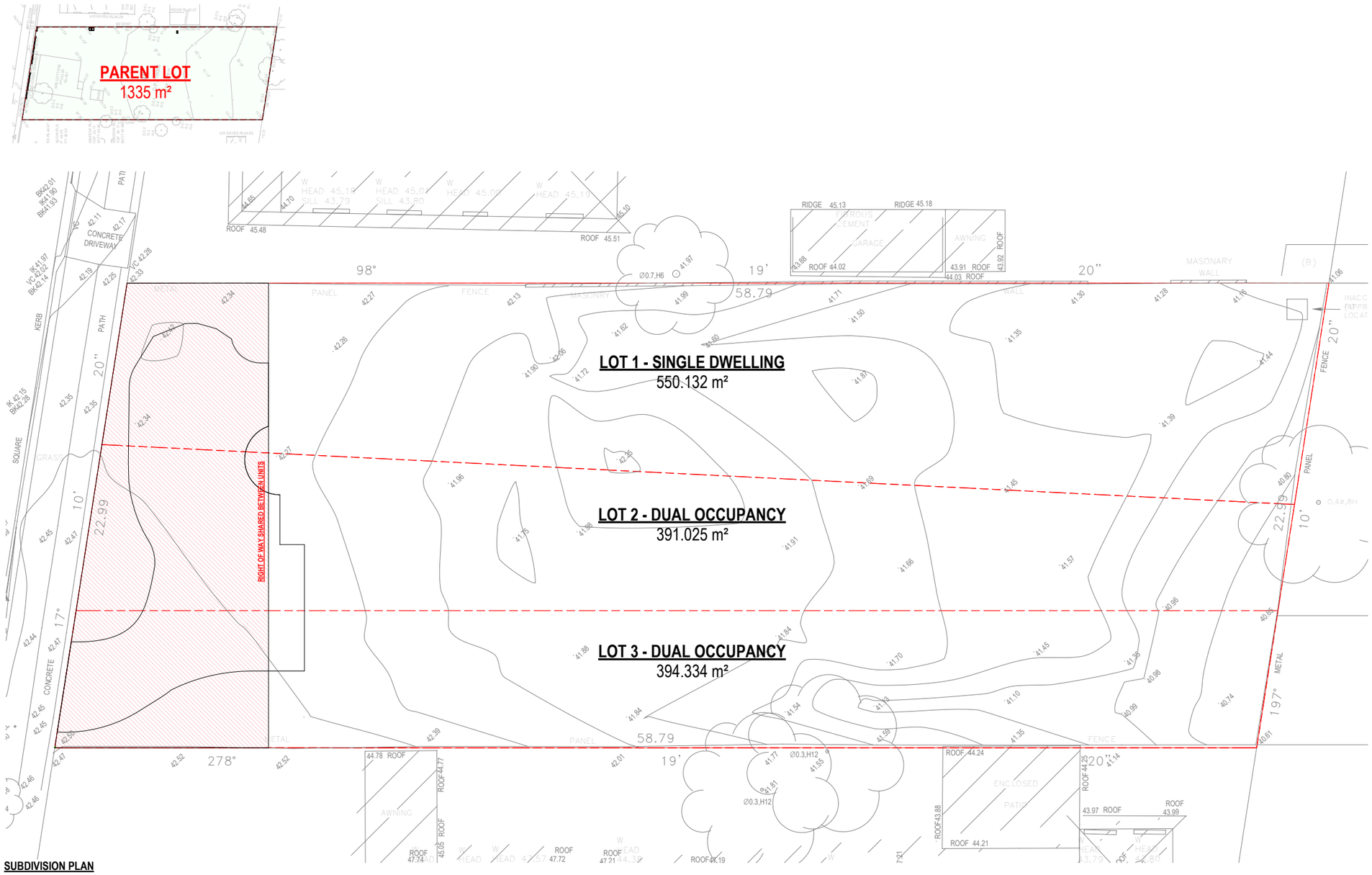

SUBDIVISION PLAN

1 : 100

DESIGN FORMATION ARCHITECTS	**TRUE NORTH:**	**PROJECT STATUS:** ISSUED FOR CLIENT REVIEW	**PREPARED FOR:** DAMIAN KALTOUM	**PROJECT ADDRESS:** 481 WOODVILLE RD GUILDFORD 2161	**SHEET NO:** A006
			PROJECT TYPE: PROPOSED ATTACHED DWELLINGS WITH SECONDARY DWELLINGS		**TITLE:** SITE SUBDIVISION PLAN
	CONTACT: A: 203/25-27 GROSE ST PARRAMATTA NSW 2150 M: +61 422 566 912 E: GEORGE@DESIGNFORMATION.COM.AU		**PROJECT NO:** 970 / **REV NO:** 02	**ORIGINAL ARCHITECT:**	
			DRAWN BY: AAD / **CHECKED BY:** GY		
NOM. ARCHITECT: GEORGE YOUSSEF **NSW REG:** 11535					

GENERAL NOTES

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ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS
SPEC: C1.1 FIRE RESISTING CONSTRUCTION
SPEC: C1.10 FIRE HAZARD PROPERTIES
SPEC: C1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
CLAUSE C1.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
CLAUSE C1.12 SPEARATION OF EQUIPMENT
CLAUSE C1.13 ELECTRICITY SUPPLY SYSTEM
CLAUSE C.3 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)
CLAUSE C3.8 OPENING IN FIRE ISOLATED EXITS
CLAUSE C3.15 OPENING FOR SERVICE INSTALLATIONS
CLAUSE D1.10 DISCHARGE FROM EXITS
CLAUSE D2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL
CLAUSE D2.13 GOINGS AND RISERS
CLAUSE D2.14 LANDINGS
CLAUSE D2.16 BALUSTRADES
CLAUSE D2.17 HANDRAILS
CLAUSE D2.21 OPERATION OF LATCH
CLAUSE D2.23 SIGNS ON DOORS
CLAUSE D3.2 GENERAL BUILDING ACCESS REQUIREMENTS
CLAUSE D3.3 PARTS OF BUILDING TO BE ACCESSIBLE
CLAUSE D3.6 IDENT. OF ACCESSIBLE FACIL/SERV/FEATURES
CLAUSE D3.8 TACTILE INDICATORS
CLAUSE F1.1 WATERPROOFING OF WET AREAS
CLAUSE F1.9/F1.10 DAMP PROOFING
CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS
PART F4 LIGHTING AND VENTILATION
CLAUSE F5.4 SOUND INSULATION OF FLOORS
CLAUSE F5.5 SOUND INSULATION OF WALLS
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ENERGY EFFICIENCY/GLAZING: TO COMPLY WITH J2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
HOT WATER: SYSTEMS TO COMPLY WITH PART J7 OF BCA
MASONRY: TO COMPLY WITH AS3700
MECHELEC/HYDRAULIC: BCA CLAUSE C3.15 & AS1530 4-2005
MECHANICAL AIRCONDITIONING: TO COMPLY WITH PART J5 OF BCA
MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS1668 & AS68.2
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786
PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELEC/HYDRAULIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1530 4-2005
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA.
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
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WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740

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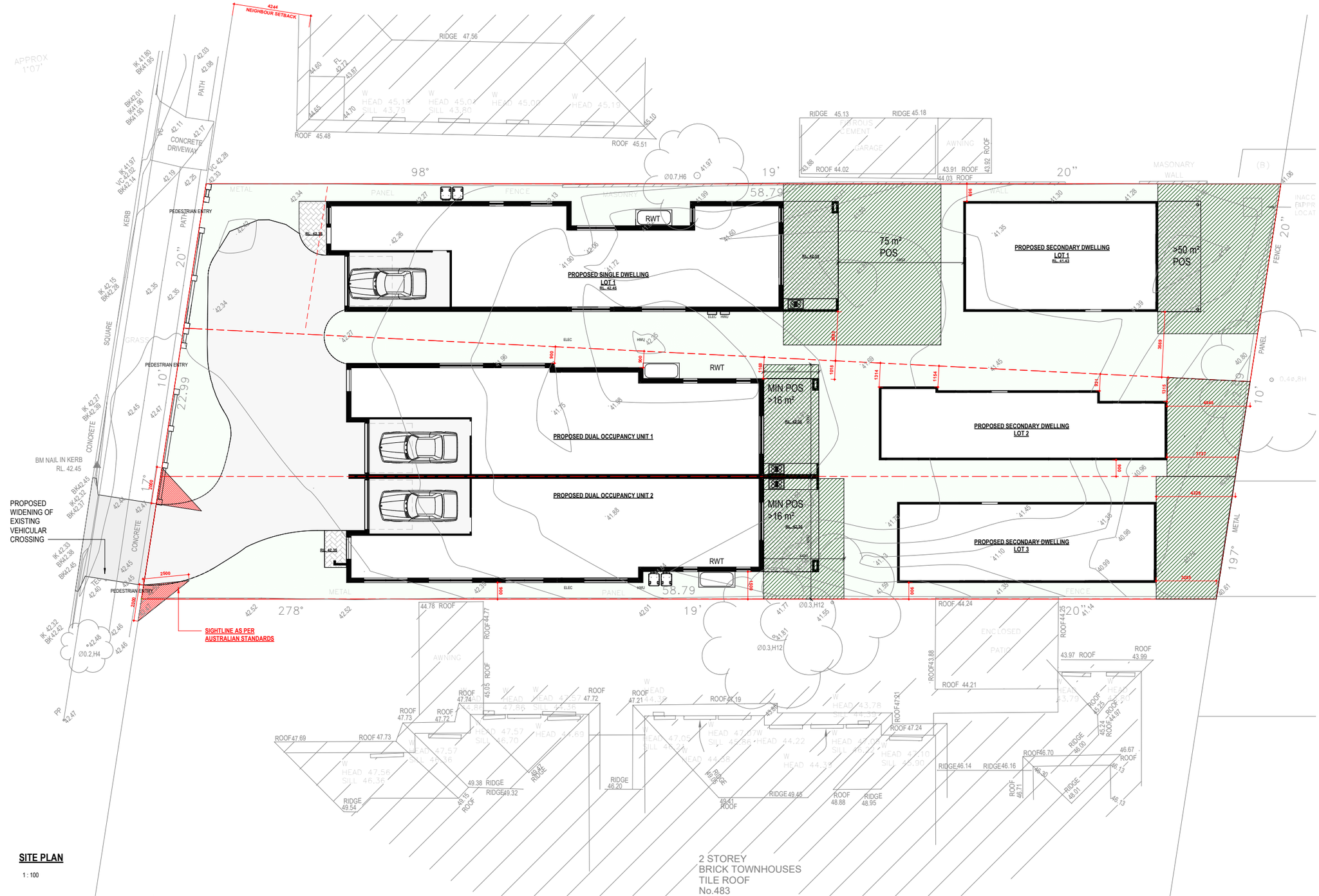

SITE PLAN

1 : 100

DESIGN FORMATION ARCHITECTS

NOM. ARCHITECT: GEORGE YOUSSEF
NOM. REG. NO: 11535
A: 203/25-27 GROSE ST PARRAMATTA NSW 2150
M: +61 422 566 912
E: GEORGE@DESIGNFORMATION.COM.AU

TRUE NORTH:	PROJECT STATUS: ISSUED FOR CLIENT REVIEW	PREPARED FOR: DAMIAN KALTOUM	PROJECT ADDRESS: 481 WOODVILLE RD GUILDFORD 2161	
		PROJECT TYPE: PROPOSED ATTACHED DWELLINGS WITH SECONDARY DWELLINGS		
CONTACT:		PROJECT NO: 970 / REV NO: 02	ORIGINAL ARCHITECT:	
		DRAWN BY: AAD / CHECKED BY: GY		

SHEET NO: A101

TITLE: SITE PLAN

GENERAL NOTES

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CLAUSE C1.13 ELECTRICITY SUPPLY SYSYEM
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CLAUSE C3.15 OPENING FOR SERVICE INSTALLATIONS
CLAUSE D1.10 DISCHARGE FROM EXITS
CLAUSE D2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL
CLAUSE D2.13 GOINGS AND RISERS
CLAUSE D2.14 LANDINGS
CLAUSE D2.16 BALUSTRADES
CLAUSE D2.17 HANDRAILS
CLAUSE D2.21 OPERATION OF LATCH
CLAUSE D2.24 SWINGING DOORS
CLAUSE D3.2 GENERAL BUILDING ACCESS REQUIREMENTS
CLAUSE D3.3 PARTS OF BUILDING TO BE ACCESSIBLE
CLAUSE D3.6 IDENT. OF ACCESSIBLE FACIL/SERV/FEATURES
CLAUSE D3.8 TACTILE INDICATORS
CLAUSE F1.7 WATERPROOFING OF WET AREAS
CLAUSE F1.9/F1.10 DAMP PROOFING
CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS
PART F4 LIGHTING AND VENTILATION
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ENERGY EFFICIENCY/GLAZING: TO COMPLY WITH J2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
HOT WATER: SYSTEMS TO COMPLY WITH PART J7 OF BCA
MASONRY: TO COMPLY WITH AS1314 & AS1530
MECHELEC/HYDRAULIC: BCA CLAUSE C3.15 & AS1530 4-2005
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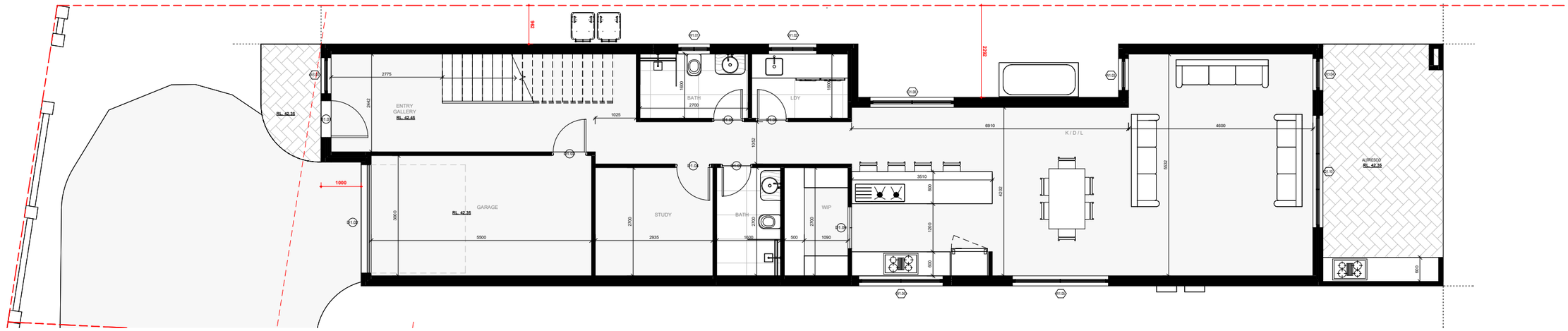

LOT 1 - GROUND FLOOR PLAN

1 : 50

DESIGN FORMATION ARCHITECTS

CONTACT:
A: 203/25-27 GROSE ST PARRAMATTA NSW 2150
M: +61 422 566 912
E: GEORGE@DESIGNFORMATION.COM.AU

NOM. ARCHITECT: GEORGE YOUSSEF
NSW REG: 11535

TRUE NORTH:

PROJECT STATUS: ISSUED FOR CLIENT REVIEW

PREPARED FOR: DAMIAN KALTOUM

PROJECT TYPE: PROPOSED ATTACHED DWELLINGS WITH SECONDARY DWELLINGS

PROJECT NO: 970
REV NO: 02
DRAWN BY: AAD
CHECKED BY: GY

PROJECT ADDRESS: 481 WOODVILLE RD GUILDFORD 2161

ORIGINAL ARCHITECT:

SHEET NO: A102

TITLE: LOT 1 - GROUND FLOOR PLAN

GENERAL NOTES

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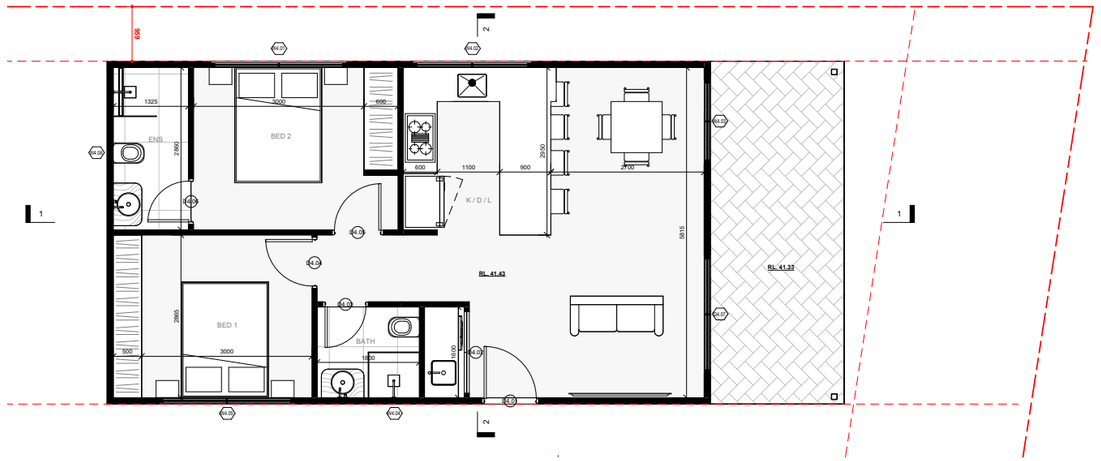

LOT 1 - SECONDARY DWELLING GROUND FLOOR PLAN

1 : 50

DESIGN FORMATION ARCHITECTS

CONTACT:
A: 203/25-27 GROSE ST PARRAMATTA NSW 2150
M: +61 422 566 912
E: GEORGE@DESIGNFORMATION.COM.AU

NOM. ARCHITECT: GEORGE YOUSSEF
NSW REG: 11535

TRUE NORTH:	
PROJECT STATUS:	ISSUED FOR CLIENT REVIEW
PREPARED FOR:	DAMIAN KALTOUM
PROJECT TYPE:	PROPOSED ATTACHED DWELLINGS WITH SECONDARY DWELLINGS
PROJECT NO:	970
REV NO:	02
DRAWN BY:	AAD
CHECKED BY:	GY
PROJECT ADDRESS:	481 WOODVILLE RD GUILDFORD 2161
ORIGINAL ARCHITECT:	

SHEET NO: A103

TITLE: LOT 1 - SECONDARY DWELLING GROUND FLOOR PLAN

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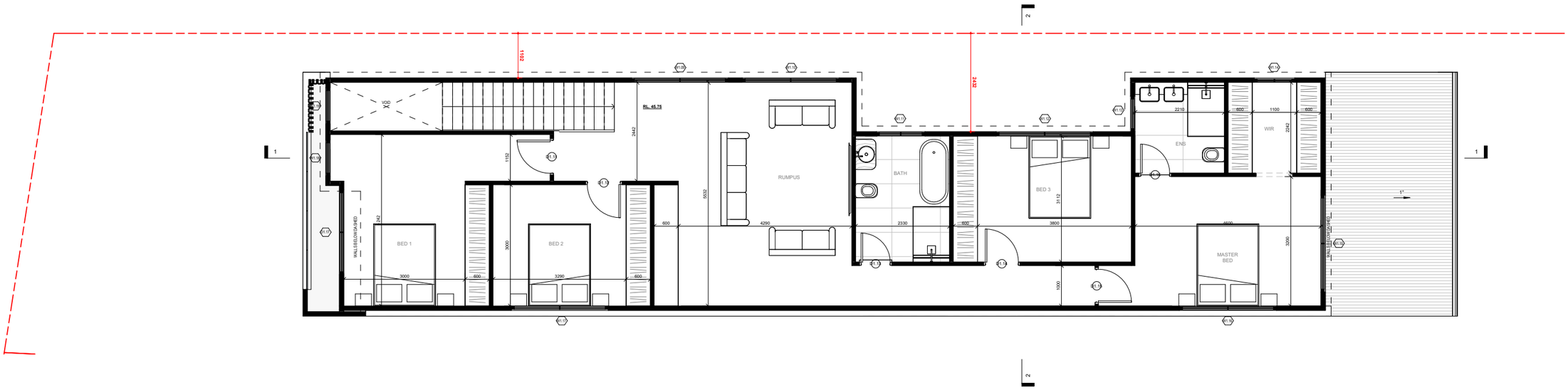

LOT 1 - FIRST FLOOR PLAN

1 : 50

DESIGN FORMATION ARCHITECTS

NOM. ARCHITECT: GEORGE YOUSSEF
NSW REG: 11535

TRUE NORTH:

PROJECT STATUS: ISSUED FOR CLIENT REVIEW

CONTACT:
A: 203/25-27 GROSE ST PARRAMATTA NSW 2150
M: +61 422 566 912
E: GEORGE@DESIGNFORMATION.COM.AU

PREPARED FOR: DAMIAN KALTOUM

PROJECT TYPE: PROPOSED ATTACHED DWELLINGS WITH SECONDARY DWELLINGS

PROJECT NO: 970
REV NO: 02
DRAWN BY: AAD
CHECKED BY: GY

PROJECT ADDRESS: 481 WOODVILLE RD GUILDFORD 2161

ORIGINAL ARCHITECT:

SHEET NO: A104

TITLE: LOT 1 - FIRST FLOOR PLAN

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SPEC. C1.10 FIRE HAZARD PROPERTIES
SPEC. C 11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
CLAUSE C1.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
CLAUSE C1.12 SPEARATION OF EQUIPMENT
CLAUSE C1.13 ELECTRICITY SUPPLY SYSYEM
CLAUSE C.3 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)
CLAUSE C3.8 OPENING IN FIRE ISOLATED EXITS
CLAUSE C3.15 OPENING FOR SERVICE INSTALLATIONS
CLAUSE D1.10 DISCHARGE FROM EXITS
CLAUSE D2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL
CLAUSE D2.13 GOINGS AND RISERS
CLAUSE D2.14 LANDINGS
CLAUSE D2.16 BALUSTRADES
CLAUSE D2.17 HANDRAILS
CLAUSE D2.21 OPERATION OF LATCH
CLAUSE D2.23 SIGNAGE ON DOORS
CLAUSE D3.2 GENERAL BUILDING ACCESS REQUIREMENTS
CLAUSE D3.3 PARTS OF BUILDING TO BE ACCESSIBLE
CLAUSE D3.6 IDENT. OF ACCESSIBLE FACIL/SERV/FEATURES
CLAUSE D3.8 TACTILE INDICATORS
CLAUSE F1.7 WATERPROOFING OF WET AREAS
CLAUSE F1.9/F1.10 DAMP PROOFING
CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS
PART F4 LIGHTING AND VENTILATION
CLAUSE F5.4 SOUND INSULATION OF FLOORS
CLAUSE F5.5 SOUND INSULATION OF WALLS
CLAUSE F5.6 SOUND INSULATION OF SERVICES
CLAUSE F5.7 SOUND INSULATION OF PUMPS

ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSEF4.4 & AS1680
BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 3.2
ENERGY EFFICIENCY/GLAZING: TO COMPLY WITH J2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
HOT WATER: SYSTEMS TO COMPLY WITH PART J7 OF BCA
MASONRY: TO COMPLY WITH AS1720
MECHELEC/HYDRAULIC: BCA CLAUSE C3.15 & AS1530 4-2005
MECHANICAL AIRCONDITIONING: TO COMPLY WITH PART J5 OF BCA
MECHANICAL EXHANUST VENTILATION: TO COMPLY WITH AS1668 & AS68.2
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786
PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECHELEC/HYDRAULIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1530 4-2005
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740

ISSUE	AMENDMENTS	DATE
02	ISSUED FOR DA	19-03-2026
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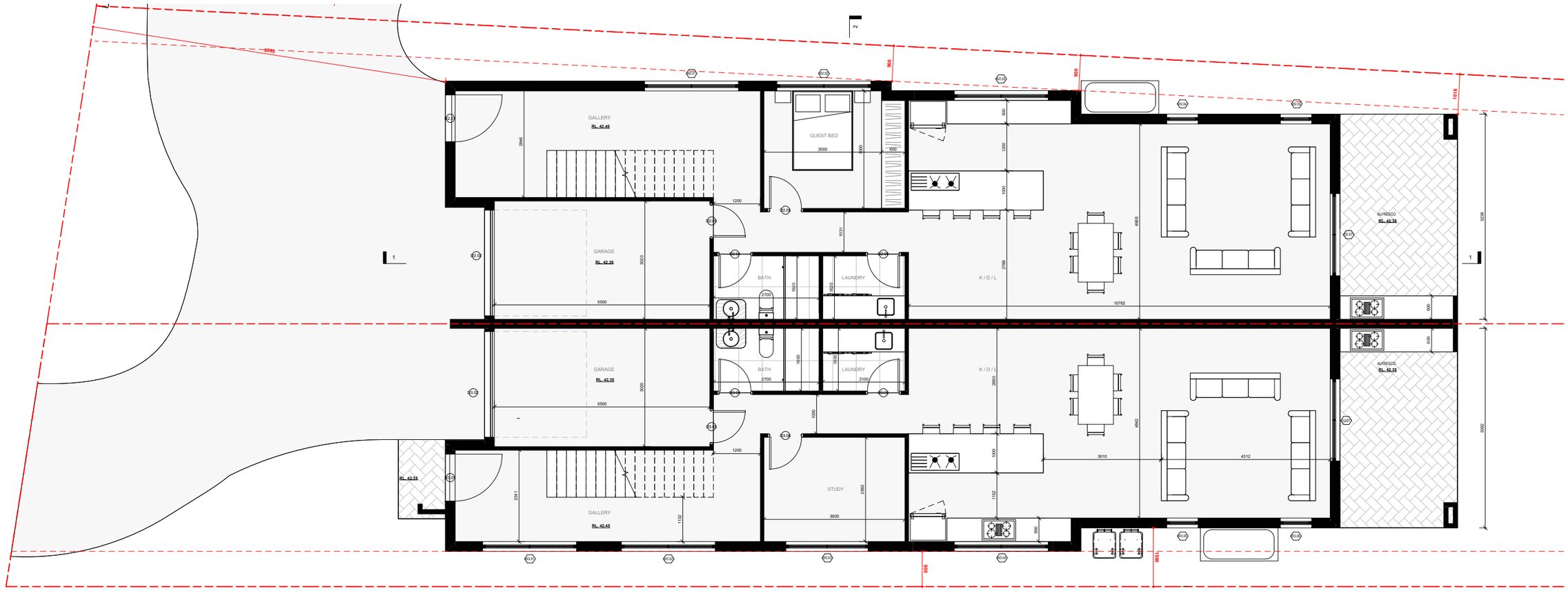

LOT 2 & 3 - GROUND FLOOR PLAN

1 : 50

DESIGN FORMATION ARCHITECTS	**TRUE NORTH:**	**PROJECT STATUS:** ISSUED FOR CLIENT REVIEW	**PREPARED FOR:** DAMIAN KALTOUM	**PROJECT ADDRESS:** 481 WOODVILLE RD GUILDFORD 2161
			PROJECT TYPE: PROPOSED ATTACHED DWELLINGS WITH SECONDARY DWELLINGS	
CONTACT: A: 203/25-27 GROSE ST PARRAMATTA NSW 2150 M: +61 422 566 912 E: GEORGE@DESIGNFORMATION.COM.AU			**PROJECT NO:** 970 / **REV NO:** 02	**ORIGINAL ARCHITECT:**
			DRAWN BY: AAD / **CHECKED BY:** GY	

SHEET NO: A105

TITLE: LOT 2 & 3 - GROUND FLOOR PLAN

NOM. ARCHITECT: GEORGE YOUSSEF
NSW REGO: 11535

GENERAL NOTES

1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, AUSTRALIAN STANDARDS, STATUTORY REGULATIONS AND LOCAL AUTHORITY REQUIREMENTS, INCLUDING CONDITIONS OF CONSENT.
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4. DESIGN FORMATION DRAWINGS TO BE READ IN CONJUNCTION WITH ALL CONTRACT DOCUMENTS FROM ALL CONSULTANTS.
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ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS
SPEC. C1.1 FIRE RESISTING CONSTRUCTION
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CLAUSE C1.12 SPEARATION OF EQUIPMENT
CLAUSE C1.13 ELECTRICITY SUPPLY SYSYEM
CLAUSE C.3 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)
CLAUSE C3.8 OPENING IN FIRE ISOLATED EXITS
CLAUSE C3.15 OPENING FOR SERVICE INSTALLATIONS
CLAUSE D1.10 DISCHARGE FROM EXITS
CLAUSE D2.11 STAIRWAYS AND RAMPS IN EXITS AND PATHS OF TRAVEL
CLAUSE D2.13 GOINGS AND RISERS
CLAUSE D2.14 LANDINGS
CLAUSE D2.16 BALUSTRADES
CLAUSE D2.17 HANDRAILS
CLAUSE D2.21 OPERATION OF LATCH
CLAUSE D2.23 SIGNS ON DOORS
CLAUSE D3.2 GENERAL BUILDING ACCESS REQUIREMENTS
CLAUSE D3.3 PARTS OF BUILDING TO BE ACCESSIBLE
CLAUSE D3.6 IDENT. OF ACCESSIBLE FACIL/SERV/FEATURES
CLAUSE D3.8 TACTILE INDICATORS
CLAUSE F1.7 WATERPROOFING OF WET AREAS
CLAUSE F1.9/F1.10 DAMP PROOFING
CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS
PART F4 LIGHTING AND VENTILATION
CLAUSE F5.4 SOUND INSULATION OF FLOORS
CLAUSE F5.5 SOUND INSULATION OF WALLS
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ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSEF4.4 & AS1680
BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 3.2
ENERGY EFFICIENCY/GLAZING: TO COMPLY WITH J2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
FIRE SEPARATION: TO COMPLY WITH PART J2 OF BCA
HANDRAILS: TO COMPLY WITH AS1428.1
MECHELEC/HYDRAULIC: BCA CLAUSE C3.15 & AS1530 4-2005
MECHANICAL AIR CONDITIONING: TO COMPLY WITH PART J5 OF BCA
MECHANICAL EXHANUST VENTILATION: TO COMPLY WITH AS1668 & AS68.2
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786
PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELEC/HYDRAULIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1530 4-2005
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740

ISSUE	AMENDMENTS	DATE
02	ISSUED FOR DA	19-03-2026
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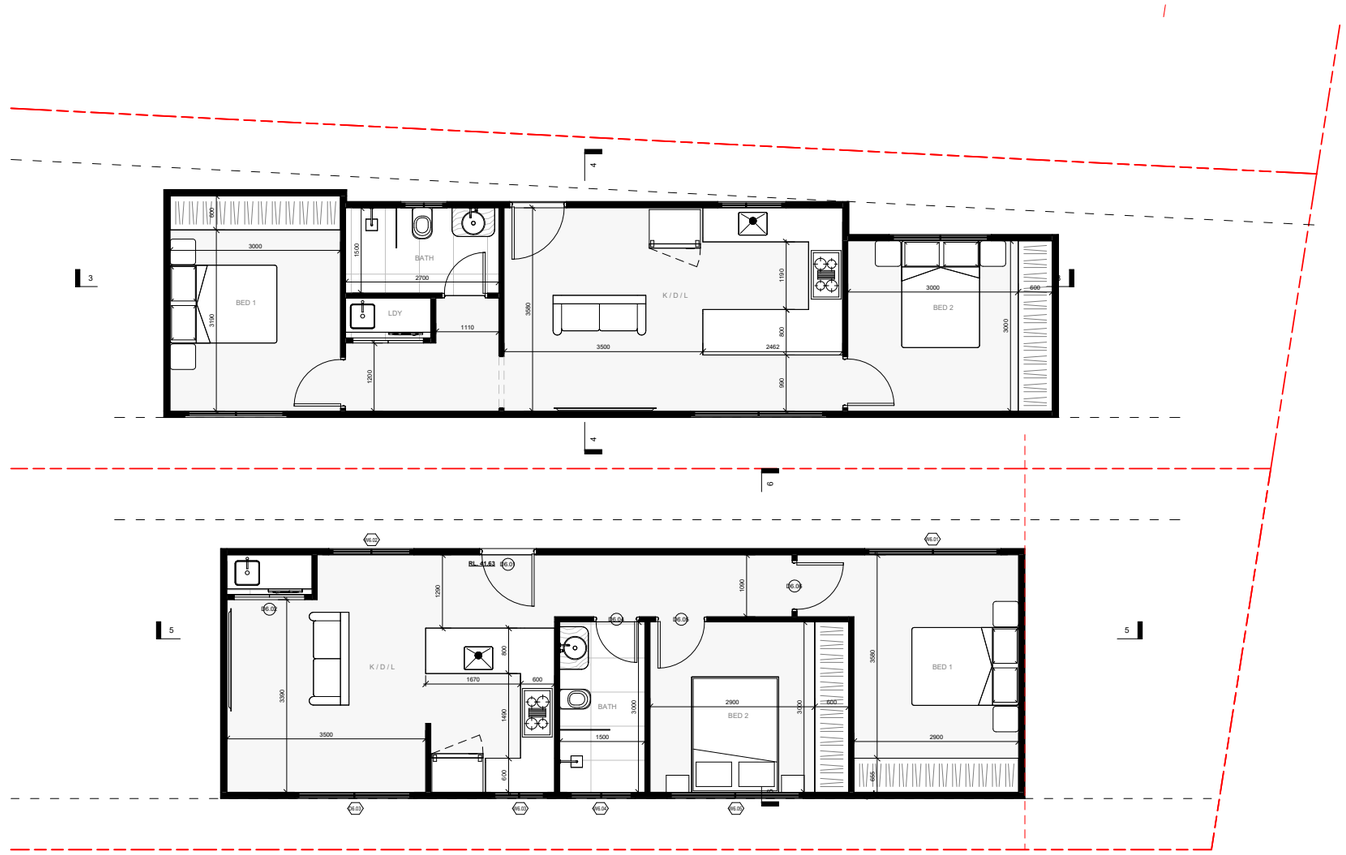

LOT 2 & 3 - SECONDARY DWELLING GROUND FLOOR PLAN

1 : 50

DESIGN FORMATION ARCHITECTS

NOM. ARCHITECT: GEORGE YOUSSEF
NSW REGD: 11535

TRUE NORTH:

PROJECT STATUS: ISSUED FOR CLIENT REVIEW

CONTACT:
A: 203/25-27 GROSE ST PARRAMATTA NSW 2150
M: +61 422 566 912
E: GEORGE@DESIGNFORMATION.COM.AU

PREPARED FOR: DAMIAN KALTOUM

PROJECT TYPE: PROPOSED ATTACHED DWELLINGS WITH SECONDARY DWELLINGS

PROJECT NO: 970
REV NO: 02
DRAWN BY: AAD
CHECKED BY: GY

PROJECT ADDRESS: 481 WOODVILLE RD GUILDFORD 2161

ORIGINAL ARCHITECT:

SHEET NO: A106

TITLE: LOT 2 & 3 - SECONDARY GROUND FLOOR PLAN

GENERAL NOTES

1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, AUSTRALIAN STANDARDS, STATUTORY REGULATIONS AND LOCAL AUTHORITY REQUIREMENTS, INCLUDING CONDITIONS OF CONSENT.
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ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS
SPEC. C1.1 FIRE RESISTING CONSTRUCTION
SPEC. C1.10 FIRE HAZARD PROPERTIES
SPEC. C1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
CLAUSE C1.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
CLAUSE C1.12 SPEARATION OF EQUIPMENT
CLAUSE C1.13 ELECTRICITY SUPPLY SYSYEM
CLAUSE C 3 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)
CLAUSE C3.8 OPENING IN FIRE ISOLATED EXITS
CLAUSE C3.15 OPENING FOR SERVICE INSTALLATIONS
CLAUSE D1.10 DISCHARGE FROM EXITS
CLAUSE D2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL
CLAUSE D2.13 GOINGS AND RISERS
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CLAUSE D2.16 BALUSTRADES
CLAUSE D2.17 HANDRAILS
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CLAUSE D2.23 SIGNS ON DOORS
CLAUSE D3.2 GENERAL BUILDING ACCESS REQUIREMENTS
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CLAUSE D3.8 TACTILE INDICATORS
CLAUSE F1.7 WATERPROOFING OF WET AREAS
CLAUSE F1.9 SPEC 1.10 DAMP PROOFING
CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS
PART F4 LIGHTING AND VENTILATION
CLAUSE F5.4 SOUND INSULATION OF FLOORS
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CLAUSE F5.7 SOUND INSULATION OF PUMPS

ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSEF4.4 & AS1680
BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 3.2
ENERGY EFFICIENCY/GLAZING: TO COMPLY WITH J2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
HOT WATER: SYSTEMS TO COMPLY WITH *PART J7* OF BCA
MASONRY: TO COMPLY WITH AS1100
MECH/ELEC/HYDRAULIC: BCA CLAUSE C3.15 & AS1530 4-2005
MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS1668 & AS68.2
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786
PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELEC/HYDRAULIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1530 4-2005
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740

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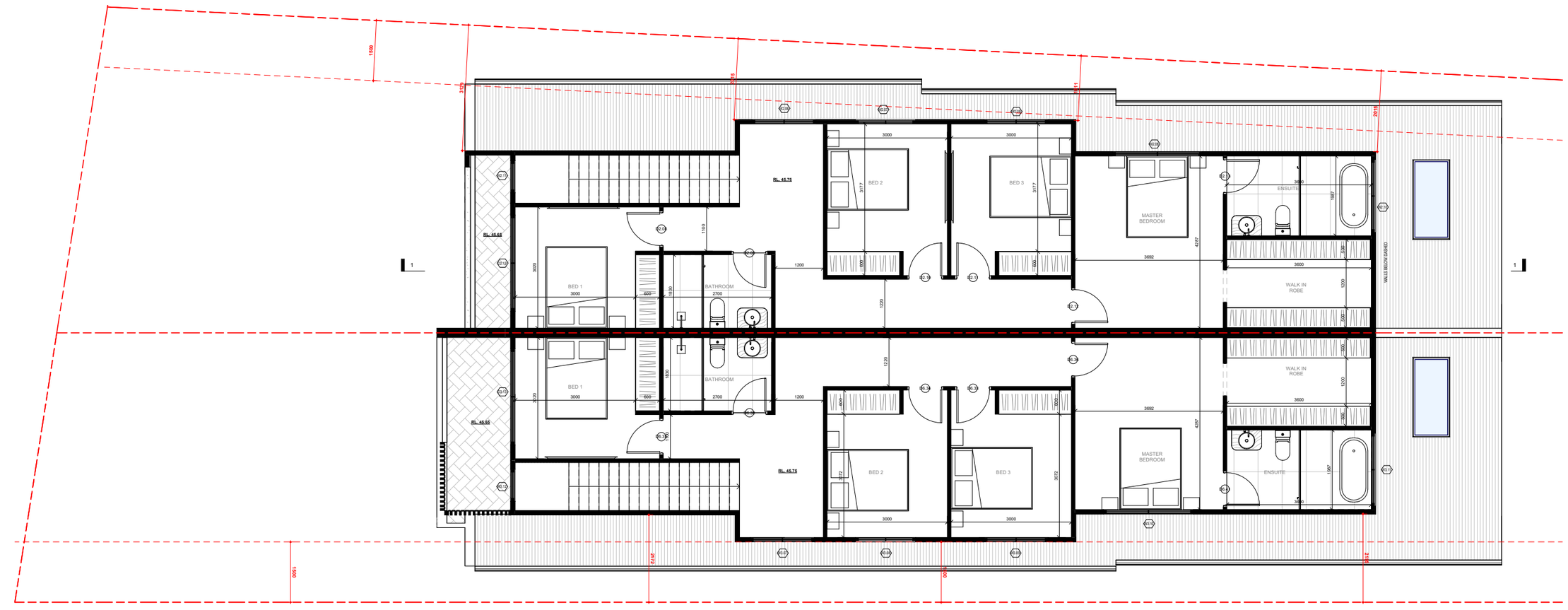

LOT 2 & 3 - FIRST FLOOR PLAN

1 : 50

DESIGN FORMATION ARCHITECTS

CONTACT:
A: 203/25-27 GROSE ST PARRAMATTA NSW 2150
M: +61 422 566 912
E: GEORGE@DESIGNFORMATION.COM.AU

NOM. ARCHITECT: GEORGE YOUSSEF
NSW REGO: 11535

TRUE NORTH:

PROJECT STATUS: ISSUED FOR CLIENT REVIEW

PREPARED FOR: DAMIAN KALTOUM

PROJECT TYPE: PROPOSED ATTACHED DWELLINGS WITH SECONDARY DWELLINGS

PROJECT NO: 970
REV NO: 02
DRAWN BY: AAD
CHECKED BY: GY

PROJECT ADDRESS: 481 WOODVILLE RD GUILDFORD 2161

ORIGINAL ARCHITECT:

SHEET NO: A107

TITLE: LOT 2 & 3 - FIRST FLOOR PLAN

GENERAL NOTES

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CLAUSE C1.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
CLAUSE C1.12 SPEARATION OF EQUIPMENT
CLAUSE C1.13 ELECTRICITY SUPPLY SYSYEM
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CLAUSE C3.8 OPENING IN FIRE ISOLATED EXITS
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ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSEF4.4 & AS1680
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DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 3.2
ENERGY EFFICIENCY/GLAZING: TO COMPLY WITH J2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
HOT WATER: SYSTEMS TO COMPLY WITH PART J7 OF BCA
MASONRY: TO COMPLY WITH AS3700
MECHELEC/HYDRAULIC: BCA CLAUSE C3.15 & AS1530 4-2005
MECHANICAL AIRCONDITIONING: TO COMPLY WITH PART J5 OF BCA
MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS1668 & AS68.2
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786
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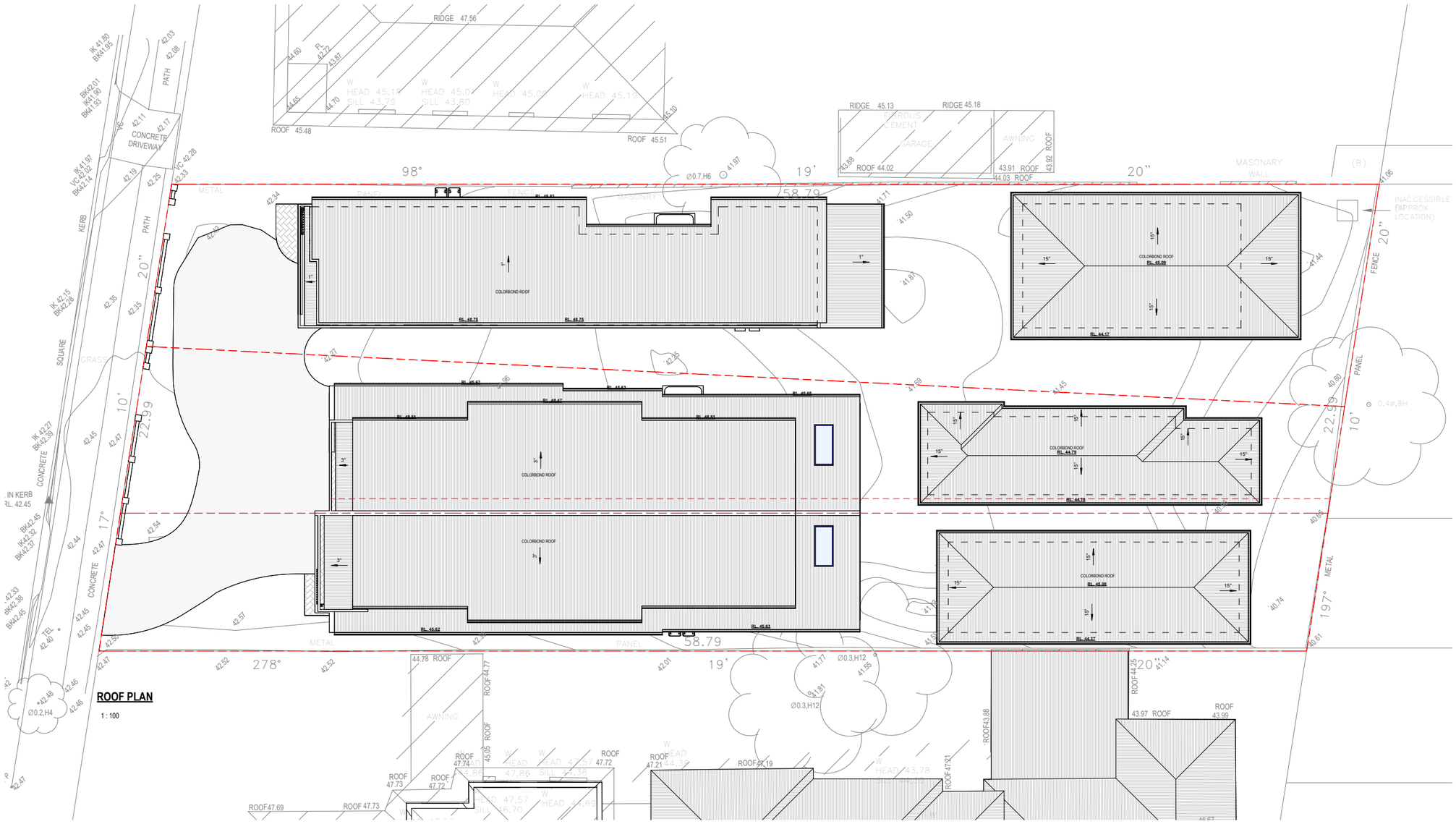

ROOF PLAN

1 : 100

DESIGN FORMATION ARCHITECTS	**TRUE NORTH:**	**PROJECT STATUS:** ISSUED FOR CLIENT REVIEW	**PREPARED FOR:** DAMIAN KALTOUM	**PROJECT ADDRESS:** 481 WOODVILLE RD GUILDFORD 2161	**SHEET NO:** A108
			PROJECT TYPE: PROPOSED ATTACHED DWELLINGS WITH SECONDARY DWELLINGS		**TITLE:** ROOF PLAN
CONTACT: A: 203/25-27 GROSE ST PARRAMATTA NSW 2150 M: +61 422 566 912 E: GEORGE@DESIGNFORMATION.COM.AU			**PROJECT NO:** 970 **REV NO:** 02	**ORIGINAL ARCHITECT:**	
NOM. ARCHITECT: GEORGE YOUSSEF **NSW REG NO:** 11535			**DRAWN BY:** AAD **CHECKED BY:** GY		

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BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 3.2
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SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740

ISSUE	AMENDMENTS	DATE
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01	ISSUED FOR CLIENT REVIEW	18-12-2024



NORTHERN ELEVATION - LOT 2 & 3

1 : 50

EASTERN ELEVATION - LOT 2 & 3

1 : 50

DESIGN FORMATION ARCHITECTS

CONTACT:
A: 203/25-27 GROSE ST PARRAMATTA NSW 2150
M: +61 422 566 912
E: GEORGE@DESIGNFORMATION.COM.AU

NOM. ARCHITECT: GEORGE YOUSSEF
NSW REGO: 11535

TRUE NORTH:

PROJECT STATUS: ISSUED FOR CLIENT REVIEW

PREPARED FOR: DAMIAN KALTOUM

PROJECT TYPE: PROPOSED ATTACHED DWELLINGS WITH SECONDARY DWELLINGS

PROJECT NO: 970
REV NO: 02
DRAWN BY: AAD
CHECKED BY: GY

PROJECT ADDRESS: 481 WOODVILLE RD GUILDFORD 2161

ORIGINAL ARCHITECT:

SHEET NO: A201

TITLE: ELEVATIONS

GENERAL NOTES

1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, AUSTRALIAN STANDARDS, STATUTORY REGULATIONS AND LOCAL AUTHORITY REQUIREMENTS, INCLUDING CONDITIONS OF CONSENT.
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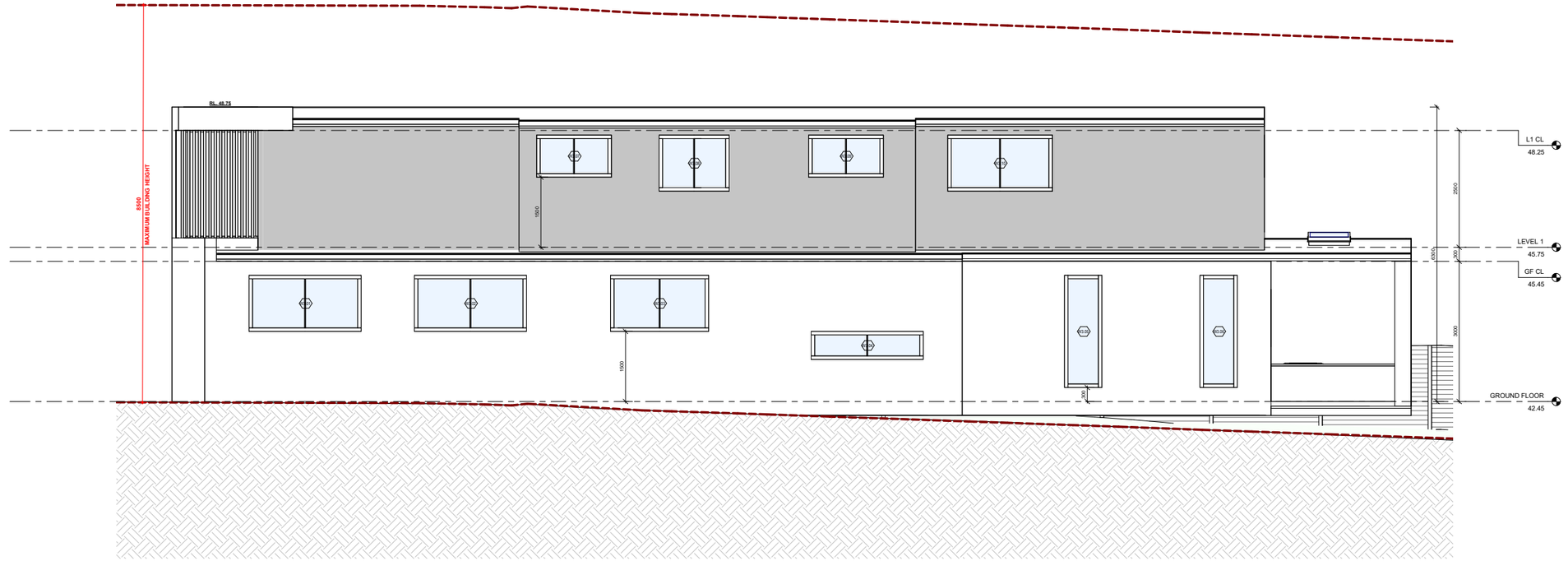
4. DESIGN FORMATION DRAWINGS TO BE READ IN CONJUNCTION WITH ALL CONTRACT DOCUMENTS FROM ALL CONSULTANTS.
5. CONTRACTOR TO NOTIFY DESIGN FORMATION OF ANY DISCREPENCIES, DIMENSIONAL INCONSISTENCIES, OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING.
6. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED
7. DESIGN FORMATION TO REVIEW ALL CONTRACTOR'S DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION.
8. PROGRESS WORK TO BE VERIFIED AGAINST DRAWINGS FOLLOWING EXECUTION AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO CONTRACTOR PROCEEDING WITH NEXT TRADE.

ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS
SPEC. C1.1 FIRE RESISTING CONSTRUCTION
SPEC. C1.10 FIRE HAZARD PROPERTIES
SPEC. C1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
CLAUSE C1.12 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
CLAUSE C1.12 SPEARATION OF EQUIPMENT
CLAUSE C1.13 ELECTRICITY SUPPLY SYSYEM
CLAUSE C.3 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)
CLAUSE C3.8 OPENING IN FIRE ISOLATED EXITS
CLAUSE C3.15 OPENING FOR SERVICE INSTALLATIONS
CLAUSE D1.10 DISCHARGE FROM EXITS
CLAUSE D2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL
CLAUSE D2.13 GOINGS AND RISERS
CLAUSE D2.14 LANDINGS
CLAUSE D2.16 BALUSTRADES
CLAUSE D2.17 HANDRAILS
CLAUSE D2.21 OPERATION OF LATCH
CLAUSE D2.23 SIGNS ON DOORS
CLAUSE D3.2 GENERAL BUILDING ACCESS REQUIREMENTS
CLAUSE D3.3 PARTS OF BUILDING TO BE ACCESSIBLE
CLAUSE D3.6 IDENT. OF ACCESSIBLE FACILISERVFEATURES
CLAUSE D3.8 TACTILE INDICATORS
CLAUSE F1.7 WATERPROOFING OF WET AREAS
CLAUSE F1.8 TACTILE GROUND SURFACE IND.
CLAUSE F2.1 SOUND INSULATION OF SANITARY COMPARTMENTS
PART F4 LIGHTING AND VENTILATION
CLAUSE F5.4 SOUND INSULATION OF FLOORS
CLAUSE F5.5 SOUND INSULATION OF WALLS
CLAUSE F5.6 SOUND INSULATION OF SERVICES
CLAUSE F5.7 SOUND INSULATION OF PUMPS

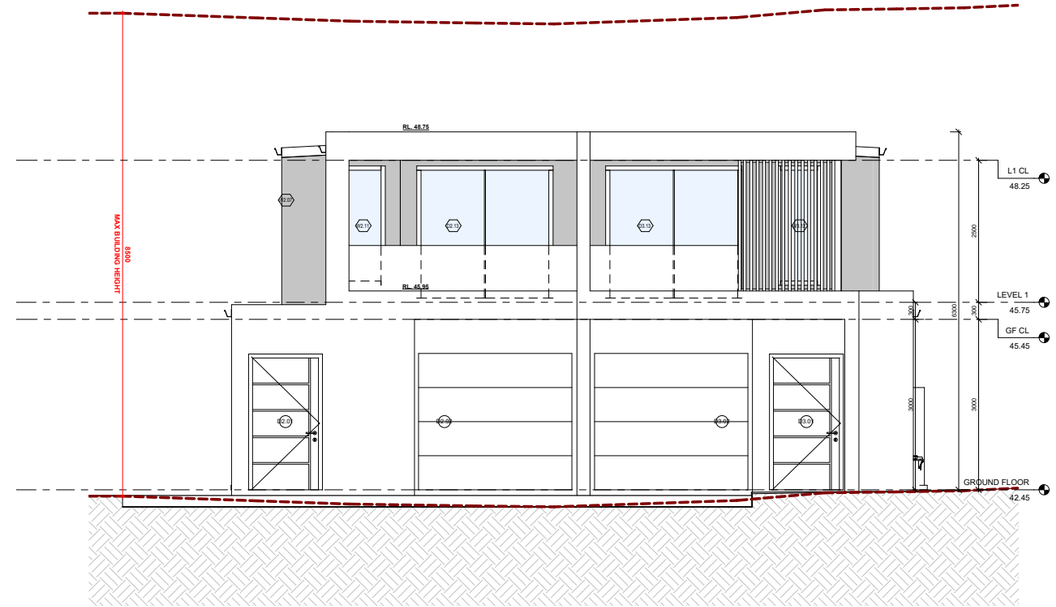
ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSEF4.4 & AS1680
BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 3.2
ENERGY EFFICIENCYGLAZING: TO COMPLY WITH J2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
HOT WATER: SYSTEMS TO COMPLY WITH PART J7 OF BCA
MASONRY: TO COMPLY WITH AS1530
MECHELEC/HYDRAULIC: BCA CLAUSE C3.15 & AS1530 4-2005
MECHANICAL EXHANUST VENTILATION: TO COMPLY WITH AS1668 & AS68.2
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786
PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELEC/HYDRAULIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1530 4-2005
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740

ISSUE	AMENDMENTS	DATE
02	ISSUED FOR DA	19-03-2026
01	ISSUED FOR CLIENT REVIEW	18-12-2024



SOUTHERN ELEVATION - LOT 2 & 3

1 : 50



WESTERN ELEVATION - LOT 2 & 3

1 : 50

DESIGN FORMATION ARCHITECTS

NOM. ARCHITECT: GEORGE YOUSSEF
NSW REG: 11535

TRUE NORTH:

PROJECT STATUS: ISSUED FOR CLIENT REVIEW

CONTACT:
A: 203/25-27 GROSE ST PARRAMATTA NSW 2150
M: +61 422 566 912
E: GEORGE@DESIGNFORMATION.COM.AU

PREPARED FOR: DAMIAN KALTOUM

PROJECT TYPE: PROPOSED ATTACHED DWELLINGS WITH SECONDARY DWELLINGS

PROJECT NO: 970 **REV NO:** 02

DRAWN BY: AAD **CHECKED BY:** GY

PROJECT ADDRESS: 481 WOODVILLE RD GUILDFORD 2161

ORIGINAL ARCHITECT:

SHEET NO: A202

TITLE: ELEVATIONS

GENERAL NOTES

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CLAUSE C3.8 OPENING IN FIRE ISOLATED EXITS
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CLAUSE D2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL
CLAUSE D2.13 GOINGS AND RISERS
CLAUSE D2.14 LANDINGS
CLAUSE D2.16 BALUSTRADES
CLAUSE D2.17 HANDRAILS
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CLAUSE D2.23 SIGNS ON DOORS
CLAUSE D3.2 GENERAL BUILDING ACCESS REQUIREMENTS
CLAUSE D3.3 PARTS OF BUILDING TO BE ACCESSIBLE
CLAUSE D3.6 IDENT. OF ACCESSIBLE FACIL/SERV/FEATURES
CLAUSE D3.8 TACTILE INDICATORS
CLAUSE F1.7 WATERPROOFING OF WET AREAS
CLAUSE F1.9/F1.10 DAMP PROOFING
CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS
PART F4 LIGHTING AND VENTILATION
CLAUSE F5.4 SOUND INSULATION OF FLOORS
CLAUSE F5.5 SOUND INSULATION OF WALLS
CLAUSE F5.6 SOUND INSULATION OF SERVICES
CLAUSE F5.7 SOUND INSULATION OF PUMPS

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BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 3.2
ENERGY EFFICIENCY/GLAZING: TO COMPLY WITH J2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
HOT WATER: SYSTEMS TO COMPLY WITH PART J7 OF BCA
MASONRY: TO COMPLY WITH AS1720
MECHELEC/HYDRAULIC: BCA CLAUSE C3.15 & AS1530 4-2005
MECHANICAL AIRCONDITIONING: TO COMPLY WITH PART J5 OF BCA
MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS1668 & AS68.2
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786
PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELEC/HYDRAULIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1530 4-2005
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740

ISSUE	AMENDMENTS	DATE
02	ISSUED FOR DA	19-03-2026
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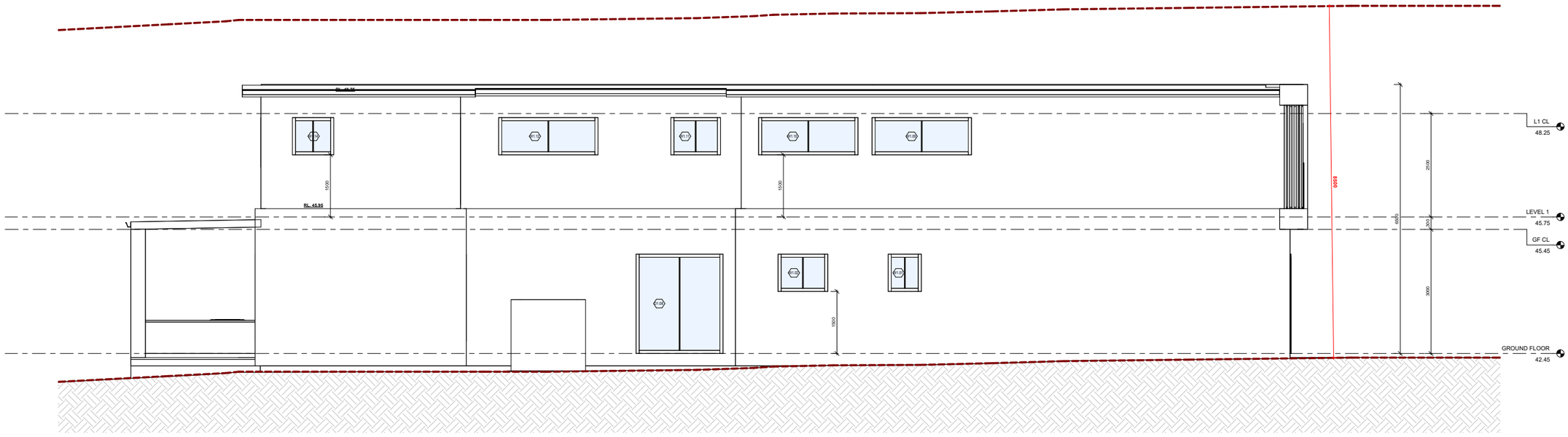
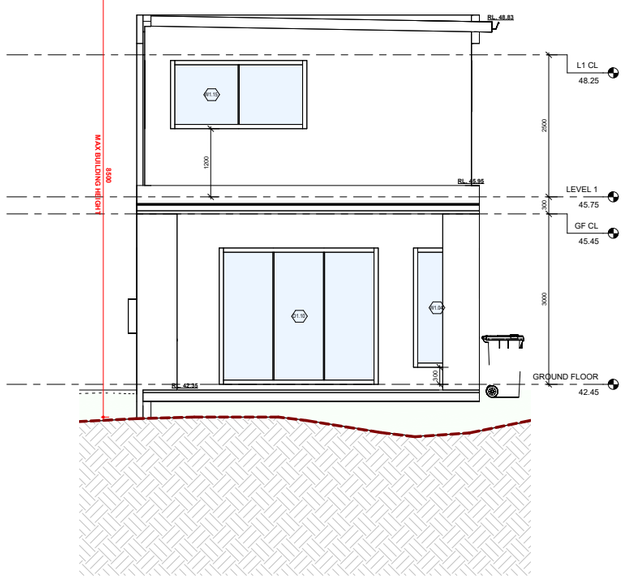


NORTHERN ELEVATION - LOT 1

1 : 50



EASTERN ELEVATION - LOT 1

1 : 50

DESIGN FORMATION ARCHITECTS

NOM. ARCHITECT: GEORGE YOUSSEF
NSW REG: 11535
CONTACT:
A: 203/25-27 GROSE ST PARRAMATTA NSW 2150
M: +61 422 566 912
E: GEORGE@DESIGNFORMATION.COM.AU

TRUE NORTH:

PROJECT STATUS: ISSUED FOR CLIENT REVIEW

PREPARED FOR: DAMIAN KALTOUM

PROJECT TYPE: PROPOSED ATTACHED DWELLINGS WITH SECONDARY DWELLINGS

PROJECT NO: 970

REV NO: 02

DRAWN BY: AAD

CHECKED BY: GY

PROJECT ADDRESS: 481 WOODVILLE RD GUILDFORD 2161

ORIGINAL ARCHITECT:

SHEET NO: A203

TITLE: ELEVATIONS

GENERAL NOTES

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SPEC. C1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
CLAUSE C1.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
CLAUSE C1.12 SPEARATION OF EQUIPMENT
CLAUSE C1.13 ELECTRICITY SUPPLY SYSYEM
CLAUSE C1.14 PROTECTION OF OPENINGS PENETRATION (OF OPENINGS)
CLAUSE C3.8 OPENING IN FIRE ISOLATED EXITS
CLAUSE C3.15 OPENING FOR SERVICE INSTALLATIONS
CLAUSE D1.10 DISCHARGE FROM EXITS
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CLAUSE D2.13 GOINGS AND RISERS
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CLAUSE D3.2 GENERAL BUILDING ACCESS REQUIREMENTS
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CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS
PART F4 LIGHTING AND VENTILATION
CLAUSE F5.4 SOUND INSULATION OF FLOORS
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ENERGY EFFICIENCY/GLAZING:TO COMPLY WITH J2 OF BCA
FIRE SERVICES:TO COMPLY WITH SECTION E OF BCA
HOT WATER: SYSTEMS TO COMPLY WITH PART J7 OF BCA
MASONRY:TO COMPLY WITH AS3700
MECHELEC/HYDRAULIC:BCA CLAUSE C3.15 & AS1530 4-2005
MECHANICAL AIRCONDITIONING:TO COMPLY WITH PART J5 OF BCA
MECHANICAL EXHANUST VENTILATION:TO COMPLY WITH AS1668 & AS68.2
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786
PENETRATIONS:THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELEC/HYDRAULIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1530 4-2005
SOUND TRANSMISSION:TO COMPLY WITH PARTS OF BCA
STAIR CONSTRUCTION:TO COMPLY WITH BCA CLAUSE D2.13
STAIR CONSTRUCTION:TO COMPLY WITH BCA CLAUSE D2.13
WATERPROOFING OF WET AREAS:TO COMPLY WITH AS3740

ISSUE	AMENDMENTS	DATE
02	ISSUED FOR DA	19-03-2026
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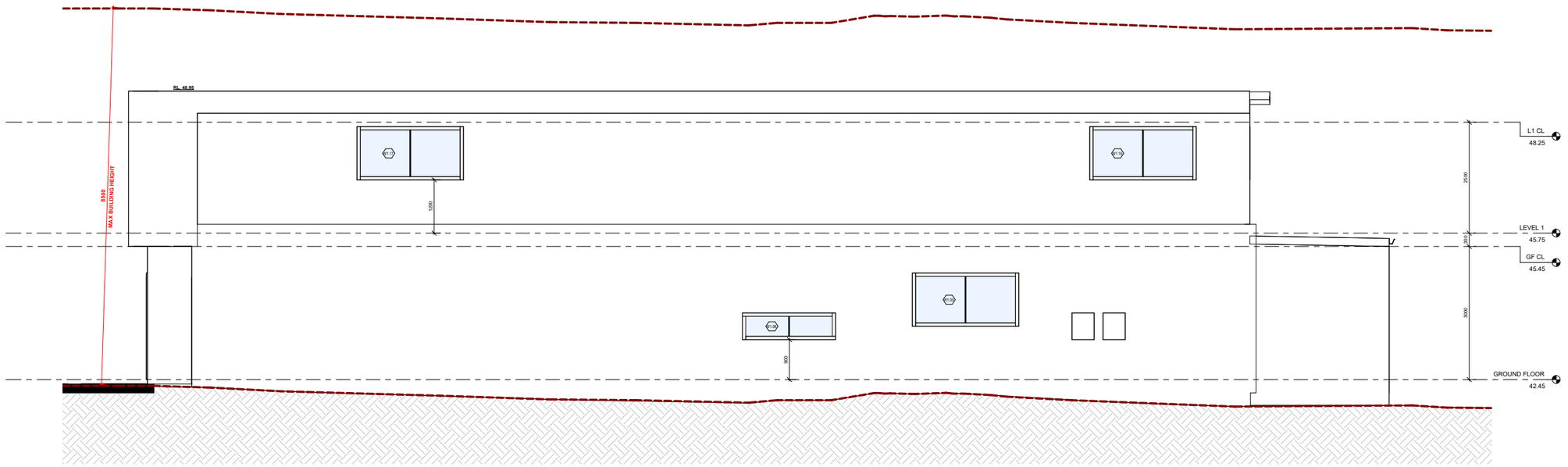
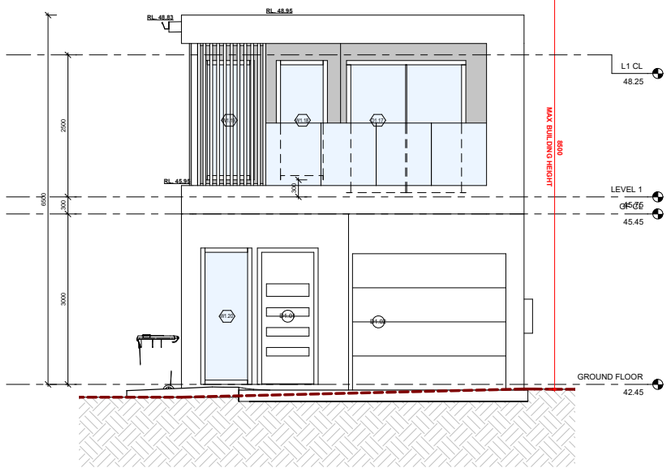


SOUTHERN ELEVATION - LOT 1

1 : 50



WESTERN ELEVATION - LOT 1

1 : 50

DESIGN FORMATION ARCHITECTS

NOM. ARCHITECT: GEORGE YOUSSEF
NSW REGO: 11535

TRUE NORTH:

PROJECT STATUS: ISSUED FOR CLIENT REVIEW

CONTACT:
A: 203/25-27 GROSE ST PARRAMATTA NSW 2150
M: +61 422 566 912
E: GEORGE@DESIGNFORMATION.COM.AU

PREPARED FOR: DAMIAN KALTOUM

PROJECT TYPE: PROPOSED ATTACHED DWELLINGS WITH SECONDARY DWELLINGS

PROJECT NO: 970
REV NO: 02
DRAWN BY: AAD
CHECKED BY: GY

PROJECT ADDRESS: 481 WOODVILLE RD GUILDFORD 2161

ORIGINAL ARCHITECT:

SHEET NO: A204

TITLE: ELEVATIONS

GENERAL NOTES

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SPEC. C1.10 FIRE HAZARD PROPERTIES
SPEC. C 11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
CLAUSE C1.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
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FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
FIRE RATED DOORS: TO COMPLY WITH PART J7 OF BCA
HANDRAILS: TO COMPLY WITH AS1428.1
MECHELEC/HYDRAULIC: BCA CLAUSE C3.15 & AS1530 4-2005
MECHANICAL AIR/CONDITIONING: TO COMPLY WITH PART J5 OF BCA
MECHANICAL EXHANUST VENTILATION: TO COMPLY WITH AS1668 & AS68.2
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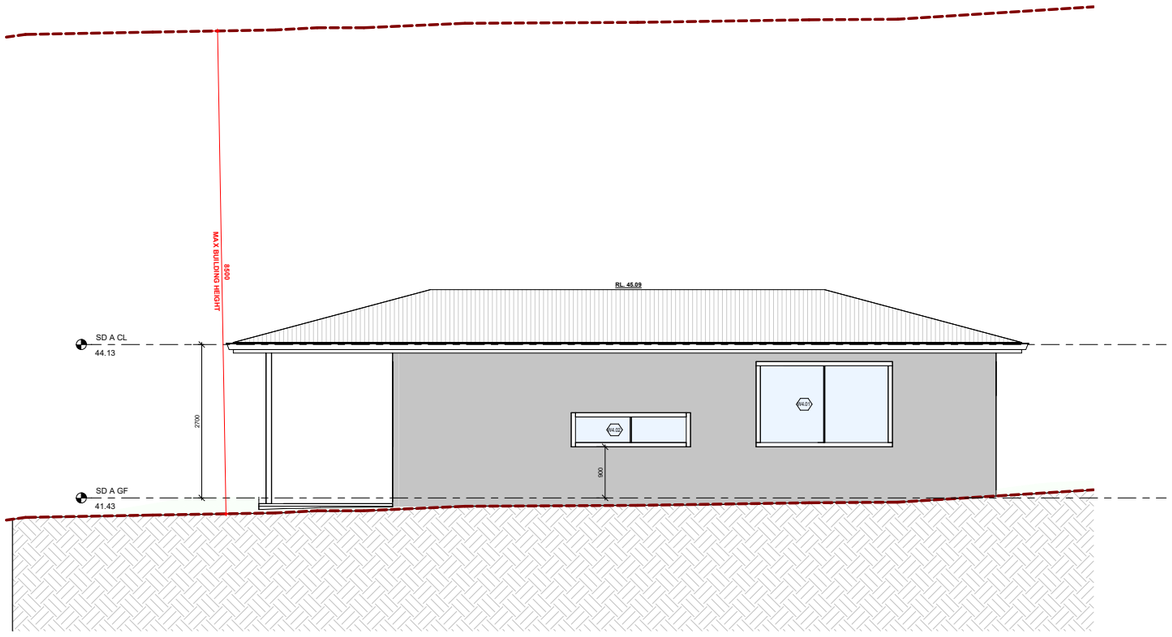
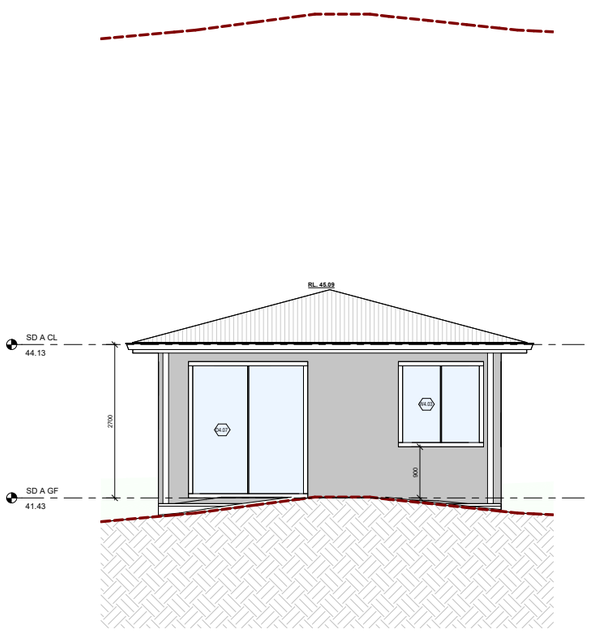


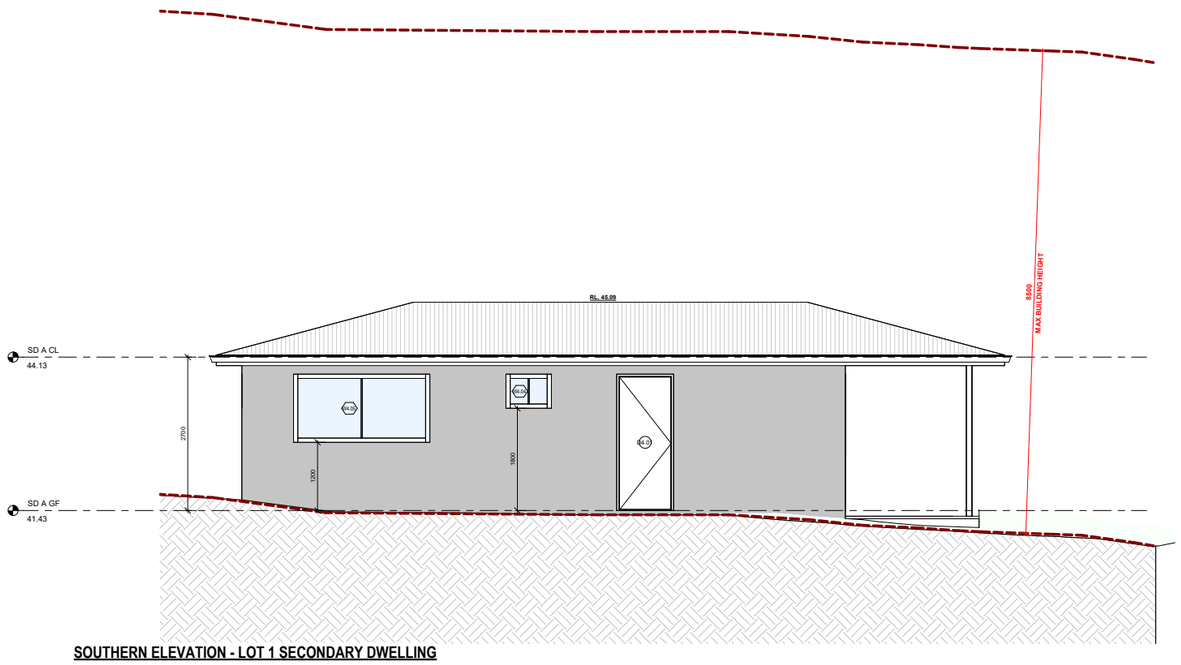
NORTHERN ELEVATION - LOT 1 SECONDARY DWELLING

1 : 50



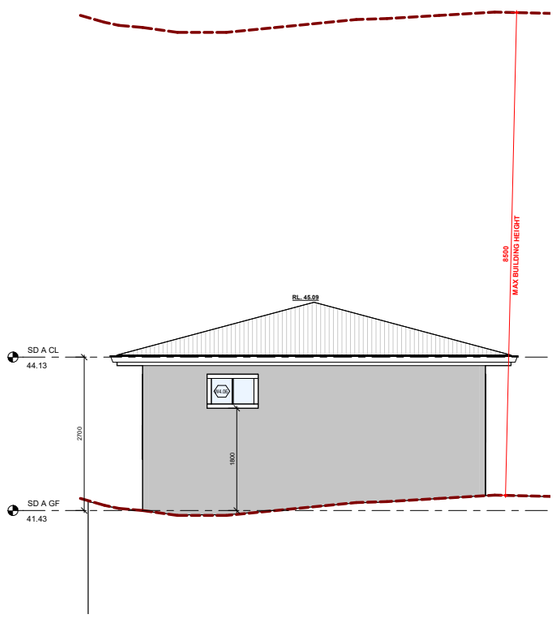
EASTERN ELEVATION - LOT 1 SECONDARY DWELLING

1 : 50



SOUTHERN ELEVATION - LOT 1 SECONDARY DWELLING

1 : 50



WESTERN ELEVATION - LOT 1 SECONDARY DWELLING

1 : 50

DESIGN FORMATION ARCHITECTS

CONTACT:
A: 203/25-27 GROSE ST PARRAMATTA NSW 2150
M: +61 422 566 912
E: GEORGE@DESIGNFORMATION.COM.AU

NOM. ARCHITECT: GEORGE YOUSSEF
NSW REG: 11535

TRUE NORTH:

PROJECT STATUS: ISSUED FOR CLIENT REVIEW

PREPARED FOR: DAMIAN KALTOUM

PROJECT TYPE: PROPOSED ATTACHED DWELLINGS WITH SECONDARY DWELLINGS

PROJECT NO: 970
REV NO: 02
DRAWN BY: AAD
CHECKED BY: GY

PROJECT ADDRESS: 481 WOODVILLE RD GUILDFORD 2161

ORIGINAL ARCHITECT:

SHEET NO: A205

TITLE: ELEVATIONS

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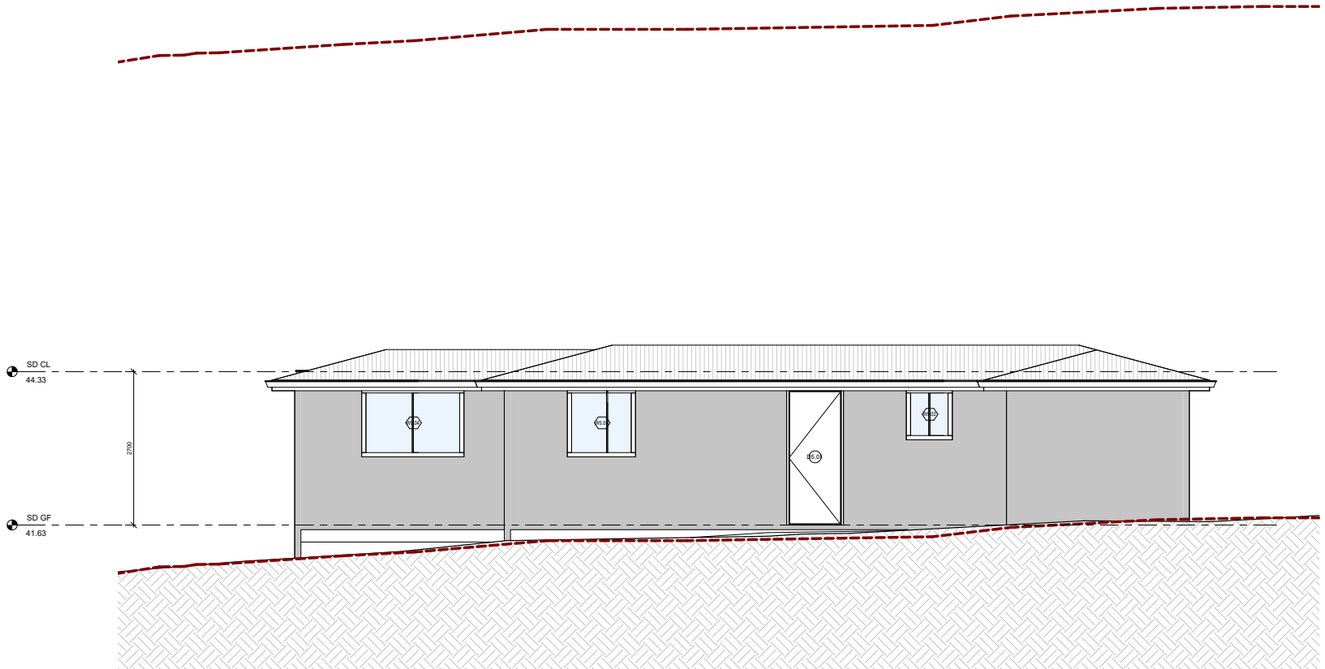
ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS
SPEC. C1.1 FIRE RESISTING CONSTRUCTION
SPEC. C1.10 FIRE HAZARD PROPERTIES
SPEC. C1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
CLAUSE C1.11 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
CLAUSE C1.12 SPEARATION OF EQUIPMENT
CLAUSE C1.13 ELECTRICITY SUPPLY SYSYEM
CLAUSE C.3 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)
CLAUSE C3.8 OPENING IN FIRE ISOLATED EXITS
CLAUSE C3.15 OPENING FOR SERVICE INSTALLATIONS
CLAUSE D1.10 DISCHARGE FROM EXITS
CLAUSE D2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL
CLAUSE D2.13 GOINGS AND RISERS
CLAUSE D2.14 LANDINGS
CLAUSE D2.16 BALUSTRADES
CLAUSE D2.17 HANDRAILS
CLAUSE D2.21 OPERATION OF LATCH
CLAUSE D2.23 SIGNS ON DOORS
CLAUSE D3.2 GENERAL BUILDING ACCESS REQUIREMENTS
CLAUSE D3.3 PARTS OF BUILDING TO BE ACCESSIBLE
CLAUSE D3.6 IDENT. OF ACCESSIBLE FACIL/SERV/FEATURES
CLAUSE D3.8 TACTILE INDICATORS
CLAUSE F1.7 WATERPROOFING OF WET AREAS
CLAUSE F1.8 TACTILE INDICATORS
CLAUSE F2.1 BRICKWORK FOR SAFETY
CLAUSE F2.3 CONSTRUCTION OF SANITARY COMPARTMENTS
PART F4 LIGHTING AND VENTILATION
CLAUSE F5.4 SOUND INSULATION OF FLOORS
CLAUSE F5.5 SOUND INSULATION OF WALLS
CLAUSE F5.6 SOUND INSULATION OF SERVICES
CLAUSE F5.7 SOUND INSULATION OF PUMPS

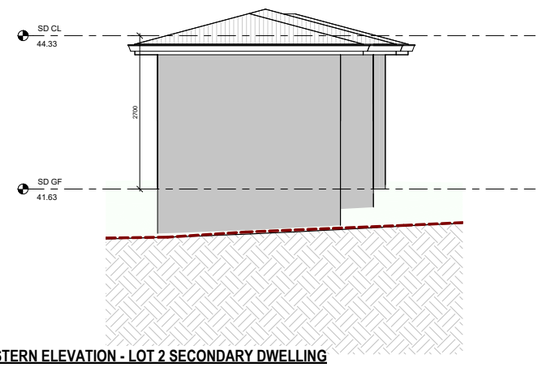
ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSEF4.4 & AS1680
BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 3.2
ENERGY EFFICIENCYGLAZING: TO COMPLY WITH J2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
HOT WATER: SYSTEMS TO COMPLY WITH PART J7 OF BCA
MASONRY: TO COMPLY WITH AS1530
MECHEL/EC/HYDRAULIC: BCA CLAUSE C3.15 & AS1530 4-2005
MECHANICAL EXHANUST VENTILATION: TO COMPLY WITH AS1668 & AS68.2
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786
PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELEC/HYDRAULIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1530 4-2005
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740

ISSUE	AMENDMENTS	DATE
02	ISSUED FOR DA	19-03-2026
01	ISSUED FOR CLIENT REVIEW	18-12-2024



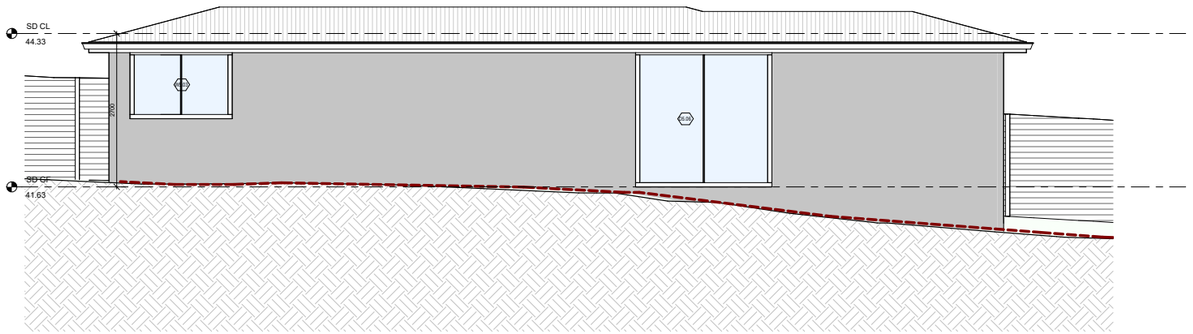
NORTHERN ELEVATION - LOT 2 SECONDARY DWELLING

1 : 50



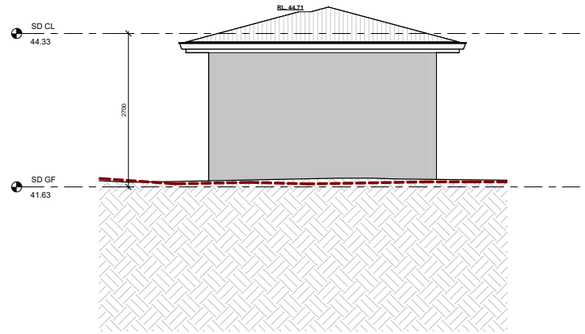
EASTERN ELEVATION - LOT 2 SECONDARY DWELLING

1 : 50



SOUTHERN ELEVATION - LOT 2 SECONDARY DWELLING

1 : 50



WESTERN ELEVATION - LOT 2 SECONDARY DWELLING

1 : 50

DESIGN FORMATION ARCHITECTS

NOM. ARCHITECT: GEORGE YOUSSEF
NSW REGO: 11535

CONTACT:
A: 203/25-27 GROSE ST PARRAMATTA NSW 2150
M: +61 422 566 912
E: GEORGE@DESIGNFORMATION.COM.AU

TRUE NORTH:

PROJECT STATUS: ISSUED FOR CLIENT REVIEW

PREPARED FOR: DAMIAN KALTOUM

PROJECT TYPE: PROPOSED ATTACHED DWELLINGS WITH SECONDARY DWELLINGS

PROJECT NO: 970

REV NO: 02

DRAWN BY: AAD

CHECKED BY: GY

PROJECT ADDRESS: 481 WOODVILLE RD GUILDFORD 2161

ORIGINAL ARCHITECT:

SHEET NO: A206

TITLE: ELEVATIONS

GENERAL NOTES

1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, AUSTRALIAN STANDARDS, STATUTORY REGULATIONS AND LOCAL AUTHORITY REQUIREMENTS, INCLUDING CONDITIONS OF CONSENT.
2. DO NOT SCALE OFF THIS DRAWING. ONLY USE DIMENSIONS PROVIDED.
3. CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCING WORK.
4. DESIGN FORMATION DRAWINGS TO BE READ IN CONJUNCTION WITH ALL CONTRACT DOCUMENTS FROM ALL CONSULTANTS.
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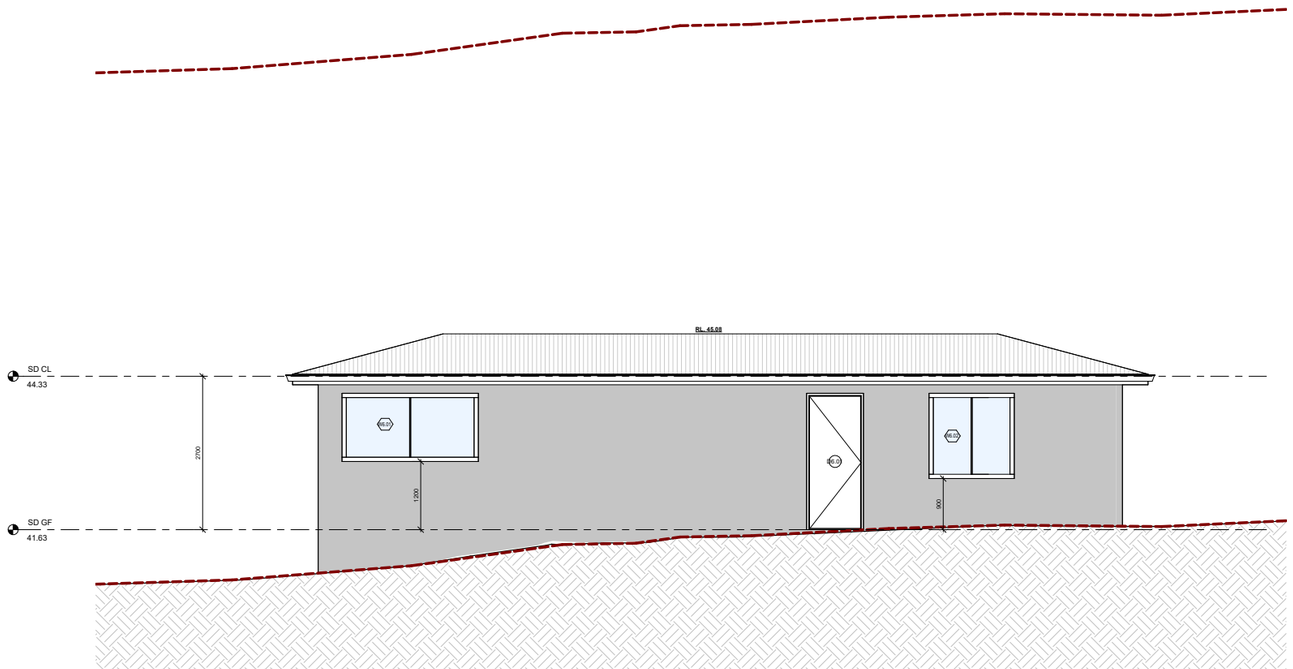
6. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED
7. DESIGN FORMATION TO REVIEW ALL CONTRACTOR'S DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION.
8. PROGRESS WORK TO BE VERIFIED AGAINST DRAWINGS FOLLOWING EXECUTION AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO CONTRACTOR PROCEEDING WITH NEXT TRADE.

ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS
SPEC. C1.1 FIRE RESISTING CONSTRUCTION
SPEC. C1.10 FIRE HAZARD PROPERTIES
SPEC. C 11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
CLAUSE C1.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
CLAUSE C1.12 SPEARATION OF EQUIPMENT
CLAUSE C1.13 ELECTRICITY SUPPLY SYSYEM
CLAUSE C.3 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)
CLAUSE C3.8 OPENING IN FIRE ISOLATED EXITS
CLAUSE C3.15 OPENING FOR SERVICE INSTALLATIONS
CLAUSE D1.10 DISCHARGE FROM EXITS
CLAUSE D2.13 TRAVEL DISTANCE IN EXITS AND PATHS OF TRAVEL
CLAUSE D2.13 GOINGS AND RISERS
CLAUSE D3.14 LANDINGS
CLAUSE D2.16 BALUSTRADES
CLAUSE D2.17 HANDRAILS
CLAUSE D2.21 OPERATION OF LATCH
CLAUSE D2.23 SIGNS ON DOORS
CLAUSE D3.2 GENERAL BUILDING ACCESS REQUIREMENTS
CLAUSE D3.3 PARTS OF BUILDING TO BE ACCESSIBLE
CLAUSE D3.6 IDENT. OF ACCESSIBLE FACIL/SERV/FEATURES
CLAUSE D3.8 TACTILE INDICATORS
CLAUSE F1.7 WATERPROOFING OF WET AREAS
CLAUSE F1.9/F1.10 DAMP PROOFING
CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS
PART F4 LIGHTING AND VENTILATION
CLAUSE F5.4 SOUND INSULATION OF FLOORS
CLAUSE F5.5 SOUND INSULATION OF WALLS
CLAUSE F5.6 SOUND INSULATION OF SERVICES
CLAUSE F5.7 SOUND INSULATION OF PUMPS

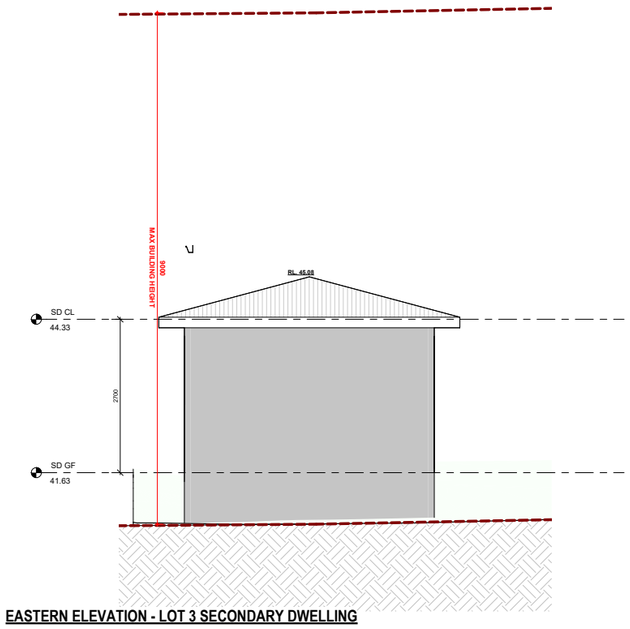
ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSEF4.4 & AS1680
BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 3.2
ENERGY EFFICIENCY/GLAZING: TO COMPLY WITH J2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
FIRE SEPARATION: TO COMPLY WITH PART 2.7 OF BCA
MATERIALS: AS/COMBUSTIBLE/LABELLED
MECHELEC/HYDRAULIC: BCA CLAUSE C3.15 & AS1530 4-2005
MECHANICAL AIR/CONDITIONING: TO COMPLY WITH PART J5 OF BCA
MECHANICAL EXHANUST VENTILATION: TO COMPLY WITH AS1668 & AS68.2
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786
PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELEC/HYDRAULIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1530 4-2005
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740

ISSUE	AMENDMENTS	DATE
02	ISSUED FOR DA	19-03-2026
01	ISSUED FOR CLIENT REVIEW	18-12-2024



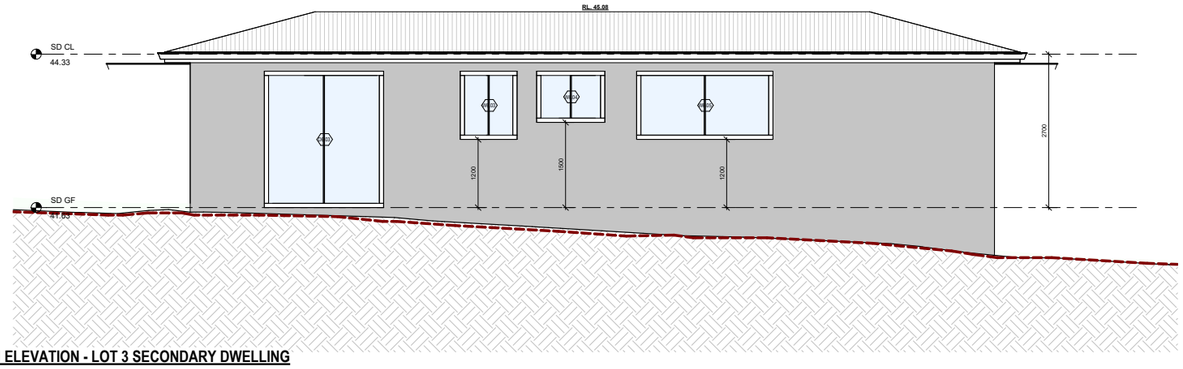
NORTHERN ELEVATION - LOT 3 SECONDARY DWELLING

1 : 50



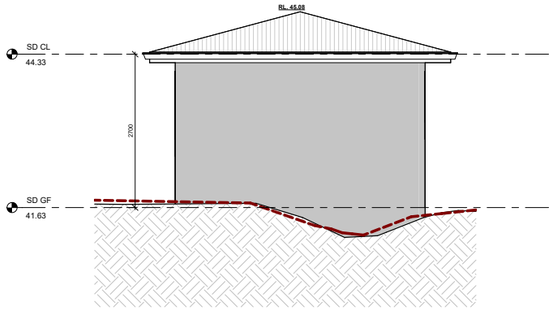
EASTERN ELEVATION - LOT 3 SECONDARY DWELLING

1 : 50



SOUTHERN ELEVATION - LOT 3 SECONDARY DWELLING

1 : 50



WESTERN ELEVATION - LOT 3 SECONDARY DWELLING

1 : 50

DESIGN FORMATION ARCHITECTS

CONTACT:
A: 203/25-27 GROSE ST PARRAMATTA NSW 2150
M: +61 422 566 912
E: GEORGE@DESIGNFORMATION.COM.AU

NOM. ARCHITECT: GEORGE YOUSSEF
NSW REG: 11535

TRUE NORTH:

PROJECT STATUS: ISSUED FOR CLIENT REVIEW

PREPARED FOR: DAMIAN KALTOUM

PROJECT TYPE: PROPOSED ATTACHED DWELLINGS WITH SECONDARY DWELLINGS

PROJECT ADDRESS: 481 WOODVILLE RD GUILDFORD 2161

PROJECT NO: 970

REV NO: 02

ORIGINAL ARCHITECT:

DRAWN BY: AAD

CHECKED BY: GY

SHEET NO: A207

TITLE: ELEVATIONS

GENERAL NOTES

1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, AUSTRALIAN STANDARDS, STATUTORY REGULATIONS AND LOCAL AUTHORITY REQUIREMENTS, INCLUDING CONDITIONS OF CONSENT.
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8. PROGRESS WORK TO BE VERIFIED AGAINST DRAWINGS FOLLOWING EXECUTION OF ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO CONTRACTOR PROCEEDING WITH NEXT TRADE.

ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS
SPEC. C1.1 FIRE RESISTING CONSTRUCTION
SPEC. C1.10 FIRE HAZARD PROPERTIES
SPEC. C1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
CLAUSE C1.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
CLAUSE C1.12 SPEARATION OF EQUIPMENT
CLAUSE C1.13 ELECTRICITY SUPPLY SYSYEM
CLAUSE C.3 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)
CLAUSE C3.8 OPENING IN FIRE ISOLATED EXITS
CLAUSE C3.15 OPENING FOR SERVICE INSTALLATIONS
CLAUSE D1.10 DISCHARGE FROM EXITS
CLAUSE D2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL
CLAUSE D2.13 GOINGS AND RISERS
CLAUSE D2.14 LANDINGS
CLAUSE D2.16 BALUSTRADES
CLAUSE D2.17 HANDRAILS
CLAUSE D2.21 OPERATION OF LATCH
CLAUSE D2.24 SWINGING DOORS
CLAUSE D3.2 GENERAL BUILDING ACCESS REQUIREMENTS
CLAUSE D3.3 PARTS OF BUILDING TO BE ACCESSIBLE
CLAUSE D3.6 IDENT. OF ACCESSIBLE FACILSERV/FEATURES
CLAUSE D3.8 TACTILE INDICATORS
CLAUSE F1.7 WATERPROOFING OF WET AREAS
CLAUSE F1.9/F1.10 DAMP PROOFING
CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS
PART F4 LIGHTING AND VENTILATION
CLAUSE F5.4 SOUND INSULATION OF FLOORS
CLAUSE F5.5 SOUND INSULATION OF WALLS
CLAUSE F5.6 SOUND INSULATION OF SERVICES
CLAUSE F5.7 SOUND INSULATION OF PUMPS

ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSEF4.4 & AS1680
BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 3.2
ENERGY EFFICIENCY/GLAZING: TO COMPLY WITH J2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
HOT WATER: SYSTEMS TO COMPLY WITH PART J7 OF BCA
MASONRY: TO COMPLY WITH AS 3700
MECHELEC/HYDRAULIC: BCA CLAUSE C3.15 & AS1530 4-2005
MECHANICAL AIRCONDITIONING: TO COMPLY WITH PART J5 OF BCA
MECHANICAL EXHANUST VENTILATION: TO COMPLY WITH AS1668 & AS68.2
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786
PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELEC/HYDRAULIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1530 4-2005
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740

ISSUE	AMENDMENTS	DATE
02	ISSUED FOR DA	19-03-2026
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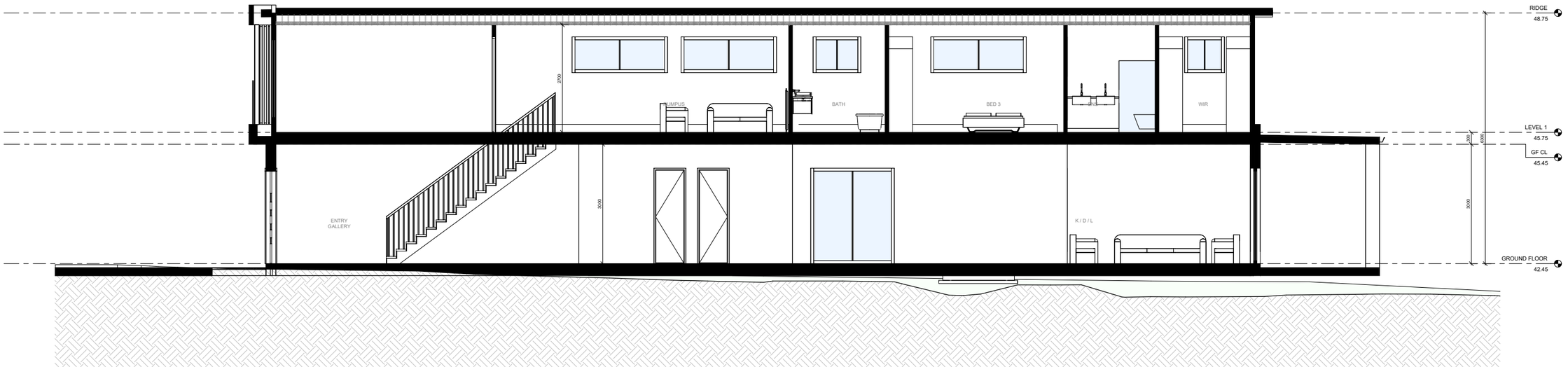
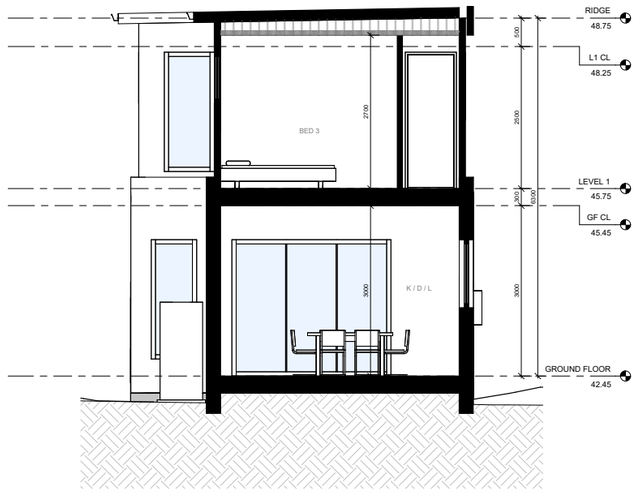


SECTION AA - LOT 1

1 : 50



SECTION BB - LOT 1

1 : 50

DESIGN FORMATION ARCHITECTS

CONTACT:
A: 203/25-27 GROSE ST PARRAMATTA NSW 2150
M: +61 422 566 912
E: GEORGE@DESIGNFORMATION.COM.AU

NOM. ARCHITECT: GEORGE YOUSSEF
NSW REG: 11535

TRUE NORTH:

PROJECT STATUS: ISSUED FOR CLIENT REVIEW

PREPARED FOR: DAMIAN KALTOUM

PROJECT TYPE: PROPOSED ATTACHED DWELLINGS WITH SECONDARY DWELLINGS

PROJECT NO: 970 | REV NO: 02

DRAWN BY: AAD | CHECKED BY: GY

PROJECT ADDRESS: 481 WOODVILLE RD GUILDFORD 2161

ORIGINAL ARCHITECT:

SHEET NO: A208

TITLE: SECTIONS

GENERAL NOTES

1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, AUSTRALIAN STANDARDS, STATUTORY REGULATIONS AND LOCAL AUTHORITY REQUIREMENTS, INCLUDING CONDITIONS OF CONSENT.
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ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS
SPEC. C1.1 FIRE RESISTING CONSTRUCTION
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CLAUSE C1.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
CLAUSE C1.12 SPEARATION OF EQUIPMENT
CLAUSE C1.13 ELECTRICITY SUPPLY SYSYEM
CLAUSE C.3 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)
CLAUSE C3.8 OPENING IN FIRE ISOLATED EXITS
CLAUSE C3.15 OPENING FOR SERVICE INSTALLATIONS
CLAUSE D1.10 DISCHARGE FROM EXITS
CLAUSE D2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL
CLAUSE D2.13 GOINGS AND RISERS
CLAUSE D2.14 LANDINGS
CLAUSE D2.16 BALUSTRADES
CLAUSE D2.17 HANDRAILS
CLAUSE D2.21 OPERATION OF LATCH
CLAUSE D2.23 SIGNS ON DOORS
CLAUSE D3.2 GENERAL BUILDING ACCESS REQUIREMENTS
CLAUSE D3.3 PARTS OF BUILDING TO BE ACCESSIBLE
CLAUSE D3.6 IDENT. OF ACCESSIBLE FACIL/SERV/FEATURES
CLAUSE D3.8 TACTILE INDICATORS
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CLAUSE F1.9/F1.10 DAMP PROOFING
CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS
PART F4 LIGHTING AND VENTILATION
CLAUSE F5.4 SOUND INSULATION OF FLOORS
CLAUSE F5.5 SOUND INSULATION OF WALLS
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CLAUSE F5.7 SOUND INSULATION OF PUMPS

ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSEF4.4 & AS1680
BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 3.2
ENERGY EFFICIENCY/GLAZING: TO COMPLY WITH J2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
HOT WATER: SYSTEMS TO COMPLY WITH PART J7 OF BCA
MASONRY: TO COMPLY WITH AS1320
MECH/ELEC/HYDRAULIC: BCA CLAUSE C3.15 & AS1530 4-2005
MECHANICAL AIRCONDITIONING: TO COMPLY WITH PART J5 OF BCA
MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS1668 & AS68.2
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786
PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELEC/HYDRAULIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1530 4-2005
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740

ISSUE	AMENDMENTS	DATE
02	ISSUED FOR DA	19-03-2026
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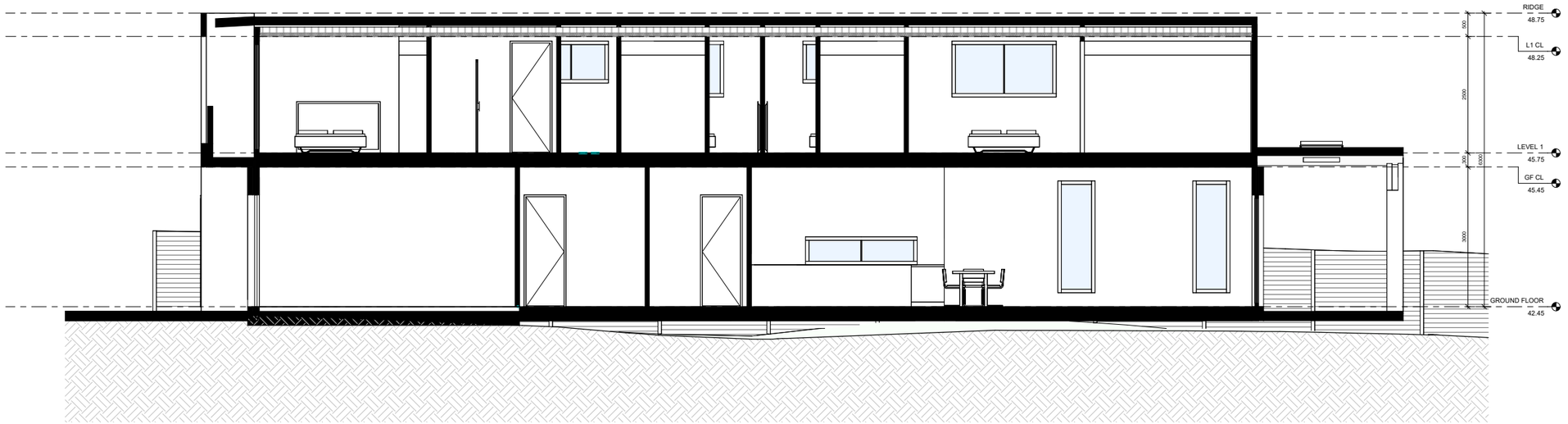
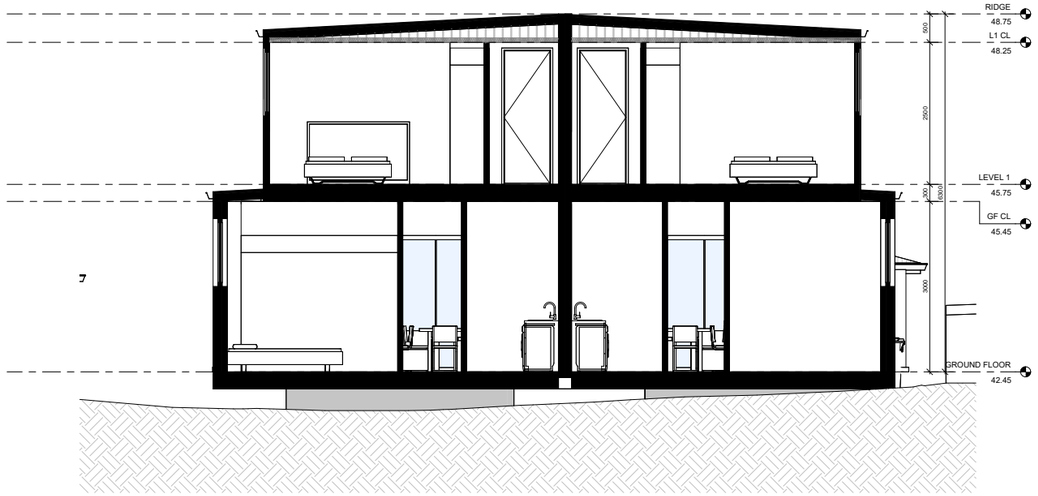


SECTION AA - LOT 2 & 3

1 : 50



SECTION BB - LOT 2 & 3

1 : 50

DESIGN FORMATION ARCHITECTS

CONTACT:
A: 203/25-27 GROSE ST PARRAMATTA NSW 2150
M: +61 422 566 912
E: GEORGE@DESIGNFORMATION.COM.AU

NOM. ARCHITECT: GEORGE YOUSSEF
NSW REGO: 11535

TRUE NORTH:

PROJECT STATUS: ISSUED FOR CLIENT REVIEW

PREPARED FOR: DAMIAN KALTOUM

PROJECT TYPE: PROPOSED ATTACHED DWELLINGS WITH SECONDARY DWELLINGS

PROJECT NO: 970
REV NO: 02
DRAWN BY: AAD
CHECKED BY: GY

PROJECT ADDRESS: 481 WOODVILLE RD GUILDFORD 2161

ORIGINAL ARCHITECT:

SHEET NO: A209

TITLE: SECTIONS

GENERAL NOTES

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6. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED
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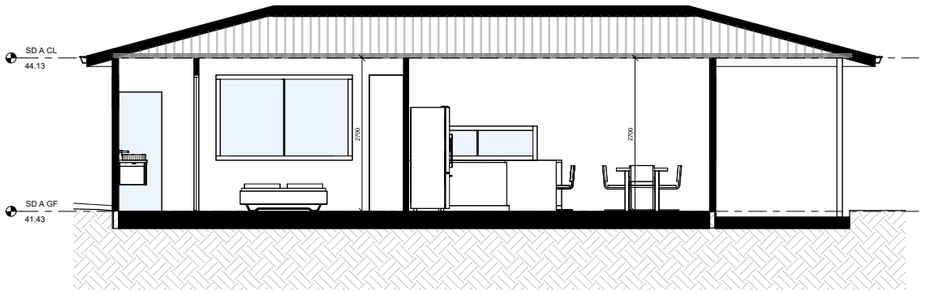
ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS
SPEC. C1.1 FIRE RESISTING CONSTRUCTION
SPEC. C1.10 FIRE HAZARD PROPERTIES
SPEC. C1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
CLAUSE C1.12 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
CLAUSE C1.12 SPREADTION OF EQUIPMENT
CLAUSE C1.13 ELECTRICITY SUPPLY SYSYEM
CLAUSE C.3 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)
CLAUSE C3.8 OPENING IN FIRE ISOLATED EXITS
CLAUSE C3.15 OPENING FOR SERVICE INSTALLATIONS
CLAUSE D1.10 DISCHARGE FROM EXITS
CLAUSE D2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL
CLAUSE D2.13 GOINGS AND RISERS
CLAUSE D2.14 LANDINGS
CLAUSE D2.16 BALUSTRADES
CLAUSE D2.17 HANDRAILS
CLAUSE D2.21 OPERATION OF LATCH
CLAUSE D2.23 SIGNS ON DOORS
CLAUSE D3.2 GENERAL BUILDING ACCESS REQUIREMENTS
CLAUSE D3.3 PARTS OF BUILDING TO BE ACCESSIBLE
CLAUSE D3.6 IDENT. OF ACCESSIBLE FACILISERVFEATURES
CLAUSE D3.8 TACTILE INDICATORS
CLAUSE F1.7 WATERPROOFING OF WET AREAS
CLAUSE F1.8 TACTILE INDICATORS
CLAUSE F2.3 SMOKE ALARM SYSTEMS
PART F4 LIGHTING AND VENTILATION
CLAUSE F5.4 SOUND INSULATION OF FLOORS
CLAUSE F5.5 SOUND INSULATION OF WALLS
CLAUSE F5.6 SOUND INSULATION OF SERVICES
CLAUSE F5.7 SOUND INSULATION OF PUMPS

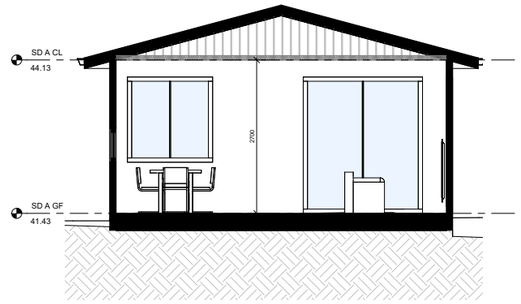
ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSEF4.4 & AS1680
BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 3.2
ENERGY EFFICIENCYGLAZING: TO COMPLY WITH J2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
HOT WATER: SYSTEMS TO COMPLY WITH PART J7 OF BCA
MASONRY: TO COMPLY WITH AS1500
MECHELEC/HYDRAULIC: BCA CLAUSE C3.15 & AS1530 4-2005
MECHANICAL EXHANUST VENTILATION: TO COMPLY WITH AS1668 & AS68.2
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786
PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELEC/HYDRAULIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1530 4-2005
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740

ISSUE	AMENDMENTS	DATE
02	ISSUED FOR DA	19-03-2026
01	ISSUED FOR CLIENT REVIEW	18-12-2024



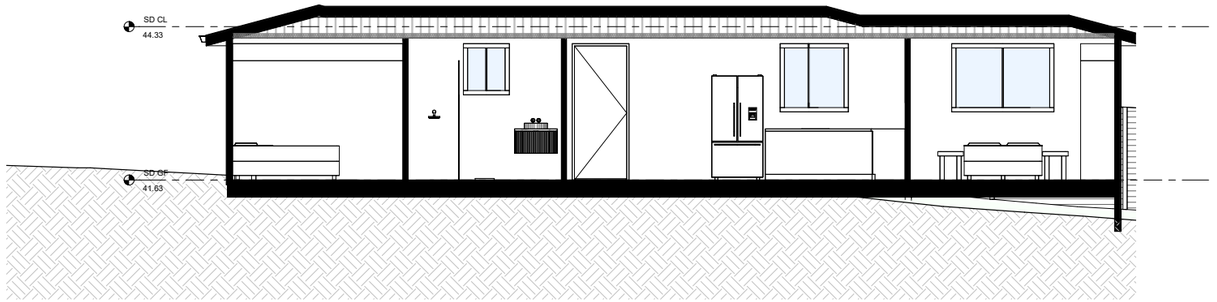
SECTION AA - LOT 1 SECONDARY DWELLING

1 : 50



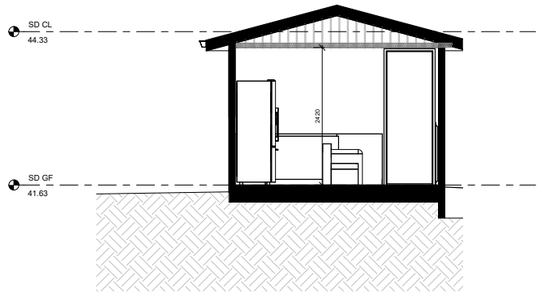
SECTION BB - LOT 1 SECONDARY DWELLING

1 : 50



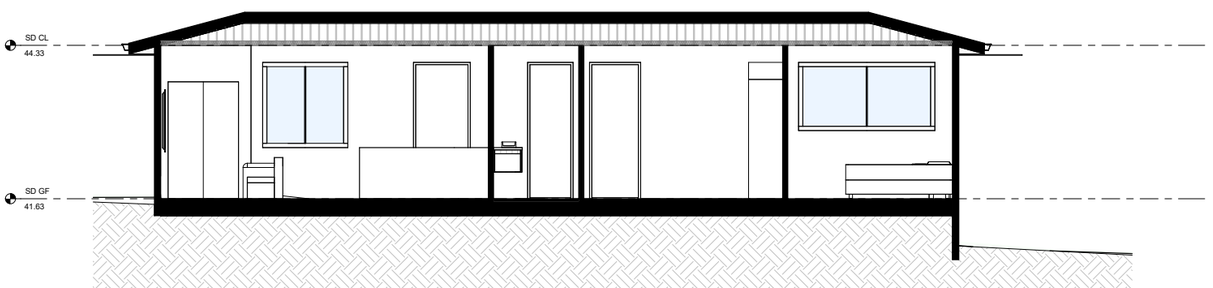
SECTION AA - LOT 2 SECONDARY DWELLING

1 : 50



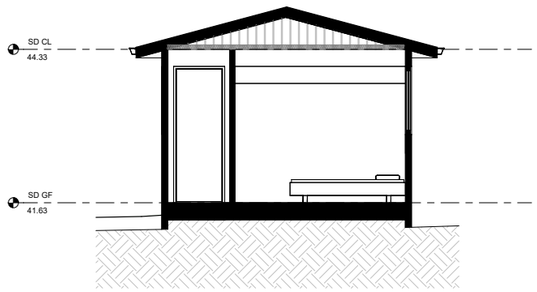
SECTION BB - LOT 2 SECONDARY DWELLING

1 : 50



SECTION AA - LOT 3 SECONDARY DWELLING

1 : 50



SECTION BB - LOT 3 SECONDARY DWELLING

1 : 50

DESIGN FORMATION ARCHITECTS

NOM. ARCHITECT: GEORGE YOUSSEF
NSW REG: 11535
A: 203/25-27 GROSE ST PARRAMATTA NSW 2150
M: +61 422 566 912
E: GEORGE@DESIGNFORMATION.COM.AU

TRUE NORTH:

PROJECT STATUS: ISSUED FOR CLIENT REVIEW

PREPARED FOR: DAMIAN KALTOUM

PROJECT TYPE: PROPOSED ATTACHED DWELLINGS WITH SECONDARY DWELLINGS

PROJECT ADDRESS: 481 WOODVILLE RD GUILDFORD 2161

PROJECT NO: 970 | **REV NO:** 02

DRAWN BY: AAD | **CHECKED BY:** GY

ORIGINAL ARCHITECT:

SHEET NO: A210

TITLE: SECTIONS

GENERAL NOTES

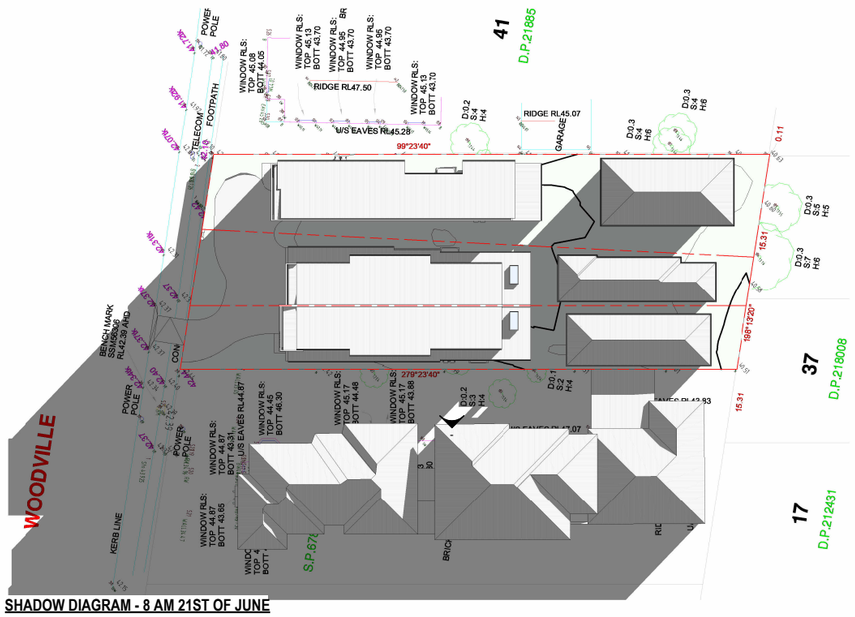
1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, AUSTRALIAN STANDARDS, STATUTORY REGULATIONS AND LOCAL AUTHORITY REQUIREMENTS, INCLUDING CONDITIONS OF CONSENT.
2. DO NOT SCALE OFF THIS DRAWING. ONLY USE DIMENSIONS PROVIDED.
3. CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCING WORK.
4. DESIGN FORMATION DRAWINGS TO BE READ IN CONJUNCTION WITH ALL CONTRACT DOCUMENTS FROM ALL CONSULTANTS.
5. CONTRACTOR TO NOTIFY DESIGN FORMATION OF ANY DISCREPENCIES, DIMENSIONAL INCONSISTENCIES, OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING.
6. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED
7. DESIGN FORMATION TO REVIEW ALL CONTRACTOR'S DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION.
8. PROGRESS WORK TO BE VERIFIED AGAINST DRAWINGS FOLLOWING EXECUTION AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO CONTRACTOR PROCEEDING WITH NEXT TRADE.

ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS
SPEC. C1.1 FIRE RESISTING CONSTRUCTION
SPEC. C1.10 FIRE HAZARD PROPERTIES
SPEC. C1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
CLAUSE C1.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
CLAUSE C1.12 SPEARATION OF EQUIPMENT
CLAUSE C1.13 ELECTRICITY SUPPLY SYSYEM
CLAUSE C3.4 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)
CLAUSE C3.8 OPENING IN FIRE ISOLATED EXITS
CLAUSE C3.15 OPENING FOR SERVICE INSTALLATIONS
CLAUSE D1.10 DISCHARGE FROM EXITS
CLAUSE D2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL
CLAUSE D2.13 GOINGS AND RISERS
CLAUSE D2.14 LANDINGS
CLAUSE D2.16 BALUSTRADES
CLAUSE D2.17 HANDRAILS
CLAUSE D2.21 OPERATION OF LATCH
CLAUSE D2.23 SIGNS ON DOORS
CLAUSE D3.2 GENERAL BUILDING ACCESS REQUIREMENTS
CLAUSE D3.3 PARTS OF BUILDING TO BE ACCESSIBLE
CLAUSE D3.6 IDENT. OF ACCESSIBLE FACILSERV/FEATURES
CLAUSE D3.8 TACTILE INDICATORS
CLAUSE F1.7 WATERPROOFING OF WET AREAS
CLAUSE F1.9/F1.10 DAMP PROOFING
CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS
PART F4 LIGHTING AND VENTILATION
CLAUSE F5.4 SOUND INSULATION OF FLOORS
CLAUSE F5.5 SOUND INSULATION OF WALLS
CLAUSE F5.6 SOUND INSULATION OF SERVICES
CLAUSE F5.7 SOUND INSULATION OF PUMPS

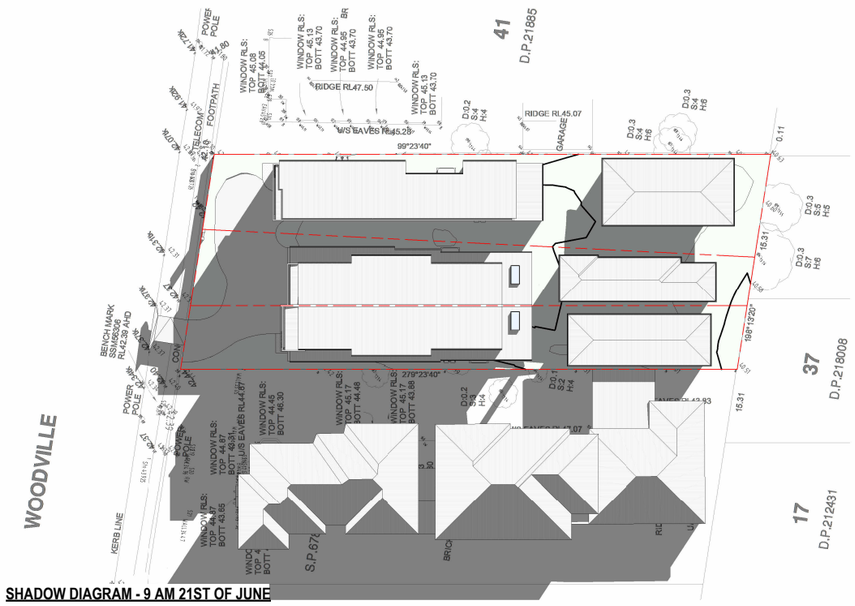
ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSEF4.4 & AS1680
BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 3.2
ENERGY EFFICIENCYGLAZING: TO COMPLY WITH J2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
HOT WATER: SYSTEMS TO COMPLY WITH PART J7 OF BCA
MASONRY: TO COMPLY WITH AS3700
MECHELEC/HYDRAULIC: BCA CLAUSE C3.15 & AS1530 4-2005
MECHANICAL AIRCONDITIONING: TO COMPLY WITH PART J5 OF BCA
MECHANICAL EXHANUST VENTILATION: TO COMPLY WITH AS1668 & AS68.2
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786
PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELEC/HYDRAULIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1530 4-2005
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740

ISSUE	AMENDMENTS	DATE
02	ISSUED FOR DA	19-03-2026
01	ISSUED FOR CLIENT REVIEW	18-12-2024



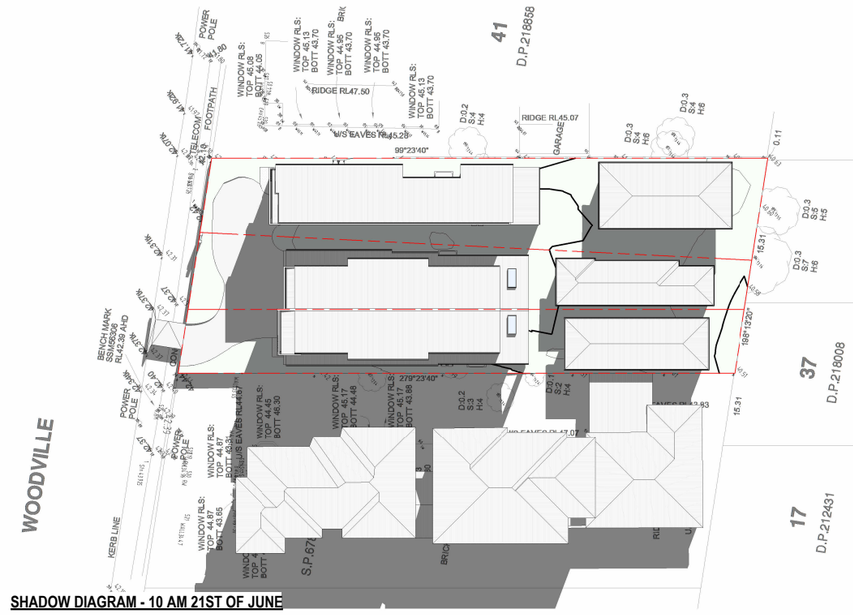
SHADOW DIAGRAM - 8 AM 21ST OF JUNE

1 : 300



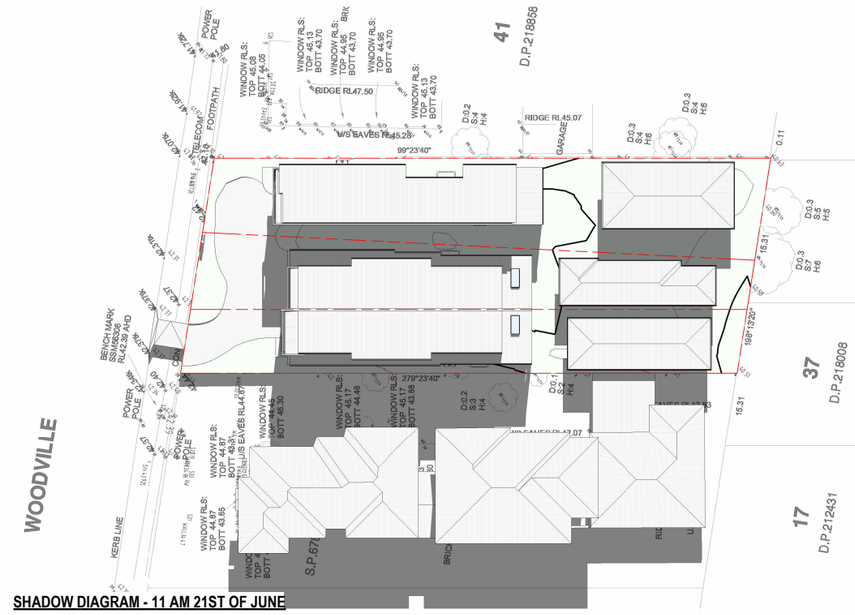
SHADOW DIAGRAM - 9 AM 21ST OF JUNE

1 : 300



SHADOW DIAGRAM - 10 AM 21ST OF JUNE

1 : 300



SHADOW DIAGRAM - 11 AM 21ST OF JUNE

1 : 300

DESIGN FORMATION ARCHITECTS

NOM. ARCHITECT: GEORGE YOUSSEF
NSW REGD: 11535

CONTACT:
A: 203/25-27 GROSE ST PARRAMATTA NSW 2150
M: +61 422 566 912
E: GEORGE@DESIGNFORMATION.COM.AU

TRUE NORTH:

PROJECT STATUS: ISSUED FOR CLIENT REVIEW

PREPARED FOR: DAMIAN KALTOUM

PROJECT TYPE: PROPOSED ATTACHED DWELLINGS WITH SECONDARY DWELLINGS

PROJECT NO: 970

REV NO: 02

DRAWN BY: AAD

CHECKED BY: GY

PROJECT ADDRESS: 481 WOODVILLE RD GUILDFORD 2161

ORIGINAL ARCHITECT:

SHEET NO: A300

TITLE: SHADOW DIAGRAMS

GENERAL NOTES

1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, AUSTRALIAN STANDARDS, STATUTORY REGULATIONS AND LOCAL AUTHORITY REQUIREMENTS, INCLUDING CONDITIONS OF CONSENT.
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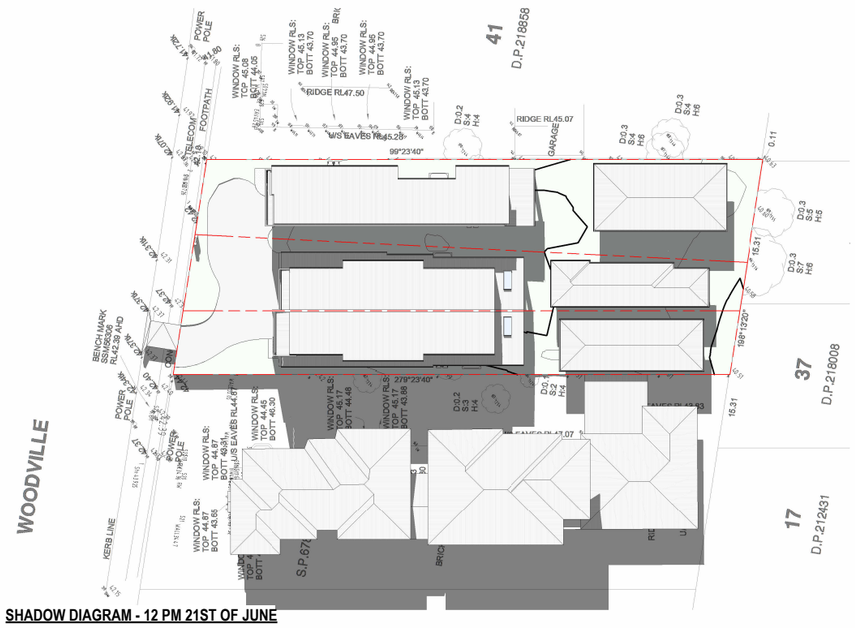
ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS
SPEC. C1.1 FIRE RESISTING CONSTRUCTION
SPEC. C1.10 FIRE HAZARD PROPERTIES
SPEC. C1.8 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
CLAUSE C1.11 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
CLAUSE C1.12 SEPARATION OF EQUIPMENT
CLAUSE C1.13 ELECTRICITY SUPPLY SYSYEM
CLAUSE C.3 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)
CLAUSE C3.8 OPENING IN FIRE ISOLATED EXITS
CLAUSE C3.15 OPENING FOR SERVICE INSTALLATIONS
CLAUSE D1.10 DISCHARGE FROM EXITS
CLAUSE D2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL
CLAUSE D2.13 GOINGS AND RISERS
CLAUSE D2.14 LANDINGS
CLAUSE D2.16 BALUSTRADES
CLAUSE D2.17 HANDRAILS
CLAUSE D2.21 OPERATION OF LATCH
CLAUSE D2.23 SIGNS ON DOORS
CLAUSE D3.2 GENERAL BUILDING ACCESS REQUIREMENTS
CLAUSE D3.3 PARTS OF BUILDING TO BE ACCESSIBLE
CLAUSE D3.6 IDENT. OF ACCESSIBLE FACILISERVFEATURES
CLAUSE D3.8 TACTILE INDICATORS
CLAUSE F1.7 WATERPROOFING OF WET AREAS
CLAUSE F1.8 DAMP-PROOFING
CLAUSE F3.1 SOUND INSULATION OF SANITARY COMPARTMENTS
PART F4 LIGHTING AND VENTILATION
CLAUSE F5.4 SOUND INSULATION OF FLOORS
CLAUSE F5.5 SOUND INSULATION OF WALLS
CLAUSE F5.6 SOUND INSULATION OF SERVICES
CLAUSE F5.7 SOUND INSULATION OF PUMPS

ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSEF4.4 & AS1680
BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 3.2
ENERGY EFFICIENCYGLAZING: TO COMPLY WITH J2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
HOT WATER: SYSTEMS TO COMPLY WITH PART J7 OF BCA
MASONRY: TO COMPLY WITH AS3700
MECHEILEC/HYDRAULIC: BCA CLAUSE C3.15 & AS1530 4-2005
MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS1668 & AS68.2
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786
PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELEC/HYDRAULIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1530 4-2005
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740

ISSUE	AMENDMENTS	DATE
02	ISSUED FOR DA	19-03-2026
01	ISSUED FOR CLIENT REVIEW	18-12-2024



SHADOW DIAGRAM - 12 PM 21ST OF JUNE

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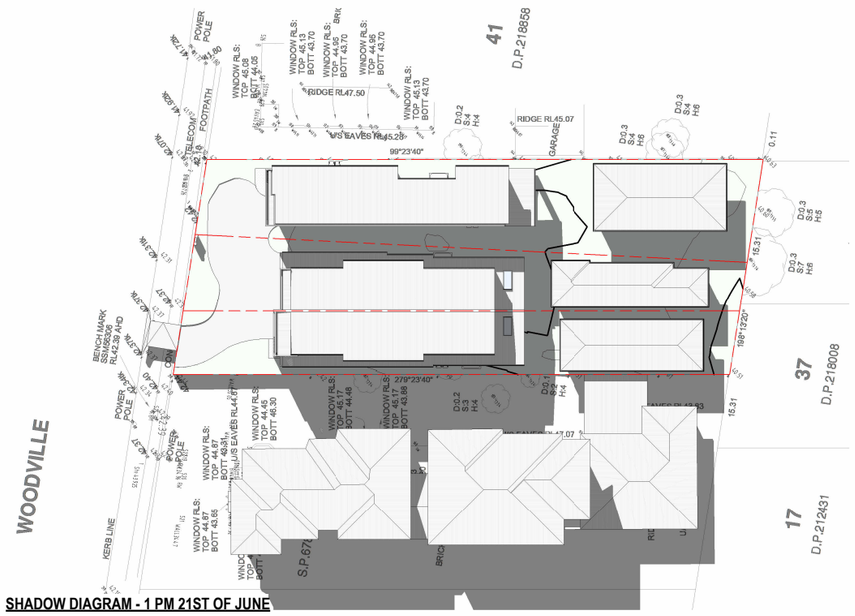
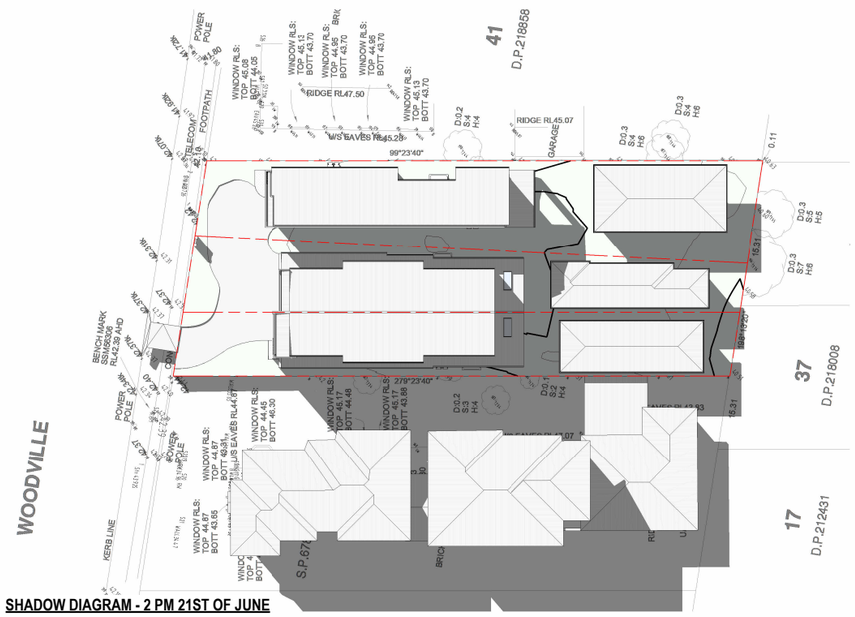


SHADOW DIAGRAM - 1 PM 21ST OF JUNE

1 : 300



SHADOW DIAGRAM - 2 PM 21ST OF JUNE

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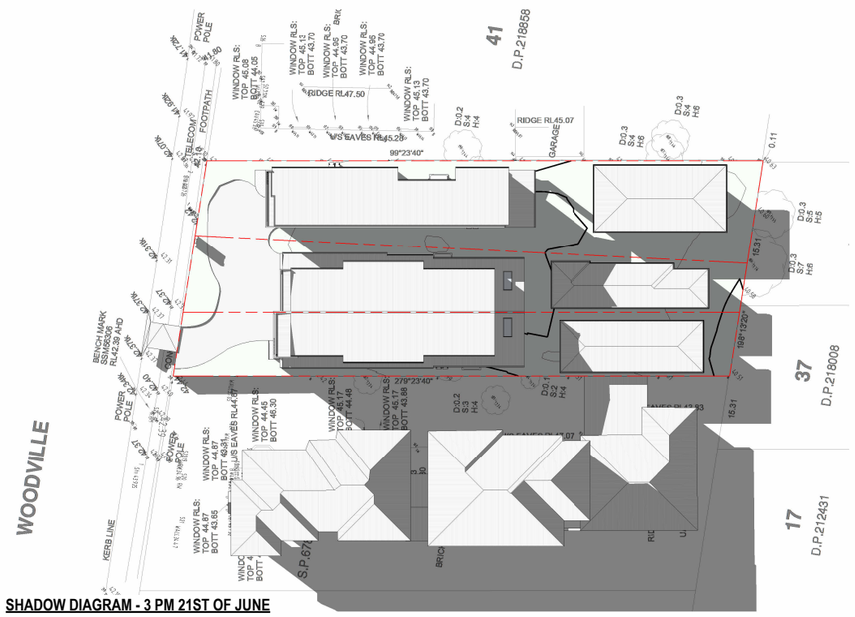

SHADOW DIAGRAM - 3 PM 21ST OF JUNE

1 : 300

DESIGN FORMATION ARCHITECTS

NOM. ARCHITECT: GEORGE YOUSSEF
NSW REG: 11535

CONTACT:
A: 203/25-27 GROSE ST PARRAMATTA NSW 2150
M: +61 422 566 912
E: GEORGE@DESIGNFORMATION.COM.AU

TRUE NORTH:

PROJECT STATUS: ISSUED FOR CLIENT REVIEW

PREPARED FOR: DAMIAN KALTOUM

PROJECT TYPE: PROPOSED ATTACHED DWELLINGS WITH SECONDARY DWELLINGS

PROJECT NO: 970

REV NO: 02

DRAWN BY: AAD

CHECKED BY: GY

PROJECT ADDRESS: 481 WOODVILLE RD GUILDFORD 2161

ORIGINAL ARCHITECT:

SHEET NO: A301

TITLE: SHADOW DIAGRAMS

GENERAL NOTES

1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, AUSTRALIAN STANDARDS, STATUTORY REGULATIONS AND LOCAL AUTHORITY REQUIREMENTS, INCLUDING CONDITIONS OF CONSENT.
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6. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED
7. DESIGN FORMATION TO REVIEW ALL CONTRACTOR'S DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION.
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ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS

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SPEC. C1.1 FIRE RESISTING CONSTRUCTION
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CLAUSE D3.8 TACTILE INDICATORS
CLAUSE F1.7 WATERPROOFING OF WET AREAS
CLAUSE F1.8 RWH TANK OPENINGS
CLAUSE F4.3 SOUND INSULATION OF SANITARY COMPARTMENTS
PART F4 LIGHTING AND VENTILATION
CLAUSE F5.4 SOUND INSULATION OF FLOORS
CLAUSE F5.5 SOUND INSULATION OF WALLS
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CLAUSE F5.7 SOUND INSULATION OF PUMPS

ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSEF4.4 & AS1680
BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 3.2
ENERGY EFFICIENCY/GLAZING: TO COMPLY WITH J2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
HOT WATER: SYSTEMS TO COMPLY WITH PART J7 OF BCA
MARKING: TO COMPLY WITH AS1428.1
MECHEILEC/HYDRAULIC: BCA CLAUSE C3.15 & AS1530 4-2005
MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS1668 & AS68.2
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786
PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELEC/HYDRAULIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1530 4-2005
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740

ISSUE	AMENDMENTS	DATE
02	ISSUED FOR DA	19-03-2026
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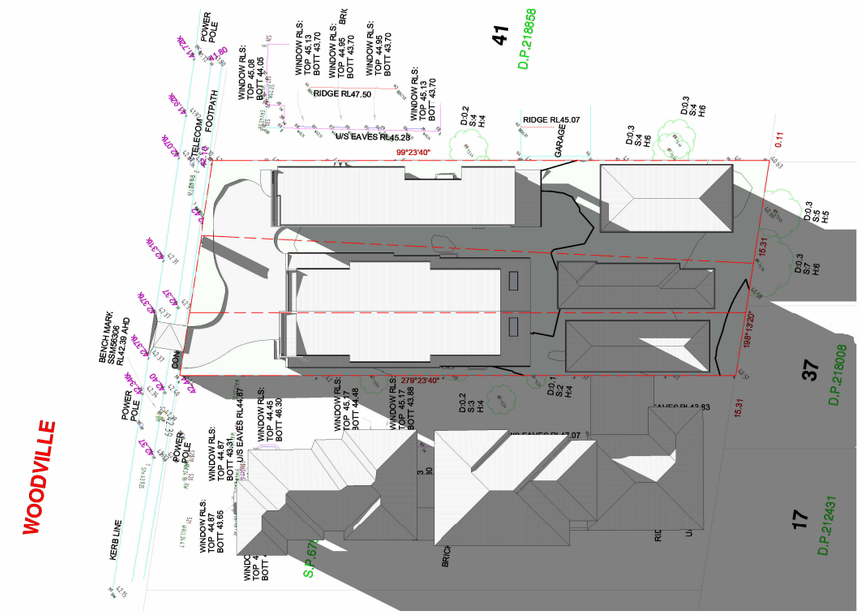

SHADOW DIAGRAM - 4 PM 21ST OF JUNE

1 : 300

DESIGN FORMATION ARCHITECTS

TRUE NORTH:

PROJECT STATUS: ISSUED FOR CLIENT REVIEW

PREPARED FOR: DAMIAN KALTOUM

PROJECT TYPE: PROPOSED ATTACHED DWELLINGS WITH SECONDARY DWELLINGS

PROJECT ADDRESS: 481 WOODVILLE RD GUILDFORD 2161

ORIGINAL ARCHITECT:

CONTACT:
A: 203/25-27 GROSE ST PARRAMATTA NSW 2150
M: +61 422 566 912
E: GEORGE@DESIGNFORMATION.COM.AU

PROJECT NO: 970
REV NO: 02
DRAWN BY: AAD
CHECKED BY: GY

SHEET NO: A302

TITLE: SHADOW DIAGRAMS

GENERAL NOTES

1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, AUSTRALIAN STANDARDS, STATUTORY REGULATIONS AND LOCAL AUTHORITY REQUIREMENTS, INCLUDING CONDITIONS OF CONSENT.
2. DO NOT SCALE OFF THIS DRAWING. ONLY USE DIMENSIONS PROVIDED.
3. CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCING WORK.
4. DESIGN FORMATION DRAWINGS TO BE READ IN CONJUNCTION WITH ALL CONTRACT DOCUMENTS FROM ALL CONSULTANTS.
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6. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED
7. DESIGN FORMATION TO REVIEW ALL CONTRACTOR'S DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION.
8. PROGRESS WORK TO BE VERIFIED AGAINST DRAWINGS FOLLOWING EXECUTION AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO CONTRACTOR PROCEEDING WITH NEXT TRADE.

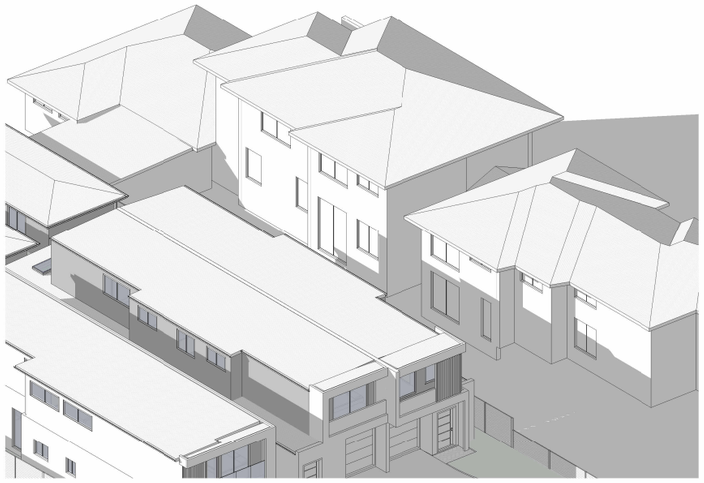
ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS
SPEC: C1.1 FIRE RESISTING CONSTRUCTION
SPEC: C1.10 FIRE HAZARD PROPERTIES
SPEC: C1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
CLAUSE C1.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
CLAUSE C1.12 SPEARATION OF EQUIPMENT
CLAUSE C1.13 ELECTRICITY SUPPLY SYSTEM
CLAUSE C.3 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)
CLAUSE C3.8 OPENING IN FIRE ISOLATED EXITS
CLAUSE C3.15 OPENING FOR SERVICE INSTALLATIONS
CLAUSE D1.10 DISCHARGE FROM EXITS
CLAUSE D2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL
CLAUSE D2.13 GOINGS AND RISERS
CLAUSE D2.14 LANDINGS
CLAUSE D2.16 BALUSTRADES
CLAUSE D2.17 HANDRAILS
CLAUSE D2.21 OPERATION OF LATCH
CLAUSE D2.23 SIGNS ON DOORS
CLAUSE D3.2 GENERAL BUILDING ACCESS REQUIREMENTS
CLAUSE D3.3 PARTS OF BUILDING TO BE ACCESSIBLE
CLAUSE D3.6 IDENT. OF ACCESSIBLE FACIL/SERV/FEATURES
CLAUSE D3.8 TACTILE INDICATORS
CLAUSE F1.4 WATERPROOFING OF WET AREAS
CLAUSE F1.9/F1.10 DAMP PROOFING
CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS
PART F4 LIGHTING AND VENTILATION
CLAUSE F5.4 SOUND INSULATION OF FLOORS
CLAUSE F5.5 SOUND INSULATION OF WALLS
CLAUSE F5.6 SOUND INSULATION OF SERVICES
CLAUSE F5.7 SOUND INSULATION OF PUMPS

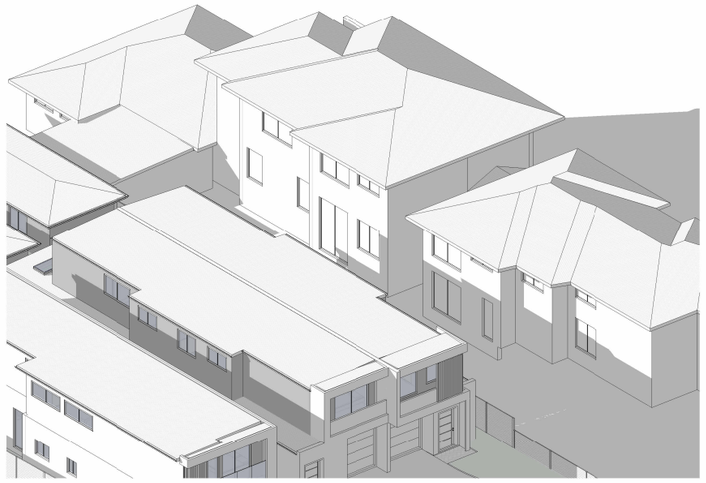
ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSEF.4.4 & AS1680
BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 3.2
ENERGY EFFICIENCY/GLAZING: TO COMPLY WITH J2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
HOT WATER: SYSTEMS TO COMPLY WITH PART J7 OF BCA
MASONRY: TO COMPLY WITH AS3700
MECHELEC/HYDRAULIC: BCA CLAUSE C3.15 & AS1530 4-2005
MECHANICAL AIRCONDITIONING: TO COMPLY WITH PART J5 OF BCA
MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS1668.8 AS68.2
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786
PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELEC/HYDRAULIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1530 4-2005
SOUND TRANSMISSION: TO COMPLY WITH PART5 OF BCA.
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740

ISSUE	AMENDMENTS	DATE
02	ISSUED FOR DA	19-03-2026
01	ISSUED FOR CLIENT REVIEW	18-12-2024

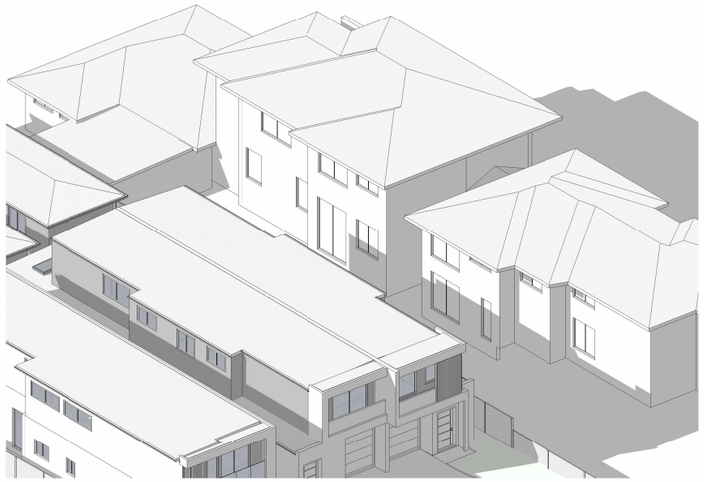
IDM. ARCHITECT: GEORGE YOUSSEF
IDM REGO: 11535



SHADOW DIAGRAM - 8 AM 21ST OF JUNE



SHADOW DIAGRAM - 9 AM 21ST OF JUNE



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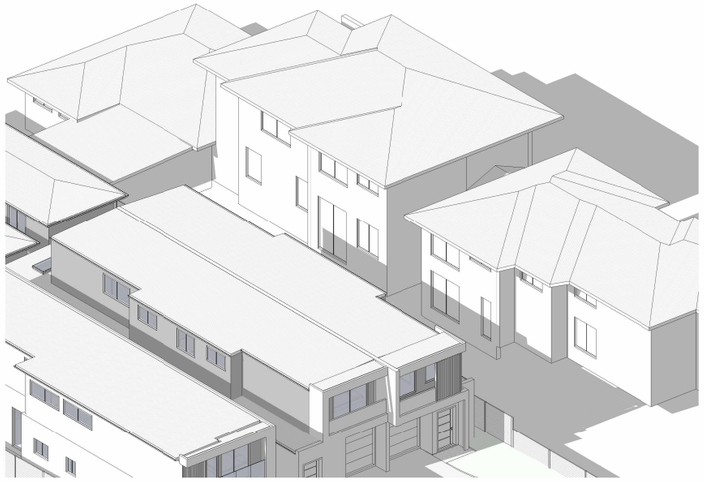

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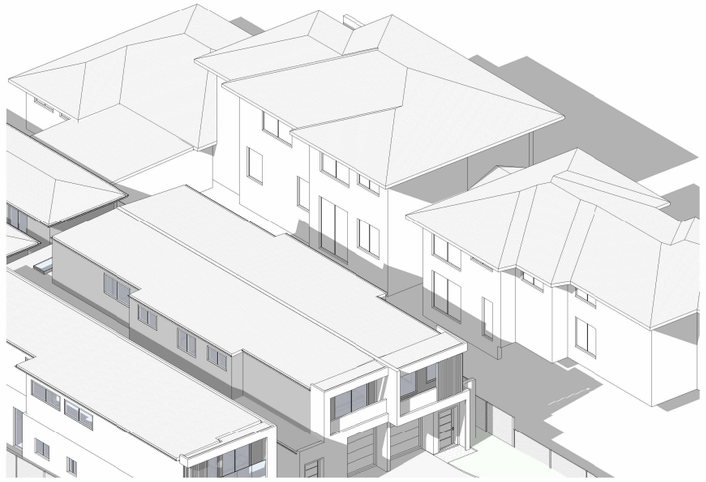

SHADOW DIAGRAM - 12 PM 21ST OF JUNE



SHADOW DIAGRAM - 1 PM 21ST OF JUNE

DESIGN FORMATION ARCHITECTS

CONTACT:
A: 203/25-27 GROSE ST PARRAMATTA NSW 2150
M: +61 422 566 912
E: GEORGE@DESIGNFORMATION.COM.AU

NOM. ARCHITECT: GEORGE YOUSSEF
NSW REG: 11535

TRUE NORTH:

PROJECT STATUS: ISSUED FOR CLIENT REVIEW

PREPARED FOR: DAMIAN KALTOUM

PROJECT TYPE: PROPOSED ATTACHED DWELLINGS WITH SECONDARY DWELLINGS

PROJECT NO: 970

REV NO: 02

DRAWN BY: AAD

CHECKED BY: GY

PROJECT ADDRESS: 481 WOODVILLE RD GUILDFORD 2161

ORIGINAL ARCHITECT:

SHEET NO: A303

TITLE: AXONOMETRIC SHADOW DIAGRAMS

GENERAL NOTES

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SPEC. C1.1 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
CLAUSE C1.9 PARTIAL SEPARATION OF OPENINGS IN EXTERNAL WALL
CLAUSE C1.12 SEPARATION OF EQUIPMENT
CLAUSE C1.13 ELECTRICITY SUPPLY SYSYEM
CLAUSE C.3 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)
CLAUSE C3.8 OPENING IN FIRE ISOLATED EXITS
CLAUSE C3.15 OPENING FOR SERVICE INSTALLATIONS
CLAUSE D1.10 DISCHARGE FROM EXITS
CLAUSE D2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL
CLAUSE D2.13 GOINGS AND RISERS
CLAUSE D2.14 LANDINGS
CLAUSE D2.16 BALUSTRADES
CLAUSE D2.17 HANDRAILS
CLAUSE D2.21 OPERATION OF LATCH
CLAUSE D2.23 SIGNS ON DOORS
CLAUSE D3.2 GENERAL BUILDING ACCESS REQUIREMENTS
CLAUSE D3.3 PARTS OF BUILDING TO BE ACCESSIBLE
CLAUSE D3.6 IDENT. OF ACCESSIBLE FACIL/SERV/FEATURES
CLAUSE D3.8 TACTILE INDICATORS
CLAUSE F1.7 WATERPROOFING OF WET AREAS
CLAUSE F3.1 SIX STAIR RAMP OPENCAP RQ
CLAUSE F4.2 CONSTRUCTION OF SANITARY COMPARTMENTS
PART F4 LIGHTING AND VENTILATION
CLAUSE F5.4 SOUND INSULATION OF FLOORS
CLAUSE F5.5 SOUND INSULATION OF WALLS
CLAUSE F5.6 SOUND INSULATION OF SERVICES
CLAUSE F5.7 SOUND INSULATION OF PUMPS

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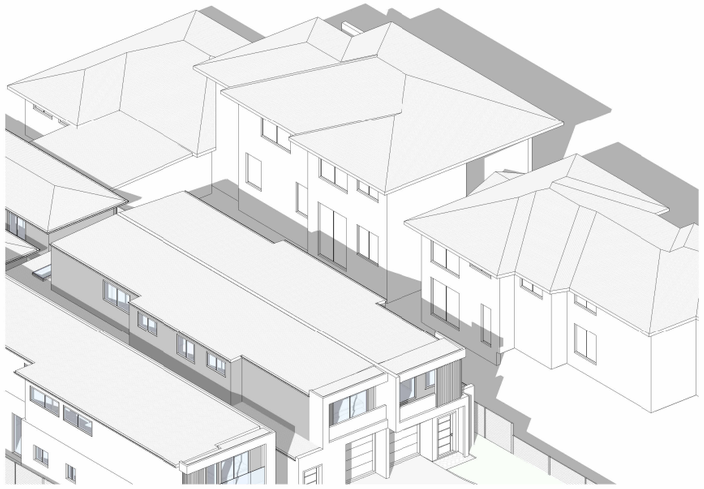
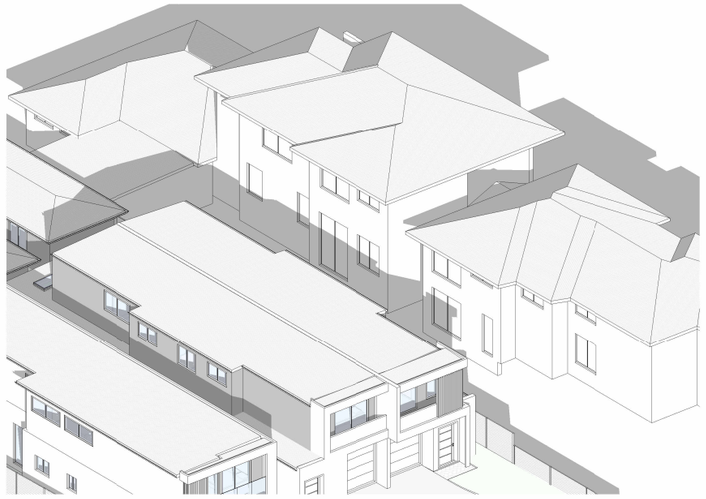
BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 3.2
ENERGY EFFICIENCY/GLAZING: TO COMPLY WITH J2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
HOT WATER: SYSTEMS TO COMPLY WITH PART J7 OF BCA
MASONRY: TO COMPLY WITH AS1530
MECHIELEC/HYDRAULIC: BCA CLAUSE C3.15 & AS1530 4-2005
MECHANICAL EXHANUST VENTILATION: TO COMPLY WITH AS1668 & AS68.2
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786
PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELEC/HYDRAULIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1530 4-2005
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740

ISSUE	AMENDMENTS	DATE
02	ISSUED FOR DA	19-03-2026
01	ISSUED FOR CLIENT REVIEW	18-12-2024



SHADOW DIAGRAM - 2 PM 21ST OF JUNE



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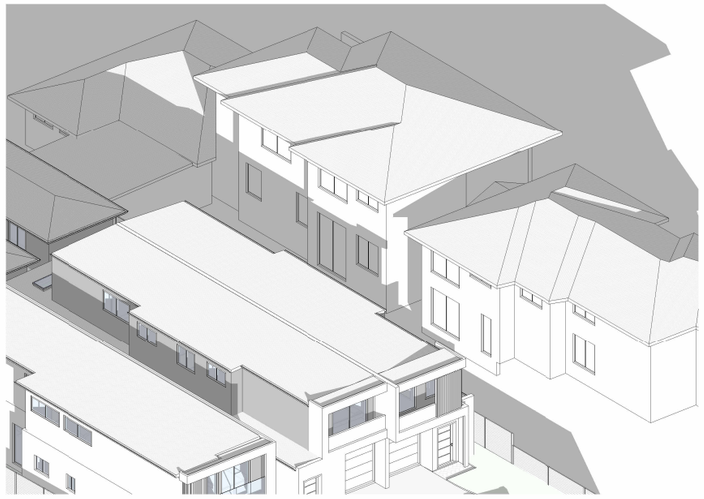

SHADOW DIAGRAM - 4 PM 21ST OF JUNE

DESIGN FORMATION ARCHITECTS

CONTACT:
A: 203/25-27 GROSE ST PARRAMATTA NSW 2150
M: +61 422 566 912
E: GEORGE@DESIGNFORMATION.COM.AU

IDM. ARCHITECT: GEORGE YOUSSEF
NSW REGD: 11535

TRUE NORTH:

PROJECT STATUS: ISSUED FOR CLIENT REVIEW

PREPARED FOR: DAMIAN KALTOUM

PROJECT TYPE: PROPOSED ATTACHED DWELLINGS WITH SECONDARY DWELLINGS

PROJECT NO: 970
REV NO: 02
DRAWN BY: AAD
CHECKED BY: GY

PROJECT ADDRESS: 481 WOODVILLE RD GUILDFORD 2161

ORIGINAL ARCHITECT:

SHEET NO: A304

TITLE: AXONOMETRIC SHADOW DIAGRAMS

GENERAL NOTES

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ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS
SPEC. C1.1 FIRE RESISTING CONSTRUCTION
SPEC. C1.10 FIRE HAZARD PROPERTIES
SPEC. C1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
CLAUSE C1.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
CLAUSE C1.12 SPEARATION OF EQUIPMENT
CLAUSE C1.13 ELECTRICITY SUPPLY SYSYEM
CLAUSE C 3 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)
CLAUSE C3.8 OPENING IN FIRE ISOLATED EXITS
CLAUSE C3.15 OPENING FOR SERVICE INSTALLATIONS
CLAUSE D1.10 DISCHARGE FROM EXITS
CLAUSE D2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL
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CLAUSE D2.16 BALUSTRADES
CLAUSE D2.17 HANDRAILS
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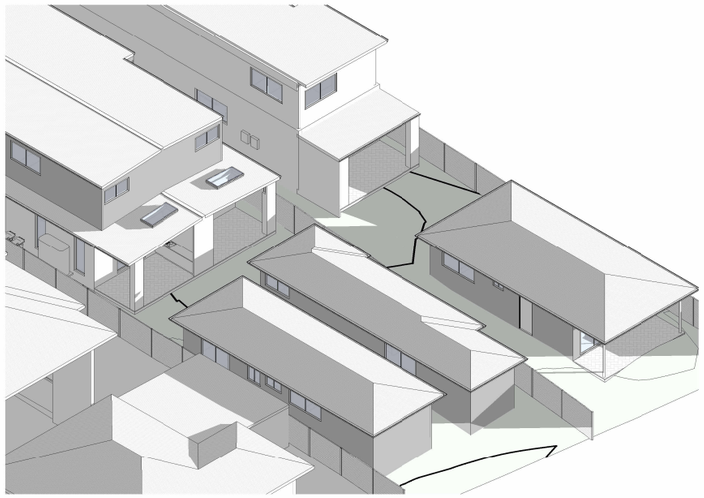
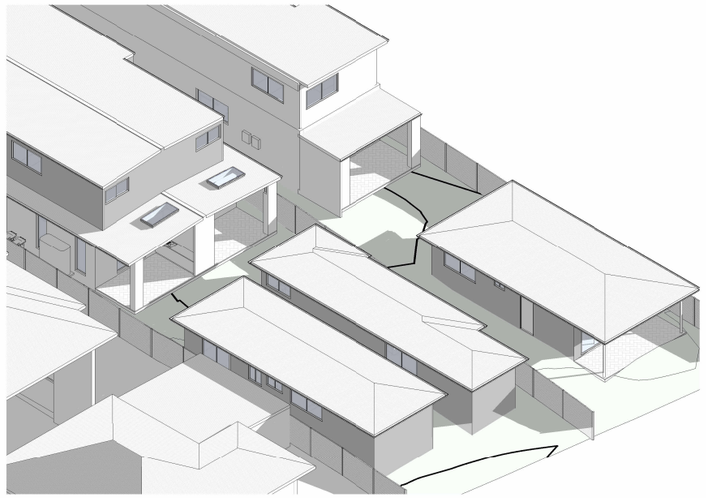
CLAUSE D2.23 SIGNS ON DOORS
CLAUSE D3.2 GENERAL BUILDING ACCESS REQUIREMENTS
CLAUSE D3.3 PARTS OF BUILDING TO BE ACCESSIBLE
CLAUSE D3.6 IDENT. OF ACCESSIBLE FACIL/SERV/FEATURES
CLAUSE D3.8 TACTILE INDICATORS
CLAUSE F1.7 WATERPROOFING OF WET AREAS
CLAUSE F1.9/F1.10 DAMP PROOFING
CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS
PART F4 LIGHTING AND VENTILATION
CLAUSE F5.4 SOUND INSULATION OF FLOORS
CLAUSE F5.5 SOUND INSULATION OF WALLS
CLAUSE F5.6 SOUND INSULATION OF SERVICES
CLAUSE F5.7 SOUND INSULATION OF PUMPS

ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSEF4.4 & AS1680
BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 3.2
ENERGY EFFICIENCY/GLAZING: TO COMPLY WITH J2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
HOT WATER: SYSTEMS TO COMPLY WITH PART J7 OF BCA
MASONRY: TO COMPLY WITH AS1320
MECH/ELEC/HYDRAULIC: BCA CLAUSE C3.15 & AS1530 4-2005
MECHANICAL AIR/VENTILATION: TO COMPLY WITH BCA PART CLAUSE F4 & AS1668 PART 2
MECHANICAL EXHANUST VENTILATION: TO COMPLY WITH AS1668 & AS68.2
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE 4, SPEC E2.2 & AS3786
PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELEC/HYDRAULIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1530 4-2005
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740

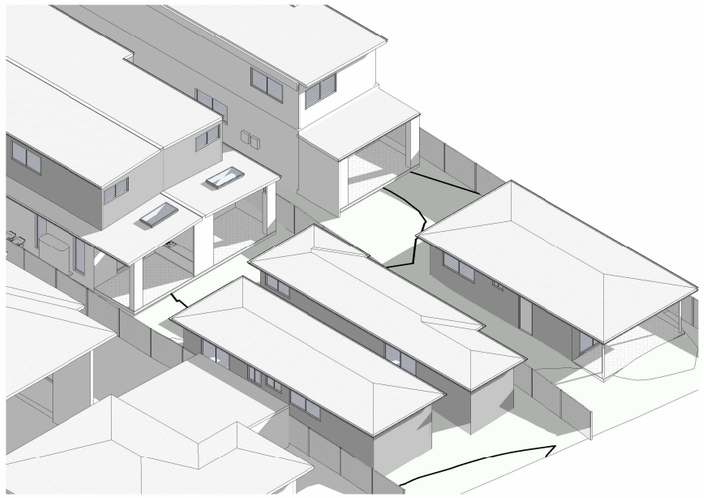
ISSUE	AMENDMENTS	DATE
02	ISSUED FOR DA	19-03-2026
01	ISSUED FOR CLIENT REVIEW	18-12-2024



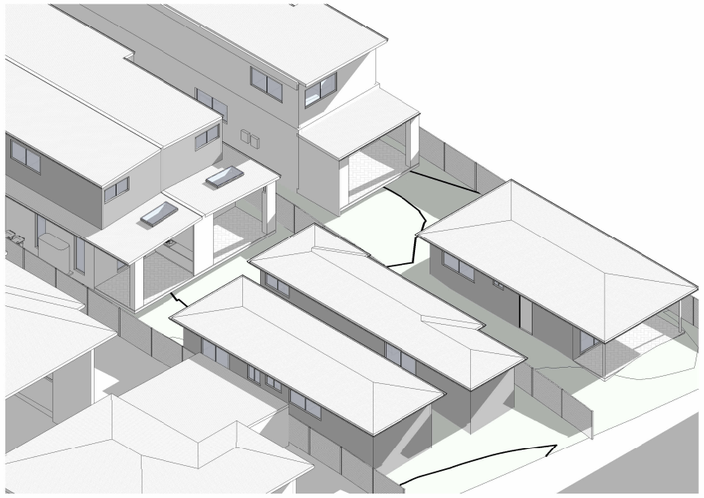
SHADOW DIAGRAMS - 8 AM 21ST OF JUNE



SHADOW DIAGRAMS - 9 AM 21ST OF JUNE



SHADOW DIAGRAMS - 10 AM 21ST OF JUNE



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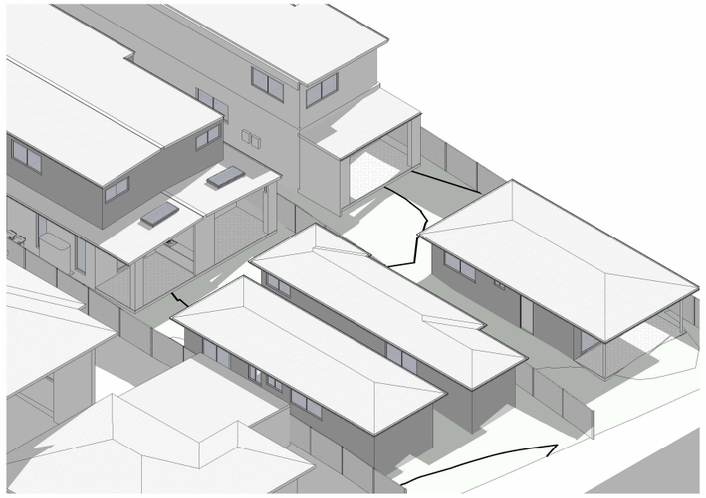

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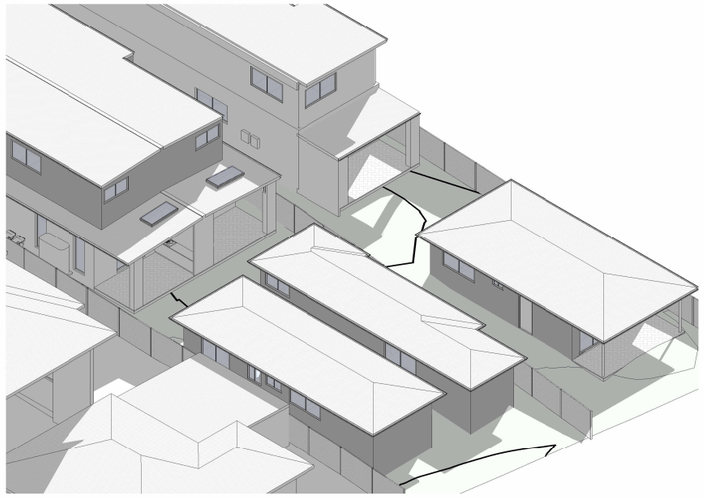

SHADOW DIAGRAMS - 1 PM 21ST OF JUNE

DESIGN FORMATION ARCHITECTS

CONTACT:
A: 203/25-27 GROSE ST PARRAMATTA NSW 2150
M: +61 422 566 912
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NOM. ARCHITECT: GEORGE YOUSSEF
NSW REG: 11535

TRUE NORTH:

PROJECT STATUS: ISSUED FOR CLIENT REVIEW

PREPARED FOR: DAMIAN KALTOUM

PROJECT TYPE: PROPOSED ATTACHED DWELLINGS WITH SECONDARY DWELLINGS

PROJECT NO: 970

REV NO: 02

DRAWN BY: AAD

CHECKED BY: GY

PROJECT ADDRESS: 481 WOODVILLE RD GUILDFORD 2161

ORIGINAL ARCHITECT:

SHEET NO: A305

TITLE: AXONOMETRIC SHADOW DIAGRAMS

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CLAUSE F1.8 RWS IN RAMP OPENS OF BIO
CLAUSE F4.2 CONSTRUCTION OF SANITARY COMPARTMENTS
PART F4 LIGHTING AND VENTILATION
CLAUSE F5.4 SOUND INSULATION OF FLOORS
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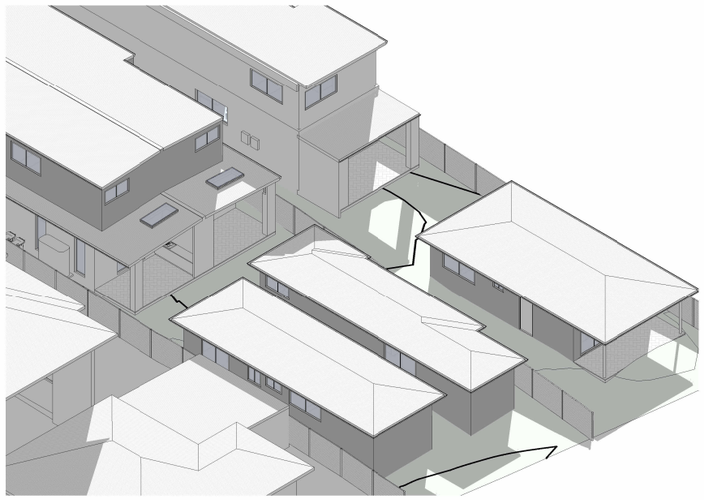
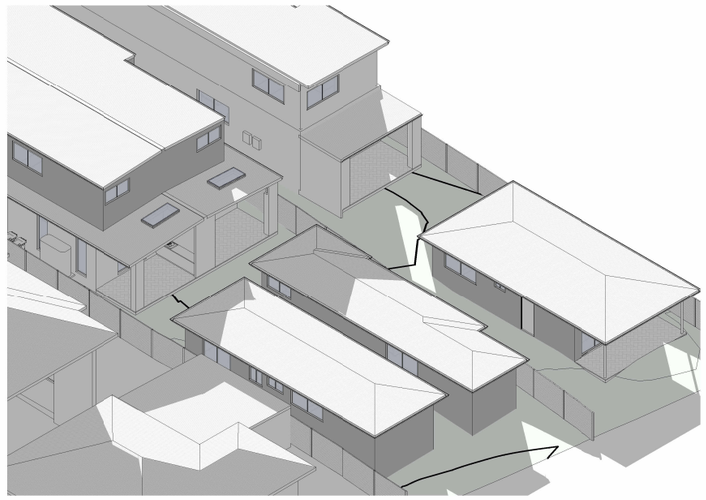
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786
PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELEC/HYDRAULIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1530 4-2005
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740

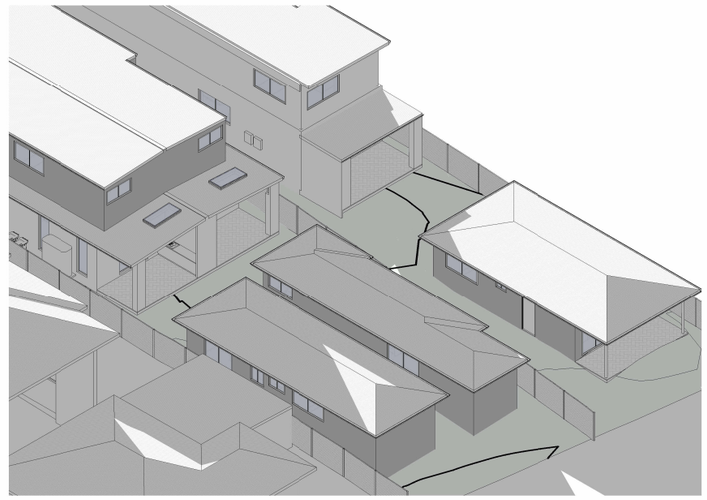
ISSUE	AMENDMENTS	DATE
02	ISSUED FOR DA	19-03-2026
01	ISSUED FOR CLIENT REVIEW	18-12-2024



SHADOW DIAGRAMS - 2 PM 21ST OF JUNE



SHADOW DIAGRAMS - 3 PM 21ST OF JUNE



SHADOW DIAGRAMS - 4 PM 21ST OF JUNE

DESIGN FORMATION ARCHITECTS

ARCHITECT: GEORGE YOUSSEF
NSW REGO: 11535

TRUE NORTH:

PROJECT STATUS: ISSUED FOR CLIENT REVIEW

CONTACT:
A: 203/25-27 GROSE ST PARRAMATTA NSW 2150
M: +61 422 566 912
E: GEORGE@DESIGNFORMATION.COM.AU

PREPARED FOR: DAMIAN KALTOUM

PROJECT TYPE: PROPOSED ATTACHED DWELLINGS WITH SECONDARY DWELLINGS

PROJECT NO: 970
REV NO: 02
DRAWN BY: AAD
CHECKED BY: GY

PROJECT ADDRESS: 481 WOODVILLE RD GUILDFORD 2161

ORIGINAL ARCHITECT:

SHEET NO: A306

TITLE: AXONOMETRIC SHADOW DIAGRAMS

GENERAL NOTES

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2. DO NOT SCALE OFF THIS DRAWING. ONLY USE DIMENSIONS PROVIDED.
3. CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCING WORK.
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6. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED
7. DESIGN FORMATION TO REVIEW ALL CONTRACTOR'S DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION.
8. PROGRESS WORK TO BE VERIFIED AGAINST DRAWINGS FOLLOWING EXECUTION AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO CONTRACTOR PROCEEDING WITH NEXT TRADE.

ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS
SPEC. C1.1 FIRE RESISTING CONSTRUCTION
SPEC. C1.10 FIRE HAZARD PROPERTIES
SPEC. C1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
CLAUSE C1.12 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
CLAUSE C1.12 SPEARATION OF EQUIPMENT
CLAUSE C1.13 ELECTRICITY SUPPLY SYSYEM
CLAUSE C.3 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)
CLAUSE C3.8 OPENING IN FIRE ISOLATED EXITS
CLAUSE C3.15 OPENING FOR SERVICE INSTALLATIONS
CLAUSE D1.10 DISCHARGE FROM EXITS
CLAUSE D2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL
CLAUSE D2.13 GOINGS AND RISERS
CLAUSE D2.14 LANDINGS
CLAUSE D2.16 BALUSTRADES
CLAUSE D2.17 HANDRAILS
CLAUSE D2.21 OPERATION OF LATCH
CLAUSE D2.23 SIGNS ON DOORS
CLAUSE D3.2 GENERAL BUILDING ACCESS REQUIREMENTS
CLAUSE D3.3 PARTS OF BUILDING TO BE ACCESSIBLE
CLAUSE D3.6 IDENT. OF ACCESSIBLE FACIL/SERV/FEATURES
CLAUSE D3.8 TACTILE INDICATORS
CLAUSE F1.7 WATERPROOFING OF WET AREAS
CLAUSE F1.8 DAMP-PROOF COURSE
CLAUSE F2.3 CONSTRUCTION OF SANITARY COMPARTMENTS
PART F4 LIGHTING AND VENTILATION
CLAUSE F5.4 SOUND INSULATION OF FLOORS
CLAUSE F5.5 SOUND INSULATION OF WALLS
CLAUSE F5.6 SOUND INSULATION OF SERVICES
CLAUSE F5.7 SOUND INSULATION OF PUMPS

ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSEF4.4 & AS1680
BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 3.2
ENERGY EFFICIENCYGLAZING: TO COMPLY WITH J2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
HOT WATER: SYSTEMS TO COMPLY WITH PART J7 OF BCA
MASONRY: TO COMPLY WITH AS3700
MECHEILEC/HYDRAULIC: BCA CLAUSE C3.15 & AS1530 4-2005
MECHANICAL EXHANUST VENTILATION: TO COMPLY WITH AS1668 & AS68.2
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786
PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELEC/HYDRAULIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1530 4-2005
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740

ISSUE	AMENDMENTS	DATE
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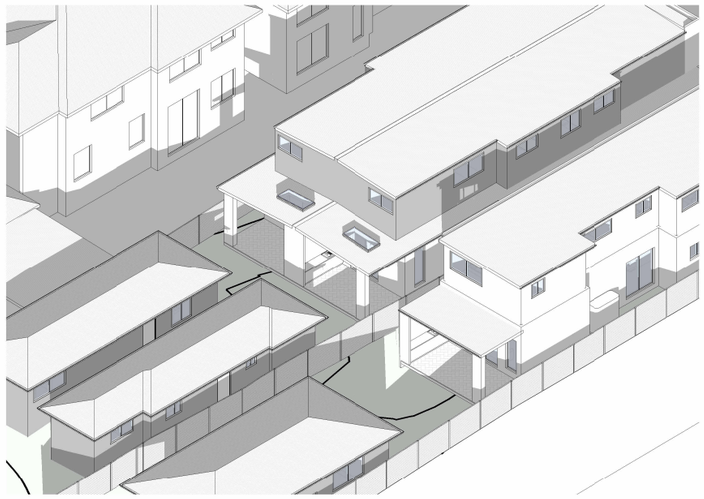
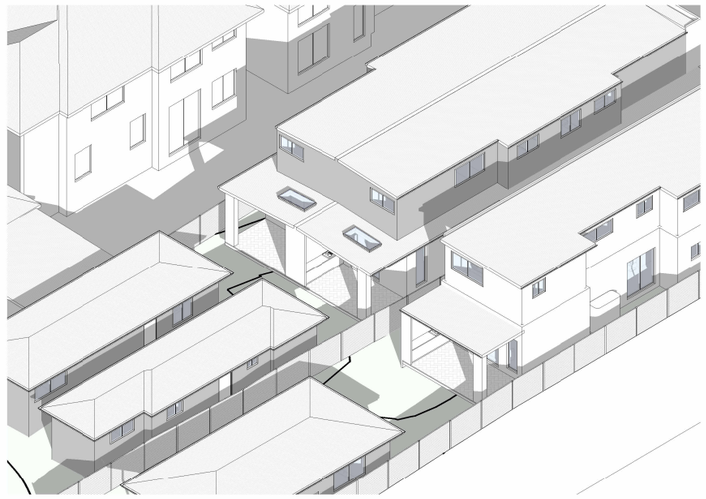
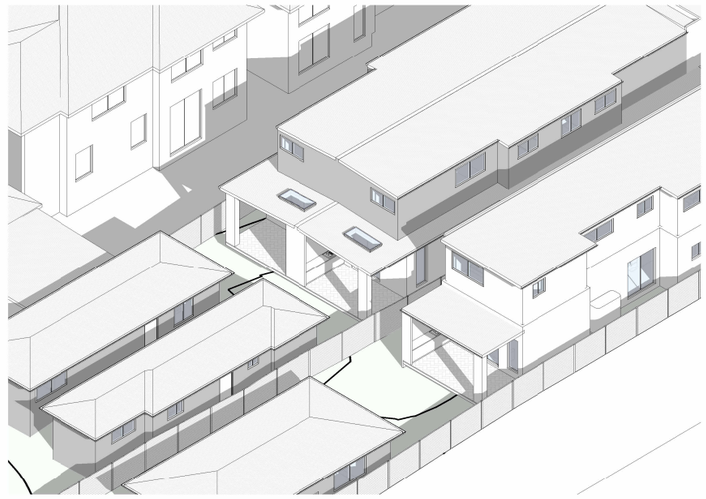


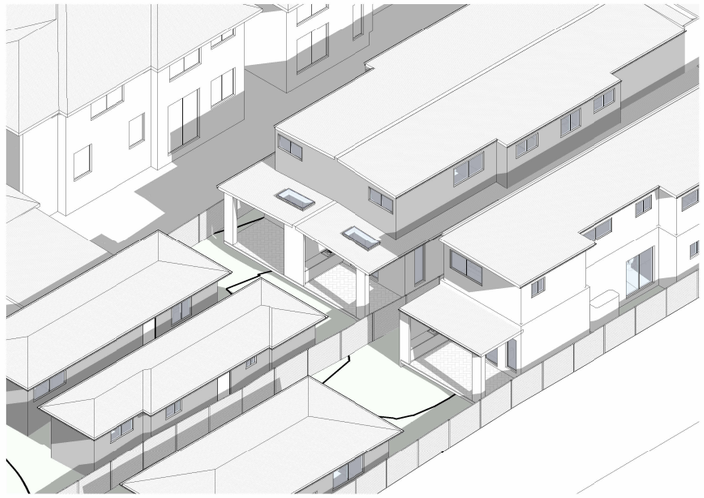
SW SHADOW DIAGRAM - 8 AM 21ST OF JUNE



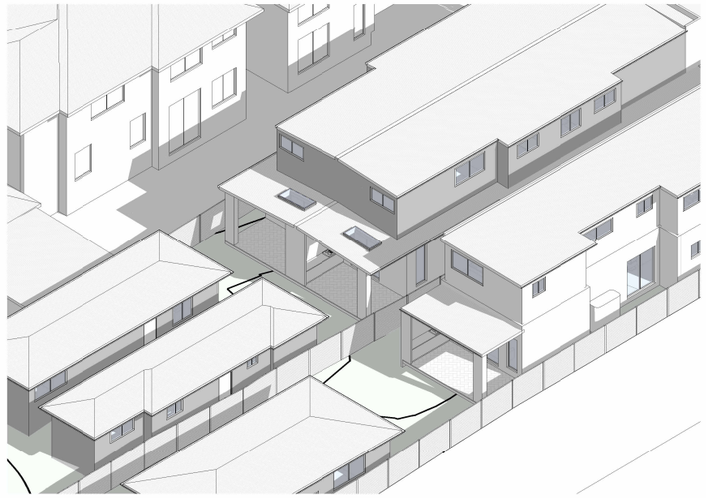
SW SHADOW DIAGRAM - 9 AM 21ST OF JUNE



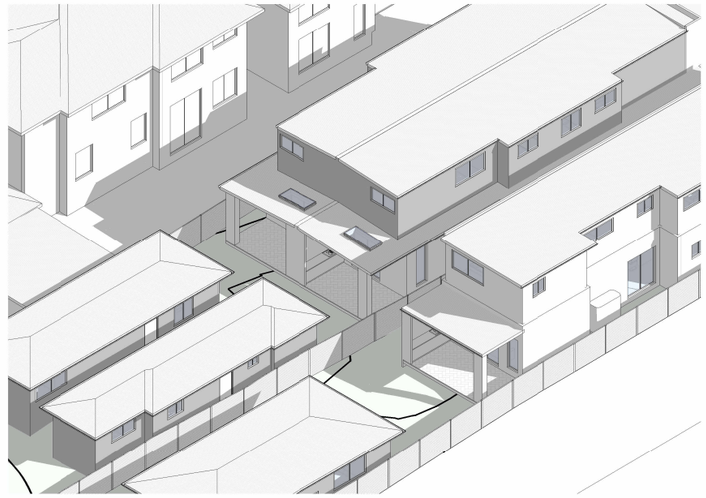
SW SHADOW DIAGRAM - 10 AM 21ST OF JUNE



SW SHADOW DIAGRAM - 11 AM 21ST OF JUNE



SW SHADOW DIAGRAM - 12 PM 21ST OF JUNE



SW SHADOW DIAGRAM - 1 PM 21ST OF JUNE

DESIGN FORMATION ARCHITECTS

CONTACT:
A: 203/25-27 GROSE ST PARRAMATTA NSW 2150
M: +61 422 566 912
E: GEORGE@DESIGNFORMATION.COM.AU

NOM. ARCHITECT: GEORGE YOUSSEF
SW REG: 11535

TRUE NORTH:	PROJECT STATUS: ISSUED FOR CLIENT REVIEW	PREPARED FOR: DAMIAN KALTOUM	PROJECT ADDRESS: 481 WOODVILLE RD GUILDFORD 2161
		PROJECT TYPE: PROPOSED ATTACHED DWELLINGS WITH SECONDARY DWELLINGS	
		PROJECT NO: 970 / REV NO: 02	ORIGINAL ARCHITECT:
		DRAWN BY: AAD / CHECKED BY: GY	

SHEET NO: A307

TITLE: AXONOMETRIC SHADOW DIAGRAMS

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CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS
SPEC. C1.1 FIRE RESISTING CONSTRUCTION
SPEC. C1.10 FIRE HAZARD PROPERTIES
SPEC. C1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
CLAUSE C1.12 PARTIAL SEPARATION OF OPENINGS IN EXTERNAL WALL
CLAUSE C1.12 SPREADING OF EQUIPMENT
CLAUSE C1.13 ELECTRICITY SUPPLY SYSYEM
CLAUSE C.3 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)
CLAUSE C3.8 OPENING IN FIRE ISOLATED EXITS
CLAUSE C3.15 OPENING FOR SERVICE INSTALLATIONS
CLAUSE D1.10 DISCHARGE FROM EXITS
CLAUSE D2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL
CLAUSE D2.13 GOINGS AND RISERS
CLAUSE D2.14 LANDINGS
CLAUSE D2.16 BALUSTRADES
CLAUSE D2.17 HANDRAILS
CLAUSE D2.21 OPERATION OF LATCH
CLAUSE D2.23 SIGNS ON DOORS
CLAUSE D3.2 GENERAL BUILDING ACCESS REQUIREMENTS
CLAUSE D3.3 PARTS OF BUILDING TO BE ACCESSIBLE
CLAUSE D3.6 IDENT. OF ACCESSIBLE FACILISERVFEATURES
CLAUSE D3.8 TACTILE INDICATORS
CLAUSE F1.7 WATERPROOFING OF WET AREAS
CLAUSE F3.1 SOLID RAMP OPENING
CLAUSE F4.3 CONSTRUCTION OF SANITARY COMPARTMENTS
PART F4 LIGHTING AND VENTILATION
CLAUSE F5.4 SOUND INSULATION OF FLOORS
CLAUSE F5.5 SOUND INSULATION OF WALLS
CLAUSE F5.6 SOUND INSULATION OF SERVICES
CLAUSE F5.7 SOUND INSULATION OF PUMPS

ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSEF4.4 & AS1680
BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 3.2
ENERGY EFFICIENCYGLAZING: TO COMPLY WITH J2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
HOT WATER: SYSTEMS TO COMPLY WITH PART J7 OF BCA
MASONRY: TO COMPLY WITH AS1530
MECHELEC/HYDRAULIC: BCA CLAUSE C3.15 & AS1530 4-2005
MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS1668 & AS68.2
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786
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STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
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WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740

ISSUE	AMENDMENTS	DATE
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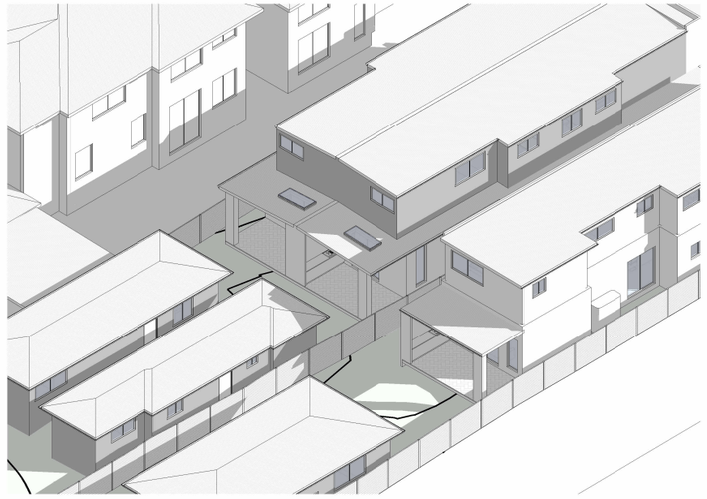
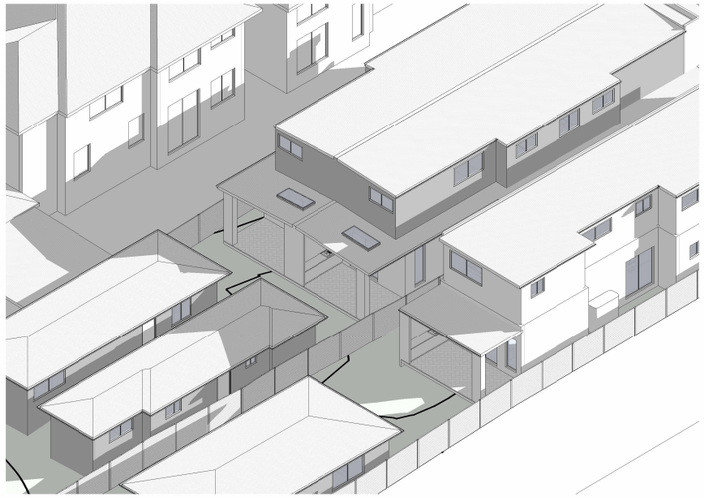
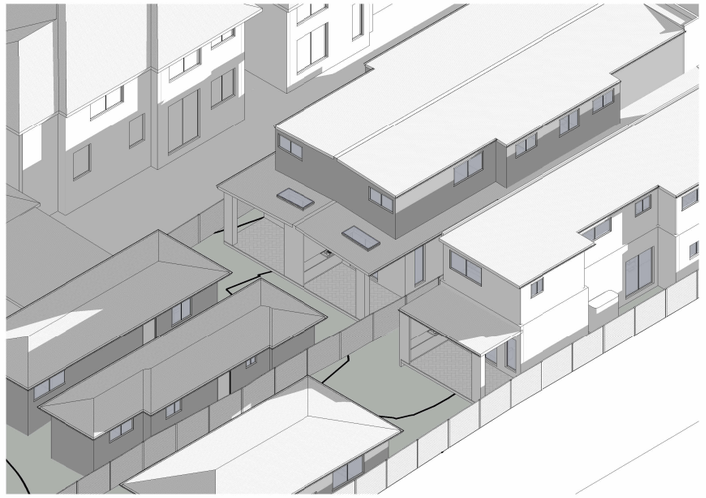


SW SHADOW DIAGRAM - 2 PM 21ST OF JUNE



SW SHADOW DIAGRAM - 3 PM 21ST OF JUNE



SW SHADOW DIAGRAM - 4 PM 21ST OF JUNE

DESIGN FORMATION ARCHITECTS

CONTACT:
A: 203/25-27 GROSE ST PARRAMATTA NSW 2150
M: +61 422 566 912
E: GEORGE@DESIGNFORMATION.COM.AU

NOM. ARCHITECT: GEORGE YOUSSEF
NSW REG: 11535

TRUE NORTH:

PROJECT STATUS: ISSUED FOR CLIENT REVIEW

PREPARED FOR: DAMIAN KALTOUM

PROJECT TYPE: PROPOSED ATTACHED DWELLINGS WITH SECONDARY DWELLINGS

PROJECT NO: 970
REV NO: 02
DRAWN BY: AAD
CHECKED BY: GY

PROJECT ADDRESS: 481 WOODVILLE RD GUILDFORD 2161

ORIGINAL ARCHITECT:

SHEET NO: A308

TITLE: AXONOMETRIC SHADOW DIAGRAMS

GENERAL NOTES

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ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS
SPEC. C1.1 FIRE RESISTING CONSTRUCTION
SPEC. C1.10 FIRE HAZARD PROPERTIES
SPEC. C1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
CLAUSE C1.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
CLAUSE C1.12 SPEARATION OF EQUIPMENT
CLAUSE C1.13 ELECTRICITY SUPPLY SYSYEM
CLAUSE C.3 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)
CLAUSE C3.8 OPENING IN FIRE ISOLATED EXITS
CLAUSE C3.15 OPENING FOR SERVICE INSTALLATIONS
CLAUSE D1.10 DISCHARGE FROM EXITS
CLAUSE D2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL
CLAUSE D2.13 GOINGS AND RISERS
CLAUSE D2.14 LANDINGS
CLAUSE D2.16 BALUSTRADES
CLAUSE D2.17 HANDRAILS
CLAUSE D2.21 OPERATION OF LATCH
CLAUSE D2.24 DOOR SWINGS
CLAUSE D3.2 GENERAL BUILDING ACCESS REQUIREMENTS
CLAUSE D3.3 PARTS OF BUILDING TO BE ACCESSIBLE
CLAUSE D3.6 IDENT. OF ACCESSIBLE FACILISERVFEATURES
CLAUSE D3.8 TACTILE INDICATORS
CLAUSE F1.7 WATERPROOFING OF WET AREAS
CLAUSE F1.9F1.10 DAMP PROOFING
CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS
PART F4 LIGHTING AND VENTILATION
CLAUSE F5.4 SOUND INSULATION OF FLOORS
CLAUSE F5.5 SOUND INSULATION OF WALLS
CLAUSE F5.6 SOUND INSULATION OF SERVICES
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DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 3.2
ENERGY EFFICIENCYGLAZING: TO COMPLY WITH J2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
HOT WATER: SYSTEMS TO COMPLY WITH PART J7 OF BCA
MASONRY: TO COMPLY WITH AS3700
MECHELECHYDRAULIC: BCA CLAUSE C3.15 & AS1530 4-2005
MECHANICAL AIRVENTWITHWATER: TO COMPLY WITH PART J5 OF BCA
MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS1668 & AS68.2
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786
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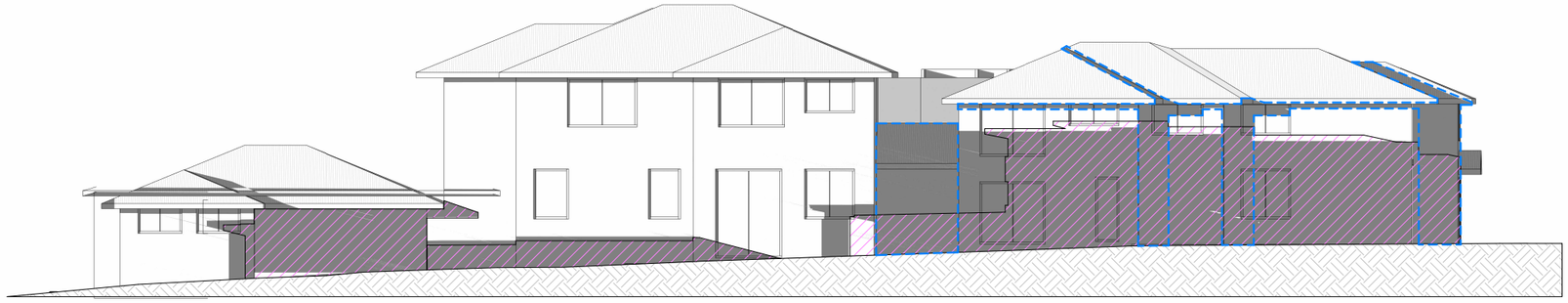
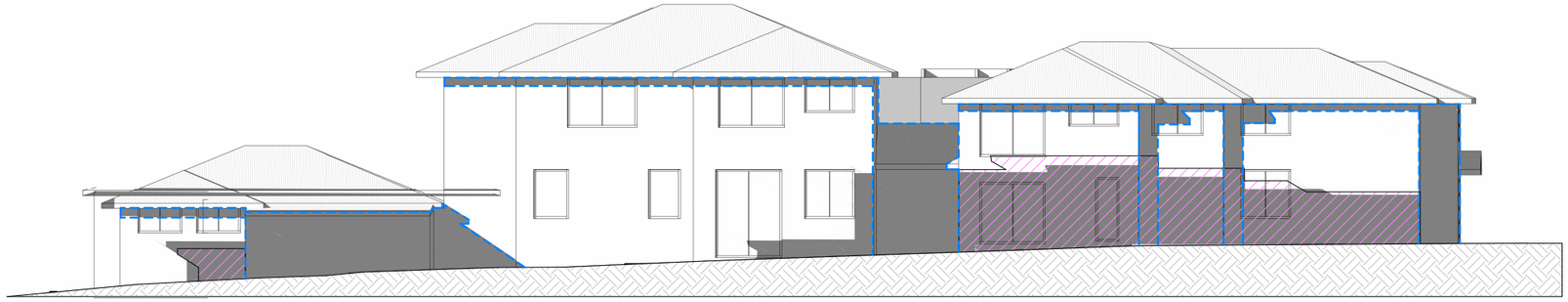
LEGEND

PROPOSED SHADOW

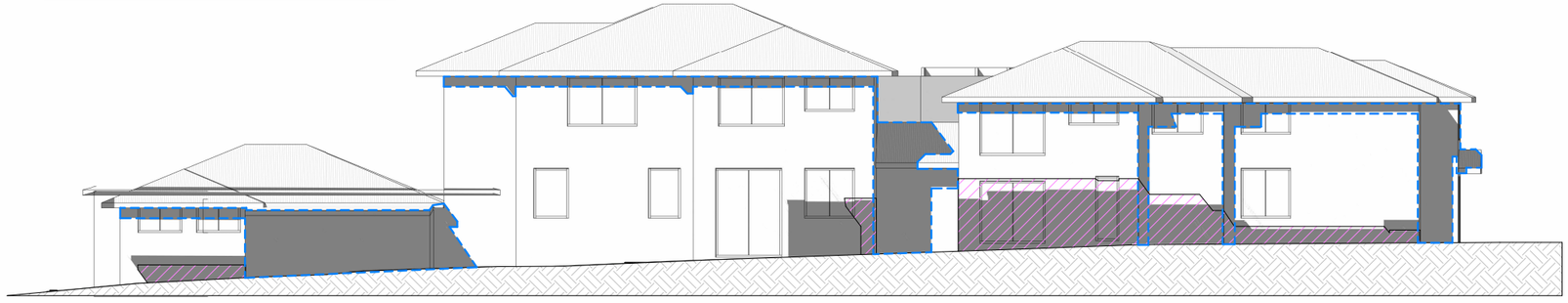
SELF - IMPOSED SHADOW



ELEVATIONAL SHADOW DIAGRAM - 8 AM 21ST OF JUNE



ELEVATIONAL SHADOW DIAGRAM - 9 AM 21ST OF JUNE



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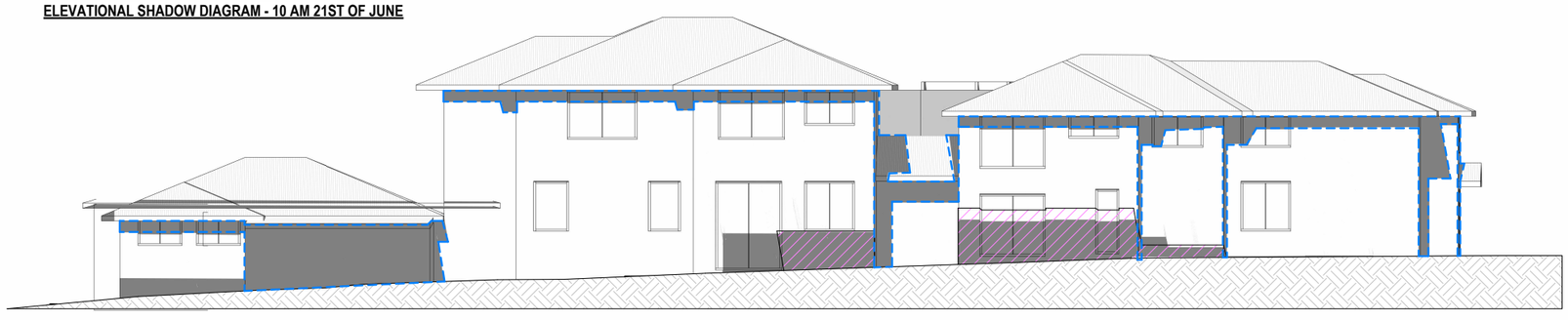

ELEVATIONAL SHADOW DIAGRAM - 11 AM 21ST OF JUNE

DESIGN FORMATION ARCHITECTS

NOM. ARCHITECT: GEORGE YOUSSEF NSW REG: 11535

CONTACT:
A: 203/25-27 GROSE ST PARRAMATTA NSW 2150
M: +61 422 566 912
E: GEORGE@DESIGNFORMATION.COM.AU

TRUE NORTH:

PROJECT STATUS: ISSUED FOR CLIENT REVIEW

PREPARED FOR: DAMIAN KALTOUM

PROJECT TYPE: PROPOSED ATTACHED DWELLINGS WITH SECONDARY DWELLINGS

PROJECT ADDRESS: 481 WOODVILLE RD GUILDFORD 2161

PROJECT NO: 970

REV NO: 02

DRAWN BY: AAD

CHECKED BY: GY

ORIGINAL ARCHITECT:

SHEET NO: A309

TITLE: ELEVATIONAL SHADOW DIAGRAMS

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CLAUSE C1.12 SPEARATION OF EQUIPMENT
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CLAUSE C.3 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)
CLAUSE C3.8 OPENING IN FIRE ISOLATED EXITS
CLAUSE C3.15 OPENING FOR SERVICE INSTALLATIONS
CLAUSE D1.10 DISCHARGE FROM EXITS
CLAUSE D2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL
CLAUSE D2.13 GOINGS AND RISERS
CLAUSE D2.14 LANDINGS
CLAUSE D2.16 BALUSTRADES
CLAUSE D2.17 HANDRAILS
CLAUSE D2.21 OPERATIONS OF LATCH
CLAUSE D2.23 SIGNS ON DOORS
CLAUSE D3.2 GENERAL BUILDING ACCESS REQUIREMENTS
CLAUSE D3.3 PARTS OF BUILDING TO BE ACCESSIBLE
CLAUSE D3.6 IDENT. OF ACCESSIBLE FACIL/SERV/FEATURES
CLAUSE D3.8 TACTILE INDICATORS
CLAUSE F1.7 WATERPROOFING OF WET AREAS
CLAUSE F1.9/F1.10 DAMP PROOFING
CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS
PART F4 LIGHTING AND VENTILATION
CLAUSE F5.4 SOUND INSULATION OF FLOORS
CLAUSE F5.5 SOUND INSULATION OF WALLS
CLAUSE F5.6 SOUND INSULATION OF SERVICES
CLAUSE F5.7 SOUND INSULATION OF PUMPS

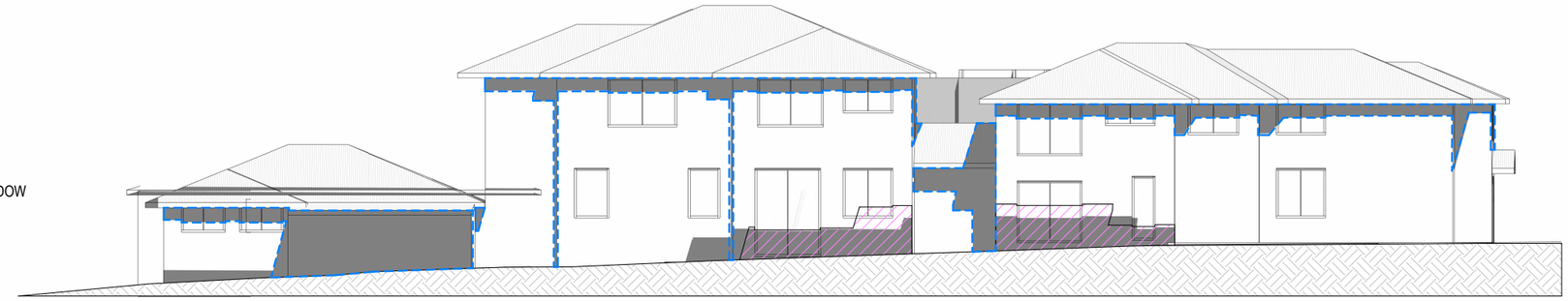
ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSEF4.4 & AS1680
BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 3.2
ENERGY EFFICIENCY/GLAZING: TO COMPLY WITH J2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
HOT WATER: SYSTEMS TO COMPLY WITH PART J7 OF BCA
MASONRY: TO COMPLY WITH AS1720
MECHELEC/HYDRAULIC: BCA CLAUSE C3.15 & AS1530 4-2005
MECHANICAL AIRCONDITIONING: TO COMPLY WITH PART J5 OF BCA
MECHANICAL EXHANUST VENTILATION: TO COMPLY WITH AS1668 & AS68.2
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786
PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELEC/HYDRAULIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1530 4-2005
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740

ISSUE	AMENDMENTS	DATE
02	ISSUED FOR DA	19-03-2026
01	ISSUED FOR CLIENT REVIEW	18-12-2024

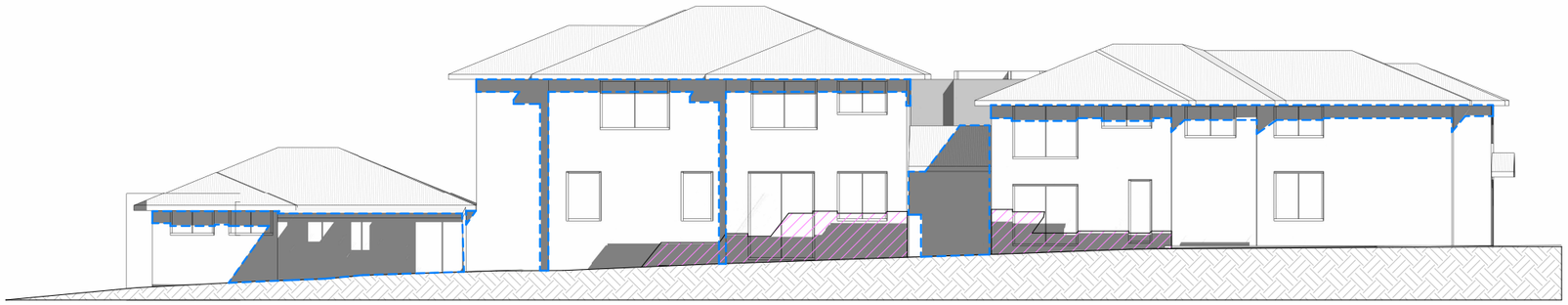
LEGEND

PROPOSED SHADOW

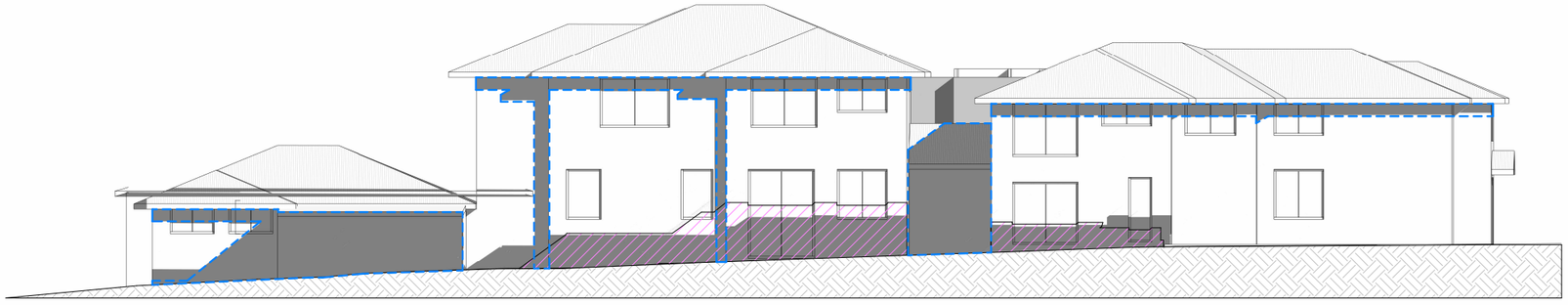
SELF - IMPOSED SHADOW



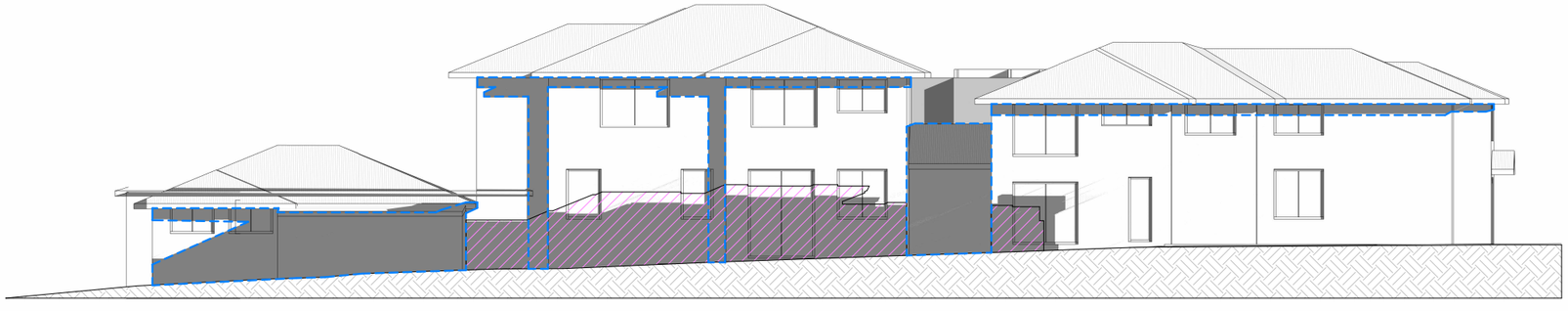
ELEVATIONAL SHADOW DIAGRAM - 12 PM 21ST OF JUNE



ELEVATIONAL SHADOW DIAGRAM - 1 PM 21ST OF JUNE



ELEVATIONAL SHADOW DIAGRAM - 2 PM 21ST OF JUNE



ELEVATIONAL SHADOW DIAGRAM - 3 PM 21ST OF JUNE

DESIGN FORMATION ARCHITECTS

NOM. ARCHITECT: GEORGE YOUSSEF
NSW REG: 11535

CONTACT:
A: 203/25-27 GROSE ST PARRAMATTA NSW 2150
M: +61 422 566 912
E: GEORGE@DESIGNFORMATION.COM.AU

TRUE NORTH:

PROJECT STATUS: ISSUED FOR CLIENT REVIEW

PREPARED FOR: DAMIAN KALTOUM

PROJECT TYPE: PROPOSED ATTACHED DWELLINGS WITH SECONDARY DWELLINGS

PROJECT NO: 970

REV NO: 02

DRAWN BY: AAD

CHECKED BY: GY

PROJECT ADDRESS: 481 WOODVILLE RD GUILDFORD 2161

ORIGINAL ARCHITECT:

SHEET NO: A310

TITLE: ELEVATIONAL SHADOW DIAGRAMS

GENERAL NOTES

1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, AUSTRALIAN STANDARDS, STATUTORY REGULATIONS AND LOCAL AUTHORITY REQUIREMENTS, INCLUDING CONDITIONS OF CONSENT
2. DO NOT SCALE OFF THIS DRAWING. ONLY USE DIMENSIONS PROVIDED.
3. CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCING WORK.
4. DESIGN FORMATION DRAWINGS TO BE READ IN CONJUNCTION WITH ALL CONTRACT DOCUMENTS FROM ALL CONSULTANTS.
5. CONTRACTOR TO NOTIFY DESIGN FORMATION OF ANY DISCREPENCIES, DIMENSIONAL INCONSISTENCIES, OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING.
6. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED
7. DESIGN FORMATION TO REVIEW ALL CONTRACTOR'S DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION.
8. PROGRESS WORK TO BE VERIFIED AGAINST DRAWINGS FOLLOWING EXECUTION AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO CONTRACTOR PROCEEDING WITH NEXT TRADE.

ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS
SPEC: C1.1 FIRE RESISTING CONSTRUCTION
SPEC: C1.10 FIRE HAZARD PROPERTIES
SPEC: C1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
CLAUSE C1.8 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
CLAUSE C1.12 SPEARATION OF EQUIPMENT
CLAUSE C1.13 ELECTRICITY SUPPLY SYSTEM
CLAUSE C.3 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)
CLAUSE C3.8 OPENING IN FIRE ISOLATED EXITS
CLAUSE C3.15 OPENING FOR SERVICE INSTALLATIONS
CLAUSE D1.10 DISCHARGE FROM EXITS
CLAUSE D2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL
CLAUSE D2.13 GOINGS AND RISERS
CLAUSE D2.14 LANDINGS
CLAUSE D2.16 BALUSTRADES
CLAUSE D2.17 HANDRAILS
CLAUSE D2.21 OPERATION OF LATCH
CLAUSE D2.23 SIGNS ON DOORS
CLAUSE D3.2 GENERAL BUILDING ACCESS REQUIREMENTS
CLAUSE D3.3 PARTS OF BUILDING TO BE ACCESSIBLE
CLAUSE D3.6 IDENT. OF ACCESSIBLE FACIL/SERV/FEATURES
CLAUSE D3.8 TACTILE INDICATORS
CLAUSE F1.7 WATERPROOFING OF WET AREAS
CLAUSE F1.8/F1.10 DAMP PROOFING
CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS
PART F4 LIGHTING AND VENTILATION
CLAUSE F5.4 SOUND INSULATION OF FLOORS
CLAUSE F5.5 SOUND INSULATION OF WALLS
CLAUSE F5.6 SOUND INSULATION OF SERVICES
CLAUSE F5.7 SOUND INSULATION OF PUMPS

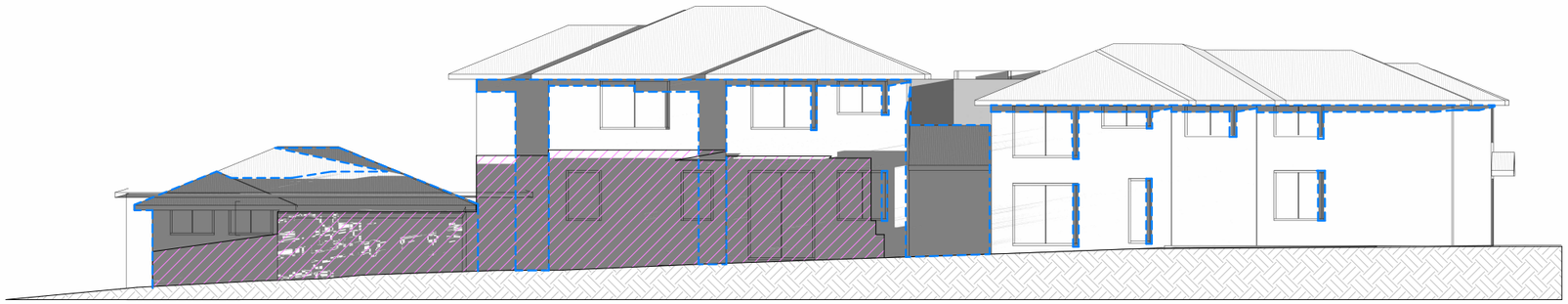
ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSEF.4.4 & AS1680
BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 3.2
ENERGY EFFICIENCY/GLAZING: TO COMPLY WITH J2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
HOT WATER: SYSTEMS TO COMPLY WITH PART J7 OF BCA
MASONRY: TO COMPLY WITH AS3700
MECHELEC/HYDRAULIC: BCA CLAUSE C3.15 & AS1530 4-2005
MECHANICAL AIRCONDITIONING: TO COMPLY WITH PART J5 OF BCA
MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS1668.& AS68.2
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786
PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELEC/HYDRAULIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1530 4-2005
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA.
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740

ISSUE	AMENDMENTS	DATE
02	ISSUED FOR DA	19-03-2026
01	ISSUED FOR CLIENT REVIEW	18-12-2024

LEGEND

PROPOSED SHADOW

SELF - IMPOSED SHADOW



ELEVATIONAL SHADOW DIAGRAM - 4 PM 21ST OF JUNE

DESIGN FORMATION ARCHITECTS

NOM. ARCHITECT: GEORGE YOUSSEF
NSW REGD: 11535

CONTACT:

A: 203/25-27 GROSE ST
PARRAMATTA NSW 2150
M: +61 422 566 912
E: GEORGE@DESIGNFORMATION.COM.AU

TRUE NORTH:

PROJECT STATUS: ISSUED FOR CLIENT REVIEW

PREPARED FOR: DAMIAN KALTOUM

PROJECT TYPE: PROPOSED ATTACHED DWELLINGS WITH SECONDARY DWELLINGS

PROJECT ADDRESS: 481 WOODVILLE RD GUILDFORD 2161

ORIGINAL ARCHITECT:

PROJECT NO:	REV NO:
970	02
DRAWN BY:	**CHECKED BY:**
AAD	GY

SHEET NO: A311

TITLE: ELEVATIONAL SHADOW DIAGRAMS

GENERAL NOTES

1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, AUSTRALIAN STANDARDS,
STATUTORY REGULATIONS AND LOCAL AUTHORITY REQUIREMENTS, INCLUDING CONDITIONS OF
CONSENT.
2. DO NOT SCALE OFF THIS DRAWING. ONLY USE DIMENSIONS PROVIDED.
3. CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCING WORK.
4. DESIGN FORMATION DRAWINGS TO BE READ IN CONJUNCTION WITH ALL CONTRACT DOCUMENTS FROM ALL
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NEED FOR CLARIFICATION PRIOR TO MANUFACTURING.
6. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED
7. DESIGN FORMATION TO REVIEW ALL CONTRACTOR'S DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION.
8. PROGRESS PRINTS TO BE VERIFIED AGAINST DRAWINGS FOLLOWING EXECUTION AND ISSUE OF FIRST PRINT.
NOTIFIED OF ANY DISCREPANCIES PRIOR TO CONTRACTOR PROCEEDING WITH NEXT TRADE.

ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS
SPEC. C1.1 FIRE RESISTING CONSTRUCTION
SPEC. C1.10 FIRE HAZARD PROPERTIES
SPEC. C.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
CLAUSE C1.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
CLAUSE C1.12 SPEARATION OF EQUIPMENT
CLAUSE C1.13 ELECTRICITY SUPPLY SYSYEM
CLAUSE C.3 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)
CLAUSE C3.8 OPENING IN FIRE ISOLATED EXITS
CLAUSE C3.15 OPENING FOR SERVICE INSTALLATIONS
CLAUSE D1.10 DISCHARGE FROM EXITS
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CLAUSE D2.13 GOINGS AND RISERS
CLAUSE D2.14 LANDINGS
CLAUSE D2.16 BALUSTRADES
CLAUSE D2.17 HANDRAILS
CLAUSE D2.20 OPERATION OF LATCH
CLAUSE D2.21 SWING DOORS
CLAUSE D3.2 GENERAL BUILDING ACCESS REQUIREMENTS
CLAUSE D3.3 PARTS OF BUILDING TO BE ACCESSIBLE
CLAUSE D3.6 IDENT. OF ACCESSIBLE FACILISERVFEATURES
CLAUSE D3.8 TACTILE INDICATORS
CLAUSE F1.7 WATERPROOFING OF WET AREAS
CLAUSE F1.9/F1.10 DAMP PROOFING
CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS
PART F4 LIGHTING AND VENTILATION
CLAUSE F5.4 SOUND INSULATION OF FLOORS
CLAUSE F5.5 SOUND INSULATION OF WALLS
CLAUSE F5.6 SOUND INSULATION OF SERVICES
CLAUSE F5.7 SOUND INSULATION OF PUMPS

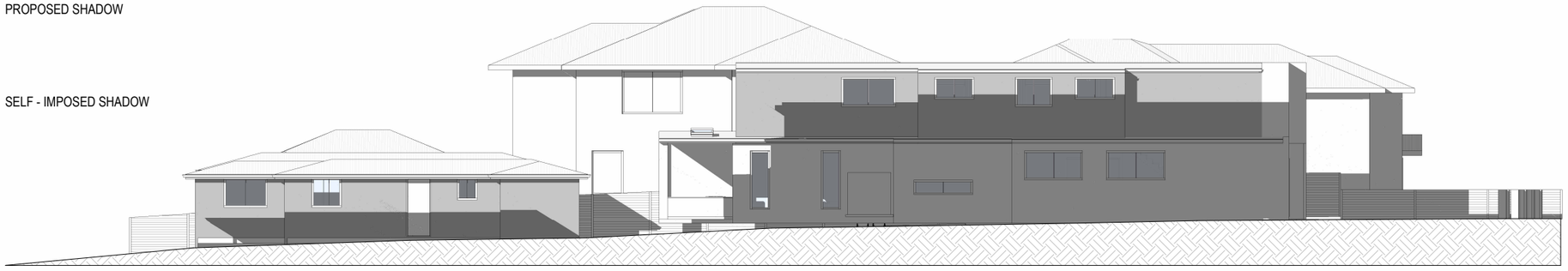
ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSEF4.4 & AS1680
BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 3.2
ENERGY EFFICIENCYGLAZING: TO COMPLY WITH J2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
HOT WATER: SYSTEMS TO COMPLY WITH PART J7 OF BCA
MASONRY: TO COMPLY WITH AS3700
MECHELECHYDRAULIC: BCA CLAUSE C3.15 & AS1530 4-2005
MECHANICAL AIRCONDITIONING: TO COMPLY WITH PART J5 OF BCA
MECHANICAL EXHANUST VENTILATION: TO COMPLY WITH AS1668 & AS68.2
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786
PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECHELECHYDRAULIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1530 4-2005
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740

ISSUE	AMENDMENTS	DATE
02	ISSUED FOR DA	19-03-2026
01	ISSUED FOR CLIENT REVIEW	18-12-2024

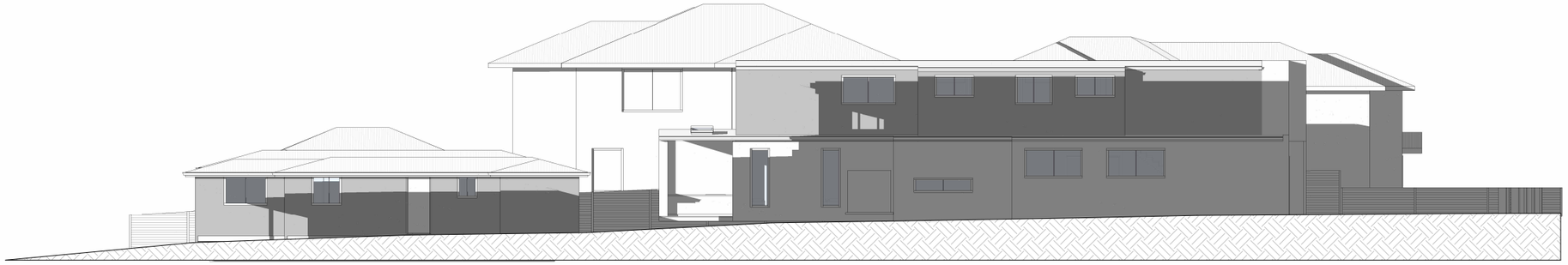
LEGEND

PROPOSED SHADOW

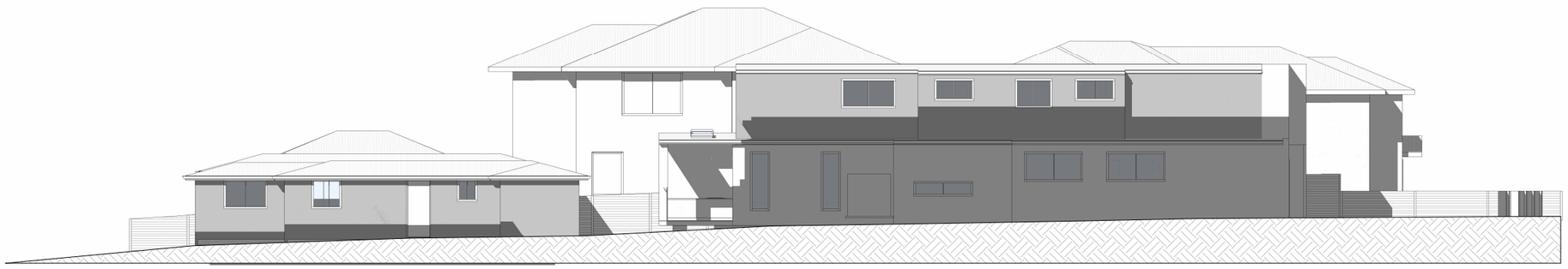
SELF - IMPOSED SHADOW



DUAL OCCUPANCY ELEVATIONAL SHADOW DIAGRAM - 8AM



DUAL OCCUPANCY ELEVATIONAL SHADOW DIAGRAM - 9AM



DUAL OCCUPANCY ELEVATIONAL SHADOW DIAGRAM - 10AM

DESIGN FORMATION ARCHITECTS

NOM. ARCHITECT: GEORGE YOUSSEF
NSW REGO: 11535

CONTACT:
A: 203/25-27 GROSE ST PARRAMATTA NSW 2150
M: +61 422 566 912
E: GEORGE@DESIGNFORMATION.COM.AU

TRUE NORTH:

PROJECT STATUS: ISSUED FOR CLIENT REVIEW

PREPARED FOR: DAMIAN KALTOUM

PROJECT TYPE: PROPOSED ATTACHED DWELLINGS WITH SECONDARY DWELLINGS

PROJECT NO: 970

REV NO: 02

DRAWN BY: AAD

CHECKED BY: GY

PROJECT ADDRESS: 481 WOODVILLE RD GUILDFORD 2161

ORIGINAL ARCHITECT:

SHEET NO: A312

TITLE: ELEVATIONAL SHADOW DIAGRAMS

GENERAL NOTES

1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, AUSTRALIAN STANDARDS, STATUTORY REGULATIONS AND LOCAL AUTHORITY REQUIREMENTS, INCLUDING CONDITIONS OF CONSENT.
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6. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED
7. DESIGN FORMATION TO REVIEW ALL CONTRACTOR'S DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION.
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ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS
SPEC. C1.1 FIRE RESISTING CONSTRUCTION
SPEC. C1.10 FIRE HAZARD PROPERTIES
SPEC. C.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
CLAUSE C1.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
CLAUSE C1.12 SPEARATION OF EQUIPMENT
CLAUSE C1.13 ELECTRICITY SUPPLY SYSTEM
CLAUSE C2.12 SEPARATION OF EQUIPMENT (OF OPENINGS)
CLAUSE C3.8 OPENING IN FIRE ISOLATED EXITS
CLAUSE C3.15 OPENING FOR SERVICE INSTALLATIONS
CLAUSE D1.10 DISCHARGE FROM EXITS
CLAUSE D2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL
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CLAUSE D2.14 LANDINGS
CLAUSE D2.16 BALUSTRADES
CLAUSE D2.17 HANDRAILS
CLAUSE D2.21 OPERATION OF LATCH
CLAUSE D2.23 SIGNS ON DOORS
CLAUSE D3.2 GENERAL BUILDING ACCESS REQUIREMENTS
CLAUSE D3.3 PARTS OF BUILDING TO BE ACCESSIBLE
CLAUSE D3.6 IDENT. OF ACCESSIBLE FACILISERVFEATURES
CLAUSE D3.8 TACTILE INDICATORS
CLAUSE F1.7 WATERPROOFING OF WET AREAS
CLAUSE F1.9/F1.10 DAMP PROOFING
CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS
PART F4 LIGHTING AND VENTILATION
CLAUSE F5.4 SOUND INSULATION OF FLOORS
CLAUSE F5.5 SOUND INSULATION OF WALLS
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ENERGY EFFICIENCYGLAZING: TO COMPLY WITH J2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
HOT WATER: SYSTEMS TO COMPLY WITH PART J7 OF BCA
MASONRY: TO COMPLY WITH AS1530
MECHELEC/HYDRAULIC: BCA CLAUSE C3.15 & AS1530 4-2005
MECHANICAL EXHANUST VENTILATION: TO COMPLY WITH AS1668 & AS68.2
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786
PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELEC/HYDRAULIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1530 4-2005
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740

ISSUE	AMENDMENTS	DATE
02	ISSUED FOR DA	19-03-2026
01	ISSUED FOR CLIENT REVIEW	18-12-2024

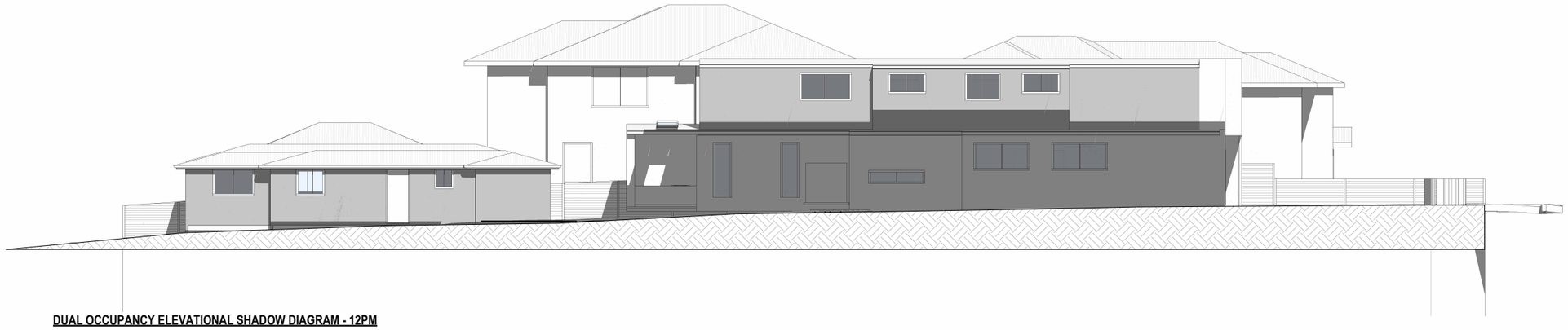
LEGEND

PROPOSED SHADOW

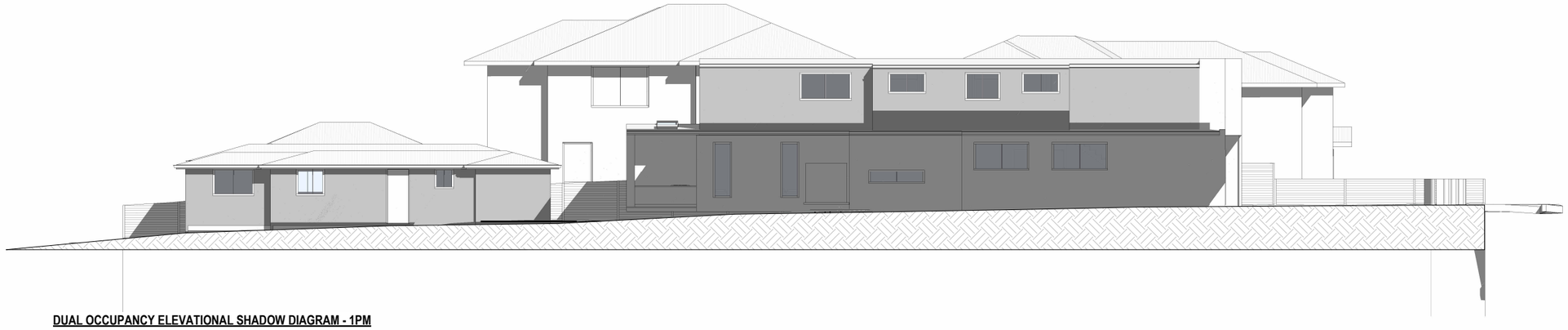
SELF - IMPOSED SHADOW



DUAL OCCUPANCY ELEVATIONAL SHADOW DIAGRAM - 11AM



DUAL OCCUPANCY ELEVATIONAL SHADOW DIAGRAM - 12PM



DUAL OCCUPANCY ELEVATIONAL SHADOW DIAGRAM - 1PM

DESIGN FORMATION ARCHITECTS

CONTACT:
A: 203/25-27 GROSE ST PARRAMATTA NSW 2150
M: +61 422 566 912
E: GEORGE@DESIGNFORMATION.COM.AU

NOM. ARCHITECT: GEORGE YOUSSEF 11535

TRUE NORTH:

PROJECT STATUS: ISSUED FOR CLIENT REVIEW

PREPARED FOR: DAMIAN KALTOUM

PROJECT TYPE: PROPOSED ATTACHED DWELLINGS WITH SECONDARY DWELLINGS

PROJECT NO: 970 | REV NO: 02

DRAWN BY: AAD | CHECKED BY: GY

PROJECT ADDRESS: 481 WOODVILLE RD GUILDFORD 2161

ORIGINAL ARCHITECT:

SHEET NO: A313

TITLE: ELEVATIONAL SHADOW DIAGRAMS

GENERAL NOTES

1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, AUSTRALIAN STANDARDS, STATUTORY REGULATIONS AND LOCAL AUTHORITY REQUIREMENTS, INCLUDING CONDITIONS OF CONSENT.
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6. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED
7. DESIGN FORMATION TO REVIEW ALL CONTRACTOR'S DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION.
8. PROGRESS WORK TO BE VERIFIED AGAINST DRAWINGS FOLLOWING EXECUTION OF ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO CONTRACTOR PROCEEDING WITH NEXT TRADE.

ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS
SPEC. C1.1 FIRE RESISTING CONSTRUCTION
SPEC. C1.10 FIRE HAZARD PROPERTIES
SPEC. C1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
CLAUSE C1.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
CLAUSE C1.12 SPEARATION OF EQUIPMENT
CLAUSE C1.13 ELECTRICITY SUPPLY SYSYEM
CLAUSE C.3 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)
CLAUSE C3.8 OPENING IN FIRE ISOLATED EXITS
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CLAUSE D2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL
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CLAUSE D2.16 BALUSTRADES
CLAUSE D2.17 HANDRAILS
CLAUSE D2.21 OPERATION OF LATCH
CLAUSE D2.24 SWINGING DOORS
CLAUSE D3.2 GENERAL BUILDING ACCESS REQUIREMENTS
CLAUSE D3.3 PARTS OF BUILDING TO BE ACCESSIBLE
CLAUSE D3.6 IDENT. OF ACCESSIBLE FACILISER/FEATURES
CLAUSE D3.8 TACTILE INDICATORS
CLAUSE F1.7 WATERPROOFING OF WET AREAS
CLAUSE F1.9/F1.10 DAMP PROOFING
CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS
PART F4 LIGHTING AND VENTILATION
CLAUSE F5.4 SOUND INSULATION OF FLOORS
CLAUSE F5.5 SOUND INSULATION OF WALLS
CLAUSE F5.6 SOUND INSULATION OF SERVICES
CLAUSE F5.7 SOUND INSULATION OF PUMPS

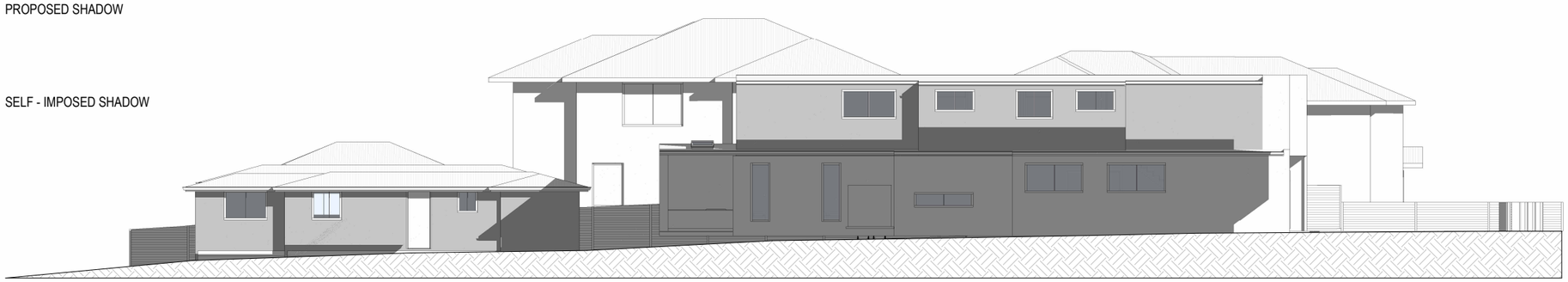
ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSEF4.4 & AS1680
BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 3.2
ENERGY EFFICIENCY/GLAZING: TO COMPLY WITH J2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
HOT WATER: SYSTEMS TO COMPLY WITH PART J7 OF BCA
MASONRY: TO COMPLY WITH AS 3700
MECHELEC/HYDRAULIC: BCA CLAUSE C3.15 & AS1530 4-2005
MECHANICAL AIRCONDITIONING: TO COMPLY WITH PART J5 OF BCA
MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS1668 & AS68.2
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786
PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELEC/HYDRAULIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1530 4-2005
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740

ISSUE	AMENDMENTS	DATE
02	ISSUED FOR DA	19-03-2026
01	ISSUED FOR CLIENT REVIEW	18-12-2024

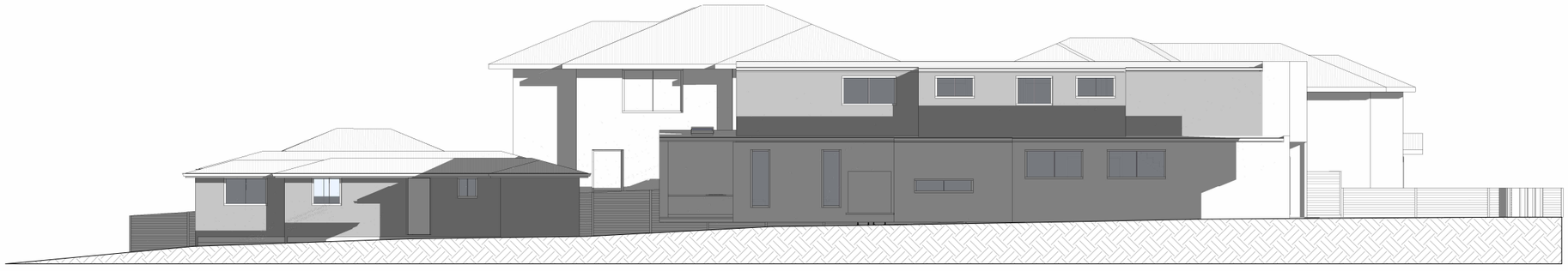
LEGEND

PROPOSED SHADOW

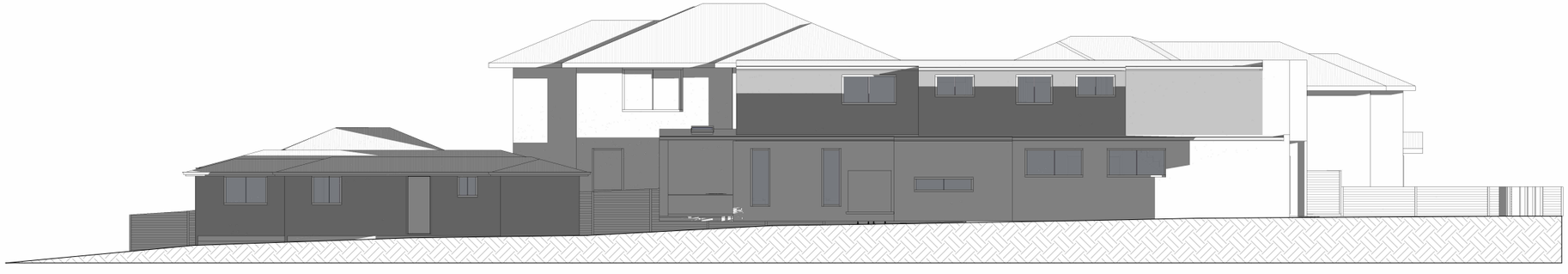
SELF - IMPOSED SHADOW



DUAL OCCUPANCY ELEVATIONAL SHADOW DIAGRAM - 2PM



DUAL OCCUPANCY ELEVATIONAL SHADOW DIAGRAM - 3PM



DUAL OCCUPANCY ELEVATIONAL SHADOW DIAGRAM - 4PM

DESIGN FORMATION ARCHITECTS

CONTACT:
A: 203/25-27 GROSE ST PARRAMATTA NSW 2150
M: +51 422 566 912
E: GEORGE@DESIGNFORMATION.COM.AU

NOM. ARCHITECT: GEORGE YOUSSEF
NSW REG: 11535

TRUE NORTH:

PROJECT STATUS: ISSUED FOR CLIENT REVIEW

PREPARED FOR: DAMIAN KALTOUM

PROJECT TYPE: PROPOSED ATTACHED DWELLINGS WITH SECONDARY DWELLINGS

PROJECT NO: 970

REV NO: 02

DRAWN BY: AAD

CHECKED BY: GY

PROJECT ADDRESS: 481 WOODVILLE RD GUILDFORD 2161

ORIGINAL ARCHITECT:

SHEET NO: A314

TITLE: ELEVATIONAL SHADOW DIAGRAMS

GENERAL NOTES

1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, AUSTRALIAN STANDARDS, STATUTORY REGULATIONS AND LOCAL AUTHORITY REQUIREMENTS, INCLUDING CONDITIONS OF CONSENT.
2. DO NOT SCALE OFF THIS DRAWING. ONLY USE DIMENSIONS PROVIDED.
3. CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCING WORK.
4. DESIGN FORMATION DRAWINGS TO BE READ IN CONJUNCTION WITH ALL CONTRACT DOCUMENTS FROM ALL CONSULTANTS.
5. CONTRACTOR TO NOTIFY DESIGN FORMATION OF ANY DISCREPENCIES, DIMENSIONAL INCONSISTENCIES, OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING.
6. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED
7. DESIGN FORMATION TO REVIEW ALL CONTRACTOR'S DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION.
8. PROGRESS WORK TO BE VERIFIED AGAINST DRAWINGS FOLLOWING EXECUTION AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO CONTRACTOR PROCEEDING WITH NEXT TRADE.

ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS
SPEC. C1.1 FIRE RESISTING CONSTRUCTION
SPEC. C1.10 FIRE HAZARD PROPERTIES
SPEC. C1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
CLAUSE C1.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
CLAUSE C1.12 SPEARATION OF EQUIPMENT
CLAUSE C1.13 ELECTRICITY SUPPLY SYSYEM
CLAUSE C.3 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)
CLAUSE C3.8 OPENING IN FIRE ISOLATED EXITS
CLAUSE C3.15 OPENING FOR SERVICE INSTALLATIONS
CLAUSE D1.10 DISCHARGE FROM EXITS
CLAUSE D2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL
CLAUSE D2.13 GOINGS AND RISERS
CLAUSE D2.14 LANDINGS
CLAUSE D2.16 BALUSTRADES
CLAUSE D2.17 HANDRAILS
CLAUSE D2.21 OPERATION OF LATCH
CLAUSE D2.23 SIGNS ON DOORS
CLAUSE D3.2 GENERAL BUILDING ACCESS REQUIREMENTS
CLAUSE D3.3 PARTS OF BUILDING TO BE ACCESSIBLE
CLAUSE D3.6 IDENT. OF ACCESSIBLE FACIL/SERV/FEATURES
CLAUSE D3.8 TACTILE INDICATORS
CLAUSE F1.7 WATERPROOFING OF WET AREAS
CLAUSE F1.9/F1.10 DAMP PROOFING
CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS
PART F4 LIGHTING AND VENTILATION
CLAUSE F5.4 SOUND INSULATION OF FLOORS
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ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSEF4.4 & AS1680
BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 3.2
ENERGY EFFICIENCY/GLAZING: TO COMPLY WITH J2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
HOT WATER: SYSTEMS TO COMPLY WITH PART J7 OF BCA
MASONRY: TO COMPLY WITH AS1000
MECH/ELEC/HYDRAULIC: BCA CLAUSE C3.15 & AS1530 4-2005
MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS1668 & AS68.2
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786
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WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740

ISSUE	AMENDMENTS	DATE
02	ISSUED FOR DA	19-03-2026
01	ISSUED FOR CLIENT REVIEW	18-12-2024



STREETSCAPE ELEVATION

1 : 75

DESIGN FORMATION ARCHITECTS

TRUE NORTH:	PROJECT STATUS: ISSUED FOR CLIENT REVIEW
PREPARED FOR: DAMIAN KALTOUM	PROJECT ADDRESS: 481 WOODVILLE RD GUILDFORD 2161
PROJECT TYPE: PROPOSED ATTACHED DWELLINGS WITH SECONDARY DWELLINGS	
CONTACT: A: 203/25-27 GROSE ST PARRAMATTA NSW 2150 M: +61 422 566 912 E: GEORGE@DESIGNFORMATION.COM.AU	PROJECT NO: 970 / REV NO: 02
	DRAWN BY: AAD / CHECKED BY: GY
NOM. ARCHITECT: GEORGE YOUSSEF NSW REG: 11535	ORIGINAL ARCHITECT:

SHEET NO: A315

TITLE: STREETSCAPE ELEVATION

GENERAL NOTES

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DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 3.2
ENERGY EFFICIENCY/GLAZING: TO COMPLY WITH J2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
HOT WATER: SYSTEMS TO COMPLY WITH PART J7 OF BCA
MASONRY: TO COMPLY WITH AS1720
MECHELEC/HYDRAULIC: BCA CLAUSE C3.15 & AS1530 4-2005
MECHANICAL AIR/CONDITIONING: TO COMPLY WITH PART J5 OF BCA
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STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740

ISSUE	AMENDMENTS	DATE
02	ISSUED FOR DA	19-03-2026

COLOUR AND MATERIAL SCHEDULE

CODE	SWATCH	DESCRIPTION
F01		COLORBOND ROOF, GUTTER & DOWNPIPE WINDSPRAY OR SIMILAR
F02		JAMES HARDIE AXON CLADDING VIVID WHITE OR SIMILAR
F03		ALUMINUM WINDOWS AND DOORS SURFMIST OR SIMILAR
F04		PAINT FINISH RENDERED WALL DULUX PAINT TICKING OR SIMILAR
F05		BRICK FINISH WALL TINTO CREAM PGH OR SIMILAR
F06		JAMES HARDIE AXON CLADDING MONUMENT OR SIMILAR
F07		TIMBER LOOK ALUMINIUM LOUVRE OR SIMILAR
F08		BRICK FINISH WALL MONASH GREY PGH OR SIMILAR





GLAZING SCHEDULE

MARK	WIDTH	HEIGHT	DESCRIPTION
D1.08	2100	2400	2 PANEL ALUMINIUM FRAMED GLASS SLIDING DOOR
D1.10	2800	2400	3 PANEL ALUMINIUM FRAMED GLASS SLIDING DOOR
D1.17	2100	2400	2 PANEL ALUMINIUM FRAMED GLASS SLIDING DOOR
D2.07	2100	2400	2 PANEL ALUMINIUM FRAMED GLASS SLIDING DOOR
D2.13	2400	2400	2 PANEL ALUMINIUM FRAMED GLASS SLIDING DOOR
D3.07	2100	2400	2 PANEL ALUMINIUM FRAMED GL2ASS SLIDING DOOR
D3.13	2400	2400	2 PANEL ALUMINIUM FRAMED GLASS SLIDING DOOR
D4.07	2100	2400	2 PANEL ALUMINIUM FRAMED GLASS SLIDING DOOR
D5.06	2400	2400	
D6.03	2100	2400	2 PANEL ALUMINIUM FRAMED GLASS SLIDING DOOR
W1.01	800	900	2 PANEL ALUMINIUM FRAMED GLASS SLIDING WINDOW
W1.02	1200	900	2 PANEL ALUMINIUM FRAMED GLASS SLIDING WINDOW
W1.03	800	2100	2 PANEL ALUMINIUM FRAMED GLASS AWNING WINDOW
W1.04	800	2100	2 PANEL ALUMINIUM FRAMED GLASS AWNING WINDOW
W1.05	2400	1200	2 PANEL ALUMINIUM FRAMED GLASS SLIDING WINDOW
W1.06	2100	600	1 PANEL ALUMINIUM FRAMED GLASS FIXED WINDOW
W1.09	2400	900	2 PANEL ALUMINIUM FRAMED GLASS SLIDING WINDOW
W1.10	2400	900	2 PANEL ALUMINIUM FRAMED GLASS SLIDING WINDOW
W1.11	1200	900	2 PANEL ALUMINIUM FRAMED GLASS SLIDING WINDOW
W1.12	2400	900	2 PANEL ALUMINIUM FRAMED GLASS SLIDING WINDOW
W1.13	935	2100	2 PANEL ALUMINIUM FRAMED GLASS AWNING WINDOW
W1.14	1000	900	2 PANEL ALUMINIUM FRAMED GLASS SLIDING WINDOW
W1.15	2400	1200	2 PANEL ALUMINIUM FRAMED GLASS SLIDING WINDOW
W1.16	2400	1200	2 PANEL ALUMINIUM FRAMED GLASS SLIDING WINDOW
W1.17	2400	1200	2 PANEL ALUMINIUM FRAMED GLASS SLIDING WINDOW
W1.18	900	2100	2 PANEL ALUMINIUM FRAMED GLASS AWNING WINDOW
W1.19	900	2100	1 PANEL ALUMINIUM FRAMED GLASS FIXED WINDOW
W1.20	900	2400	1 PANEL ALUMINIUM FRAMED GLASS FIXED WINDOW
W2.01	2400	1200	2 PANEL ALUMINIUM FRAMED GLASS SLIDING WINDOW
W2.02	2400	1200	2 PANEL ALUMINIUM FRAMED GLASS SLIDING WINDOW
W2.03	2400	600	1 PANEL ALUMINIUM FRAMED GLASS FIXED WINDOW
W2.04	800	2400	2 PANEL ALUMINIUM FRAMED GLASS AWNING WINDOW
W2.05	800	2400	2 PANEL ALUMINIUM FRAMED GLASS AWNING WINDOW
W2.06	1600	900	2 PANEL ALUMINIUM FRAMED GLASS SLIDING WINDOW

GLAZING SCHEDULE

MARK	WIDTH	HEIGHT	DESCRIPTION
W2.07	1500	1200	2 PANEL ALUMINIUM FRAMED GLASS SLIDING WINDOW
W2.08	2240	1200	2 PANEL ALUMINIUM FRAMED GLASS SLIDING WINDOW
W2.09	1600	900	2 PANEL ALUMINIUM FRAMED GLASS SLIDING WINDOW
W2.10	1820	900	2 PANEL ALUMINIUM FRAMED GLASS SLIDING WINDOW
W2.11	800	2100	2 PANEL ALUMINIUM FRAMED GLASS AWNING WINDOW
W3.01	2400	1200	2 PANEL ALUMINIUM FRAMED GLASS SLIDING WINDOW
W3.02	2400	1200	2 PANEL ALUMINIUM FRAMED GLASS SLIDING WINDOW
W3.03	2100	1200	2 PANEL ALUMINIUM FRAMED GLASS SLIDING WINDOW
W3.04	2400	600	1 PANEL ALUMINIUM FRAMED GLASS FIXED WINDOW
W3.05	800	2400	2 PANEL ALUMINIUM FRAMED GLASS AWNING WINDOW
W3.06	800	2400	2 PANEL ALUMINIUM FRAMED GLASS AWNING WINDOW
W3.07	1600	900	2 PANEL ALUMINIUM FRAMED GLASS SLIDING WINDOW
W3.08	1500	1200	2 PANEL ALUMINIUM FRAMED GLASS SLIDING WINDOW
W3.09	1600	900	2 PANEL ALUMINIUM FRAMED GLASS SLIDING WINDOW
W3.10	2240	1200	2 PANEL ALUMINIUM FRAMED GLASS SLIDING WINDOW
W3.11	1820	900	2 PANEL ALUMINIUM FRAMED GLASS SLIDING WINDOW
W3.12	800	2100	2 PANEL ALUMINIUM FRAMED GLASS AWNING WINDOW
W4.01	2400	1500	2 PANEL ALUMINIUM FRAMED GLASS SLIDING WINDOW
W4.02	2100	600	2 PANEL ALUMINIUM FRAMED GLASS SLIDING WINDOW
W4.03	1500	1500	2 PANEL ALUMINIUM FRAMED GLASS SLIDING WINDOW
W4.04	800	600	2 PANEL ALUMINIUM FRAMED GLASS SLIDING WINDOW
W4.05	2400	1200	2 PANEL ALUMINIUM FRAMED GLASS SLIDING WINDOW
W4.06	900	600	2 PANEL ALUMINIUM FRAMED GLASS SLIDING WINDOW
W5.01	1200	1200	2 PANEL ALUMINIUM FRAMED GLASS SLIDING WINDOW
W5.02	810	900	2 PANEL ALUMINIUM FRAMED GLASS SLIDING WINDOW
W5.03	1800	1200	
W5.04	1800	1200	
W6.01	2400	1200	2 PANEL ALUMINIUM FRAMED GLASS SLIDING WINDOW
W6.02	1500	1500	2 PANEL ALUMINIUM FRAMED GLASS SLIDING WINDOW
W6.03	1000	1200	2 PANEL ALUMINIUM FRAMED GLASS SLIDING WINDOW
W6.04	1200	900	2 PANEL ALUMINIUM FRAMED GLASS SLIDING WINDOW
W6.05	2400	1200	2 PANEL ALUMINIUM FRAMED GLASS SLIDING WINDOW
Grand total: 66			

DOORS SCHEDULE

MARK	HEIGHTS	WIDTH	DESCRIPTION
D1.01	2325	920	SINGLE SWING SOLID CORE TIMBER DOOR
D1.02	2400	2700	U1
D1.03	2400	900	SINGLE SWING HOLLOW CORE TIMBER DOOR
D1.04	2400	900	SINGLE SWING HOLLOW CORE TIMBER DOOR
D1.05	2400	800	SINGLE SWING HOLLOW CORE TIMBER DOOR
D1.06	2400	800	SINGLE SWING HOLLOW CORE TIMBER DOOR
D1.07	2400	800	SINGLE SWING HOLLOW CORE TIMBER DOOR
D1.09	2060	1040	DOUBLE SWING HOLLOW CORE TIMBER DOOR
D1.11	2400	900	SINGLE SWING HOLLOW CORE TIMBER DOOR
D1.12	2400	900	SINGLE SWING HOLLOW CORE TIMBER DOOR
D1.13	2400	800	SINGLE SWING HOLLOW CORE TIMBER DOOR
D1.14	2400	900	SINGLE SWING HOLLOW CORE TIMBER DOOR
D1.15	2400	900	SINGLE SWING HOLLOW CORE TIMBER DOOR
D1.16	2400	800	SINGLE SWING HOLLOW CORE TIMBER DOOR
D2.01	2340	1200	
D2.02	2400	2700	U1
D2.03	2400	900	SINGLE SWING HOLLOW CORE TIMBER DOOR
D2.04	2400	900	SINGLE SWING HOLLOW CORE TIMBER DOOR
D2.05	2400	900	SINGLE SWING HOLLOW CORE TIMBER DOOR
D2.06	2400	900	SINGLE SWING HOLLOW CORE TIMBER DOOR
D2.08	2400	900	SINGLE SWING HOLLOW CORE TIMBER DOOR
D2.09	2400	900	SINGLE SWING HOLLOW CORE TIMBER DOOR
D2.10	2400	900	SINGLE SWING HOLLOW CORE TIMBER DOOR
D2.11	2400	900	SINGLE SWING HOLLOW CORE TIMBER DOOR
D2.12	2400	900	SINGLE SWING HOLLOW CORE TIMBER DOOR
D2.13	2400	900	SINGLE SWING HOLLOW CORE TIMBER DOOR
D3.01	2340	1200	
D3.02	2400	2700	U1
D3.03	2400	900	SINGLE SWING HOLLOW CORE TIMBER DOOR
D3.04	2400	900	SINGLE SWING HOLLOW CORE TIMBER DOOR
D3.05	2400	900	SINGLE SWING HOLLOW CORE TIMBER DOOR
D3.06	2400	900	SINGLE SWING HOLLOW CORE TIMBER DOOR
D4.01	2400	1000	SINGLE SWING SOLID CORE TIMBER DOOR
D4.02	2400	1440	DOUBLE SWING HOLLOW CORE TIMBER DOOR
D4.03	2400	800	SINGLE SWING HOLLOW CORE TIMBER DOOR
D4.04	2400	900	SINGLE SWING HOLLOW CORE TIMBER DOOR
D4.05	2400	900	SINGLE SWING HOLLOW CORE TIMBER DOOR
D4.06	2400	800	SINGLE SWING HOLLOW CORE TIMBER DOOR
D5.01	2400	1000	SINGLE SWING SOLID CORE TIMBER DOOR
D5.02	2400	800	SINGLE SWING HOLLOW CORE TIMBER DOOR
D5.03	2060	1240	DOUBLE SWING HOLLOW CORE TIMBER DOOR
D5.04	2400	900	SINGLE SWING HOLLOW CORE TIMBER DOOR
D5.05	2400	900	SINGLE SWING HOLLOW CORE TIMBER DOOR
D6.01	2400	1000	SINGLE SWING SOLID CORE TIMBER DOOR
D6.02	2060	1240	DOUBLE SWING HOLLOW CORE TIMBER DOOR
D6.04	2400	800	SINGLE SWING HOLLOW CORE TIMBER DOOR
D6.05	2400	900	SINGLE SWING HOLLOW CORE TIMBER DOOR
D6.06	2400	900	SINGLE SWING HOLLOW CORE TIMBER DOOR
D6.07	2325	920	SINGLE SWING SOLID CORE TIMBER DOOR
D6.08	2400	900	SINGLE SWING HOLLOW CORE TIMBER DOOR
D6.09	2400	900	SINGLE SWING HOLLOW CORE TIMBER DOOR
D6.10	2400	900	SINGLE SWING HOLLOW CORE TIMBER DOOR
D6.11	2400	900	SINGLE SWING HOLLOW CORE TIMBER DOOR
D6.12	2400	900	SINGLE SWING HOLLOW CORE TIMBER DOOR
D6.13	2400	900	SINGLE SWING HOLLOW CORE TIMBER DOOR
D6.14	2400	900	SINGLE SWING HOLLOW CORE TIMBER DOOR
D6.15	2400	900	SINGLE SWING HOLLOW CORE TIMBER DOOR
D6.16	2400	900	SINGLE SWING HOLLOW CORE TIMBER DOOR
D6.33	2400	900	SINGLE SWING HOLLOW CORE TIMBER DOOR
D6.34	2400	900	SINGLE SWING HOLLOW CORE TIMBER DOOR
D6.35	2400	900	SINGLE SWING HOLLOW CORE TIMBER DOOR
D6.36	2400	900	SINGLE SWING HOLLOW CORE TIMBER DOOR
D6.38	2400	900	SINGLE SWING HOLLOW CORE TIMBER DOOR
D6.41	2400	900	SINGLE SWING HOLLOW CORE TIMBER DOOR
Grand total: 64			

SKYLIGHT SCHEDULE

MARK	HEIGHT	WIDTH	DESCRIPTION
SK2.03	1935	870	1 PANEL ALUMINIUM FRAMED FIXED SKYLIGHT
SK2.07	1935	870	1 PANEL ALUMINIUM FRAMED FIXED SKYLIGHT
Grand total: 2			

DESIGN FORMATION ARCHITECTS

NOM. ARCHITECT: GEORGE YOUSSEF
NSW REGO: 11535

CONTACT:
A: 203/25-27 GROSE ST PARRAMATTA NSW 2150
M: +61 422 566 912
E: GEORGE@DESIGNFORMATION.COM.AU

TRUE NORTH:

PROJECT STATUS: ISSUED FOR CLIENT REVIEW

PREPARED FOR: DAMIAN KALTOUM

PROJECT TYPE: PROPOSED ATTACHED DWELLINGS WITH SECONDARY DWELLINGS

PROJECT NO: 970
REV NO: 02
DRAWN BY: AAD
CHECKED BY: GY

PROJECT ADDRESS: 481 WOODVILLE RD GUILDFORD 2161

ORIGINAL ARCHITECT:

SHEET NO: A400

TITLE: SCHEDULES

GENERAL NOTES

1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, AUSTRALIAN STANDARDS, STATUTORY REGULATIONS AND LOCAL AUTHORITY REQUIREMENTS, INCLUDING CONDITIONS OF CONSENT.
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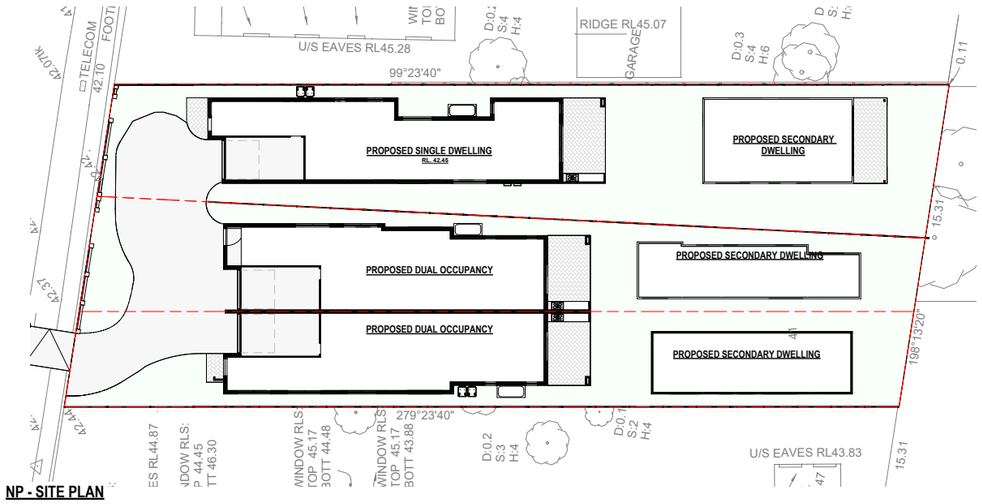
8. PROGRESS WORK TO BE VERIFIED AGAINST DRAWINGS FOLLOWING EXECUTION AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO CONTRACTOR PROCEEDING WITH NEXT TRADE.

ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS
SPEC. C1.1 FIRE RESISTING CONSTRUCTION
SPEC. C1.10 FIRE HAZARD PROPERTIES
SPEC. C1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
CLAUSE C1.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
CLAUSE C1.12 SPEARATION OF EQUIPMENT
CLAUSE C1.13 ELECTRICITY SUPPLY SYSYEM
CLAUSE C1.14 PENETRATION OF SERVICES PROTECTION (OF OPENINGS)
CLAUSE C3.8 OPENING IN FIRE ISOLATED EXITS
CLAUSE C3.15 OPENING FOR SERVICE INSTALLATIONS
CLAUSE D1.10 DISCHARGE FROM EXITS
CLAUSE D2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL
CLAUSE D2.13 GOINGS AND RISERS
CLAUSE D2.14 LANDINGS
CLAUSE D2.16 BALUSTRADES
CLAUSE D2.17 HANDRAILS
CLAUSE D2.21 OPERATION OF LATCH
CLAUSE D2.23 SIGNS ON DOORS
CLAUSE D3.2 GENERAL BUILDING ACCESS REQUIREMENTS
CLAUSE D3.3 PARTS OF BUILDING TO BE ACCESSIBLE
CLAUSE D3.6 IDENT. OF ACCESSIBLE FACILISERV/FEATURES
CLAUSE D3.8 TACTILE INDICATORS
CLAUSE F1.7 WATERPROOFING OF WET AREAS
CLAUSE F1.9/F1.10 DAMP PROOFING
CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS
PART F4 LIGHTING AND VENTILATION
CLAUSE F5.4 SOUND INSULATION OF FLOORS
CLAUSE F5.5 SOUND INSULATION OF WALLS
CLAUSE F5.6 SOUND INSULATION OF SERVICES
CLAUSE F5.7 SOUND INSULATION OF PUMPS

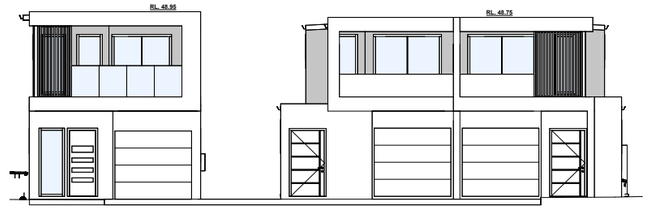
ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSEF4.4 & AS1680
BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 3.2
ENERGY EFFICIENCY GLAZING: TO COMPLY WITH J2.OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
HOT WATER: SYSTEMS TO COMPLY WITH PART J7 OF BCA
MASONRY: TO COMPLY WITH AS3700
MECHELECHYDRAULIC: BCA CLAUSE C3.15 & AS1530 4-2005
MECHANICAL AIRCONDITIONING: TO COMPLY WITH PART J5 OF BCA
MECHANICAL EXHAUNST VENTILATION: TO COMPLY WITH AS1668 & AS68.2
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786
PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELEC/HYDRAULIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1530 4-2005
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740

ISSUE	AMENDMENTS	DATE
02	ISSUED FOR DA	19-03-2026
01	ISSUED FOR CLIENT REVIEW	18-12-2024



NP - SITE PLAN

1 : 200



NP - WESTERN ELEVATION

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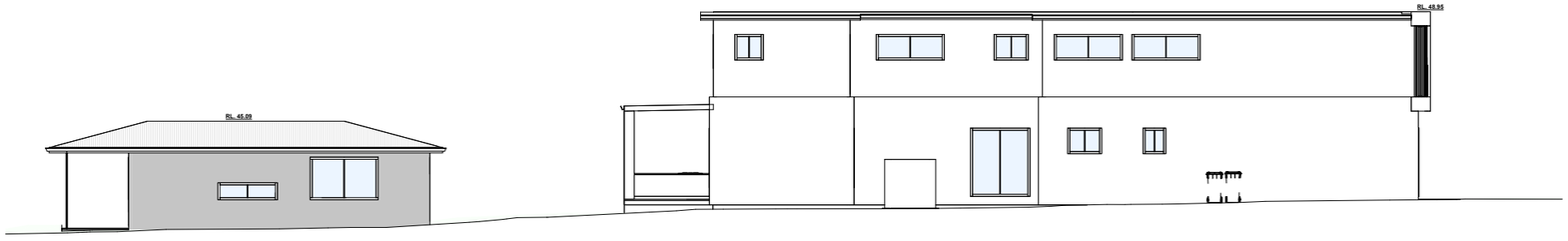

NP - NORTHERN ELEVATION

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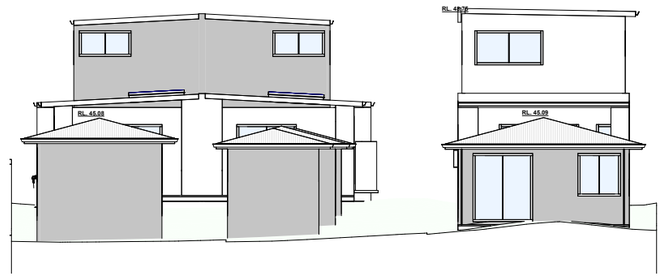

NP - EASTERN ELEVATION

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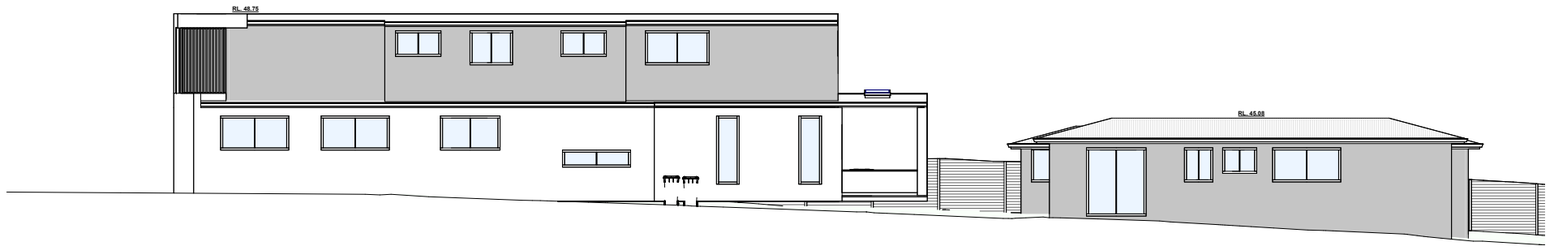

NP - SOUTHERN ELEVATION

1 : 100

DESIGN FORMATION ARCHITECTS

NOM. ARCHITECT: GEORGE YOUSSEF
NSW REG: 11535

TRUE NORTH:

PROJECT STATUS: ISSUED FOR CLIENT REVIEW

CONTACT:
A: 203/25-27 GROSE ST PARRAMATTA NSW 2150
M: +61 422 566 912
E: GEORGE@DESIGNFORMATION.COM.AU

PREPARED FOR: DAMIAN KALTOUM

PROJECT TYPE: PROPOSED ATTACHED DWELLINGS WITH SECONDARY DWELLINGS

PROJECT NO: 970
REV NO: 02
DRAWN BY: AAD
CHECKED BY: GY

PROJECT ADDRESS: 481 WOODVILLE RD GUILDFORD 2161

ORIGINAL ARCHITECT:

SHEET NO: A401

TITLE: NOTIFICATION PLANS

GENERAL NOTES

1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, AUSTRALIAN STANDARDS, STATUTORY REGULATIONS AND LOCAL AUTHORITY REQUIREMENTS, INCLUDING CONDITIONS OF CONSENT.
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SPEC. C.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
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CLAUSE D3.8 TACTILE INDICATORS
CLAUSE F1.7 WATERPROOFING OF WET AREAS
CLAUSE F1.9/F1.10 DAMP PROOFING
CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS
PART F4 LIGHTING AND VENTILATION
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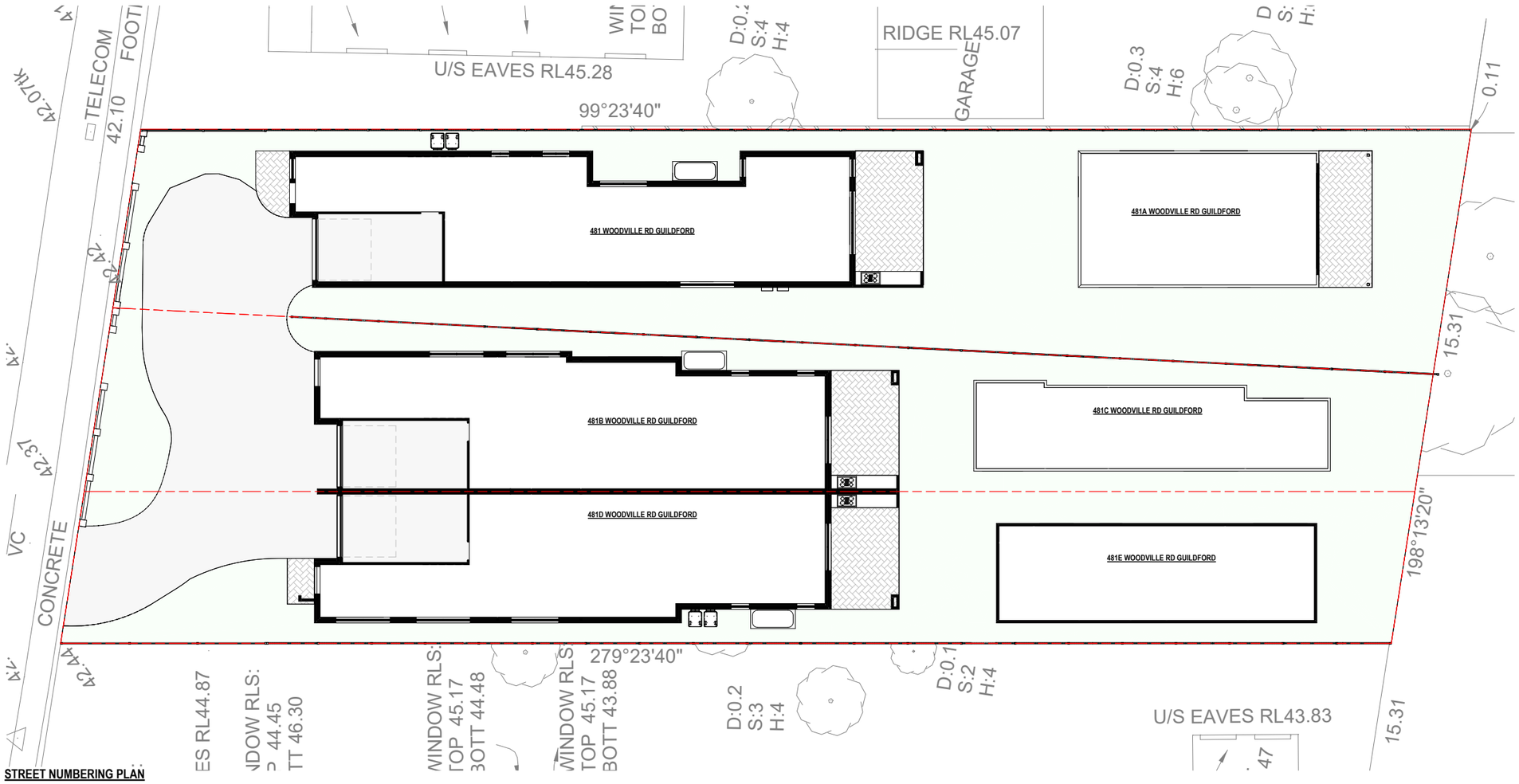

STREET NUMBERING PLAN

1 : 100

DESIGN FORMATION ARCHITECTS

TRUE NORTH:	
PROJECT STATUS:	ISSUED FOR CLIENT REVIEW
PREPARED FOR:	DAMIAN KALTOUM
PROJECT TYPE:	PROPOSED ATTACHED DWELLINGS WITH SECONDARY DWELLINGS
PROJECT NO:	970
REV NO:	02
DRAWN BY:	AAD
CHECKED BY:	GY
PROJECT ADDRESS:	481 WOODVILLE RD GUILDFORD 2161
ORIGINAL ARCHITECT:	
SHEET NO:	A402
TITLE:	STREET NUMBERING PLAN

CONTACT:
A: 203/25-27 GROSE ST PARRAMATTA NSW 2150
M: +61 422 566 912
E: GEORGE@DESIGNFORMATION.COM.AU

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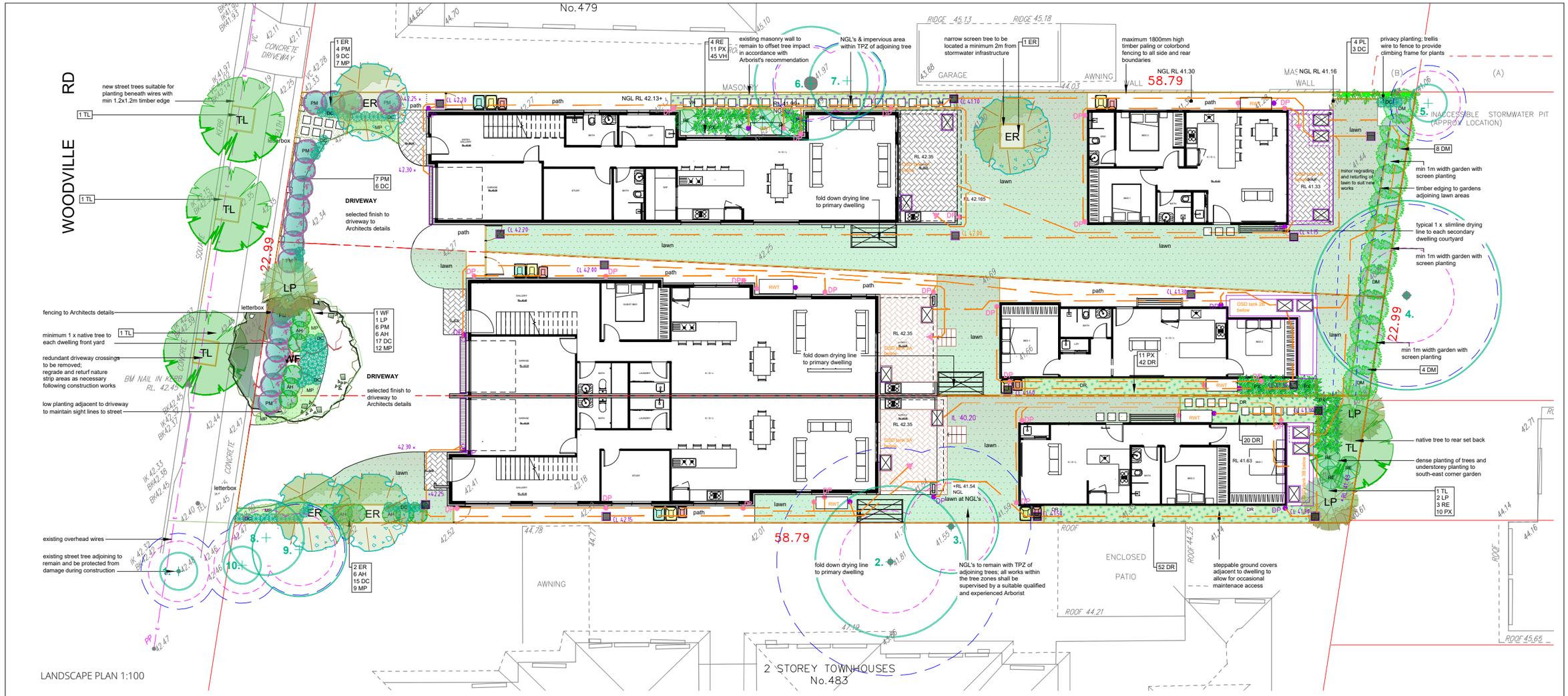
DOCUMENTS ASSOCIATED WITH REPORT ELPP023/26

Attachment 3

Landscape Plans



LANDSCAPE PLAN 1:100

Legend

- Selected Brick paving
- Stepping pavers
- Selected tiles/pavers
- Drying area
- Turf
- Existing trees to be retained
- Typical timber edge
- Stormwater lines and pits

LANDSCAPE GUIDELINES

1. GENERAL
1.1. The Contractor shall familiarise themselves with the site prior to tender
1.2. The Contractor will be held responsible for any damage to utility services, pipes, building structures, paving surfaces, fencing, footways, kerbs, roads and existing plant material.
1.3. The site is to be left in a clean and tidy condition at the completion of works to the satisfaction of the Superintendent.
1.4. No work involving an extra shall be undertaken unless approval is first obtained from the Superintendent.
1.5. No substitute of material shall be made unless approval is given by the Superintendent.
1.6. The Contractor shall continuously maintain all areas of the Contract during progress of the works specified.

2. SITE PREPARATION
2.1. Prepared sub-grade is to be free of stones larger than 100mm diameter, cement, rubbish and any other foreign matter that could hinder plant growth.

3. MASS PLANTED AREAS
3.1. Once clear of weed growth, grass and debris, sub-grade should be cultivated to a minimum depth of 150mm incorporating 'Dynamic Lifter' or equivalent at the manufacturers recommended rates.
3.2. Weeds shall be controlled by a combination of chemical and hand removal techniques.

4. PLANTING
4.1. All plant material is to be hardened off, disease and insect free and true to species, type and variety. Plants are to be well grown but not root bound and shall comply with Natspec - "Guide to Purchasing Landscape Trees" , AS 2303 - 2018, Tree Stock for Landscape use and NATSPEC Specifying Trees: a guide to assessment of tree quality (2003)
4.2. All plants are to be removed from their containers prior to planting with as little disturbance to the root system as possible.
4.3. Planting shall not be carried out in dry soil or extreme weather conditions.
4.4. Plants should be planted at the same depth as the plants were in the containers and allow for a shallow saucer of soil to be formed around the plant to aid the penetration of water.
4.5. All plant material should be watered thoroughly immediately after planting.
4.6. The Contractor shall be responsible for the failure of plants during construction, except for acts of vandalism.
4.7. Labels shall be removed entirely from the plants.

5. STAKING
5.1. Ties should be firmly attached to the stakes, in a way to avoid damage to the stem while allowing a small degree of movement.

6. TURF AREAS
6.1. All imported soil to meet AS4419 Soils for Landscaping and Garden Use
6.2. Topsoil shall be 'SmartMix 2 premium Organic Turf Rootzone' as supplied by Benedict or equivalent
6.3. Turf areas should be cultivated before turfing by ripping or harrowing.
6.4. At the completion of turfing the whole area shall be thoroughly soaked and kept moist till the completion of landscape works.

7. MULCH
7.1. All imported Composts, Soil conditioners and Mulches to meet AS 4454.
7.2. Mulch for all general mass planted beds shall be 'Droughtmaster' mulch as supplied by A.N.L. or similar.

8. SOIL MIXES FOR PLANTING IN NATURAL SOIL ZONES
8.1. All imported soil to meet AS4419 Soils for Landscaping and Garden Use
8.2. Soil mix for general mass planting shall be 3 parts site soil to 1 part 'Commercial Garden Mix' as supplied by Benedict or equivalent.
8.3. Soil mix for street tree planting or individual tree planting in grass shall be 2 parts site soil to 1 part 'Commercial Garden Mix' as supplied by Benedict or equivalent

MAINTENANCE

1. These works shall be in addition to the construction contract.
2. The Contractor shall commence and fully implement the short term maintenance after Practical Completion has been confirmed by the Superintendent.
3. The Contractor shall carry out maintenance works for a minimum period of 26 weeks
4. Maintenance works shall include the following works :
   a. Mow lawns and trim edges each 10 days in summer and each 14 days in winter.
   b. Water all planting and lawn areas in order to ensure adequate soil moisture at all times.
   c. Remove any weed growth from all planting areas.
   d. Spray and control pests and diseases as required.
   e. Replace plants which fail with plants of similar size and quality as originally planted.
   f. Adjust ties to trees as necessary.
   g. Make good any erosion or soil subsidence which may occur.
   h. Maintain all mulched areas in a clean and tidy condition to the depth as originally specified.
   i. Make good any defects or faults arising from defective workmanship.

   Note: The Contractor is not to be held responsible for the theft or vandalism of any plants during the maintenance period
5. Advanced trees shall be individually inspected at least once a month in order to determine their health and vigour. Should the trees exhibit any signs of disease, pest infestation or poor growth then a qualified arborist shall be consulted within 14 days in order to determine the most appropriate course of action. Recommended treatment shall then be commenced within 7 days and shall continue until the problem is eliminated.
6. When the maintenance period is completed the Contractor shall notify the Superintendent. The site shall then be inspected and if to the satisfaction of the Superintendent the responsibility will be handed over to the Client for on-going maintenance.

NOTES

1. Vehicular pavement, fencing and built structure details shall be to Architect's specification.
2. All surface and sub-surface drainage requirements shall be to Engineers details.
3. Numeric dimensions should be taken in preference to scaling.
4. All dimensions should be checked on-site prior to commencing construction.
5. Contractors shall verify the location of all site features prior to commencing works.
6. Soil testing has not been undertaken as part of the preparation of this design; Contractors shall determine the need for soil testing prior to any planting works.
7. A search of underground services has not been undertaken as part of the preparation of this design; it is recommended that Contractors contact DIAL BEFORE YOU DIG ON 1100 prior to commencing any works.
8. This plan is to be read in conjunction with the architectural and engineering plans
9. It is recommended that an approved root barrier be installed to manufacturers recommendations to all tree planting in the vicinity of structures, walls and hard pavement areas.

1:100 0 1 2 3 4 5 10m

NOT FOR CONSTRUCTION

ZENITH LANDSCAPE DESIGNS
Ph: 9545 5200 info@zenithlandscapes.com.au
Registered Member

DISCLAIMER
Every effort is made to ensure the accuracy of these documents, however they should be thoroughly checked before being issued to any other persons or authority or used for construction purposes. Any inaccuracies, omissions or discrepancies should be referred back to Zenith Landscape Designs immediately.

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DIAL 1100 BEFORE YOU DIG www.1100.com.au

ARCHITECT:	DESIGN FORMATION		
ENGINEER:	JOHN ROMANOUS & ASSOC.		
SURVEYOR:	H RAMSAY		
ARBORIST:	TEMPORAL TREE MANAGEMENT		
CLIENT:	DAMIAN KALTOUM		

Rev. no.	ISSUE:	Date:
	DA APPLICATION	09.09.2025
A	REVISED ARCHITECTURAL DESIGN- RFI	20.03.2026
B	REVISED ARCHITECTURAL DESIGN- RFI	22.04.2026

LANDSCAPE PLAN
481 WOODVILLE ROAD
GUILDFORD

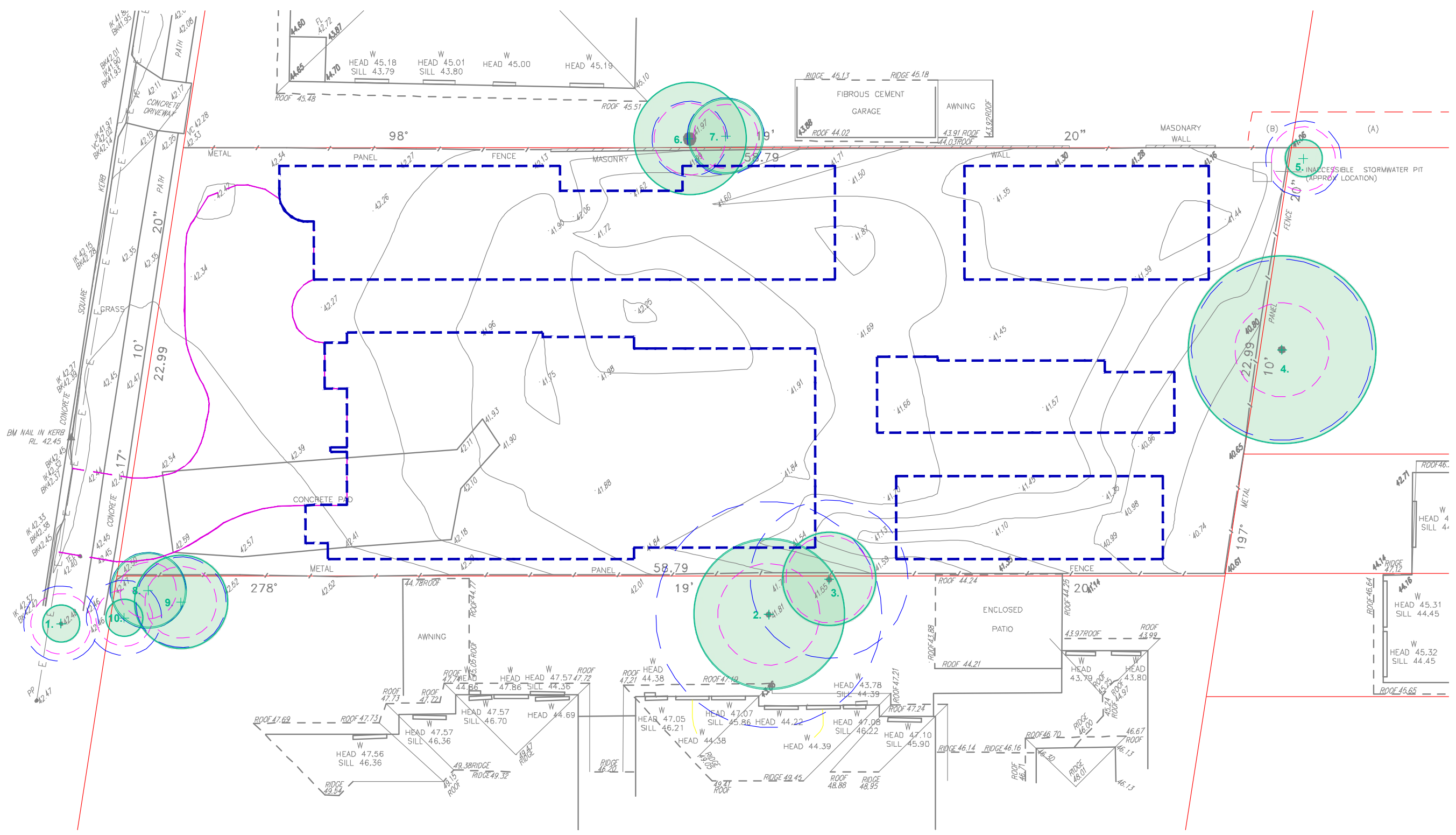
SCALE: 1:100 A1

PROJECT No: 25-5180 L01
ISSUE: DA | SHEET: 1 OF 2
DRAWN: MG | REVISION: B

PLANT SCHEDULE

* tree species as chosen from Cumberland Council's Tree Species List

SYMBOL	SPECIES	No.	Pot Size	Mat. Hgt.	Stake	COMMON NAME
WF	* Waterhousia floribunda	1	45ltr	10m+	yes	Weeping Lilly Pilly
ER	* Elaeocarpus reticulatus	4	45ltr	8m+	yes	Blueberry Ash
TL	* Tristaniopsis laurina 'Luscious'	4	45ltr	6m+	yes	Water Gum
LP	* Leptospermum petersonii	3	45ltr	4m	no	Lemon Scented Tea Tree
DM	Dodonea 'Mr Green Sheen'	12	150mm	2.5m	no	Green Hop Bush
RE	Rhapis excelsa	7	150mm	2.5m	no	Slender Lady Palm
PM	Philotheca myoporoides	17	150mm	1.2m	no	Waxflower
AH	Acmena smithii 'Hedgemaster'	6	150mm	1m	no	Dwarf Lilly Pilly
PX	Philodendron 'Xanadu'	32	150mm	0.7m	no	Dwarf Philodendron
DC	Dianella caerulea 'Breeze'	50	100mm	0.5m	no	Flax Lily
DR	Dichondra repens	85	150mm	g/cover	no	Native Kidney Plant
MP	Myoporum parvifolium	28	100mm	g/cover	no	Creeping Boobialla
VH	Viola hederacea	45	150mm	g/cover	no	Native Violet
PL	Pandorea 'Lady Di'	4	150mm	climber	trellis	White Bower Vine
	Sapphire Buffalo Turf					



EXISTING TREE PLAN 1:200

1:200 0 1 2 3 4 5 10m

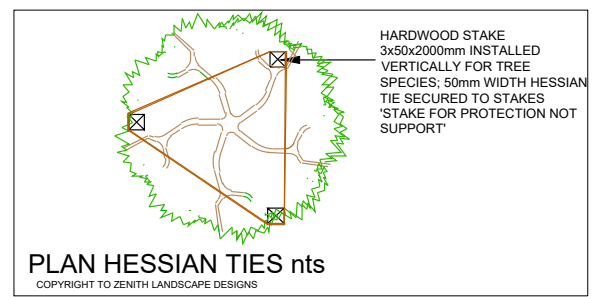
REFER TO ARBORIST REPORT AS PREPARED BY TEMPORAL TREE MANAGEMENT FOR DETAILED TREE INVENTORY, TREE PROTECTION AND TREE MANAGEMENT REQUIREMENTS

Appendix G: Assessment Data collected for Trees 1-10 on 17/03/2026.

Tree	Scientific Name	Common Name	Maturity	Height (m)	Width (m)	DSH (cm)	DRF (cm)	Health	Structure	ULE	Landscape Significance	Retention Value	NRZ (m)	R_{SRZ} (m)	Comments
1	*Callistemon viminalis*	Weeping Bottlebrush	Mature	5	2	14	17	Fair	Poor	Medium	High	Moderate	2.0	1.6	Small street tree in fair condition. Canopy has been lopped previously to facilitate overhead powerlines. Stem and canopy with considerable epicormic growth.
2	*Melaleuca linariifolia*	Flax-leaved Paperbark	Mature	8	8	50	60	Good	Fair	Long	High	High	6.0	2.7	Large tree of native species positioned approximately 3.5 metres outside the southern boundary within the neighbouring property. Stem bifurcates at base. Canopy with signs of high vitality.
3	*Melaleuca linariifolia*	Flax-leaved Paperbark	Mature	8	5	35	40	Fair	Good	Long	High	High	4.2	2.3	Larger tree of native species positioned approximately 0.5 metres outside the southern boundary within the neighbouring property. Canopy with signs of minor dieback. Tertiary branches in northern canopy laterally extended over boundary.
4	*Morus alba*	White Mulberry	Mature	8	10	40	50	Good	Fair	Medium	High	High	4.8	2.5	Larger tree of exotic species positioned approximately 1 metre outside the eastern boundary within the neighbouring property. Tree determined to be of High retention value due to external ownership. Tertiary branches in western canopy laterally extended over boundary.
5	*Ligustrum lucidum*	Large-leaved Privet	Semi mature	5	2	15	20	Good	Fair	Short	High	Moderate	2.0	1.7	Small tree of potential weed species positioned approximately 1 metre outside the north-eastern boundary within the neighbouring property.
6	*Nerium oleander*	Oleander	Mature	6	6	15	25	Good	Poor	Short	High	Moderate	2.0	1.9	Large shrub of reduced species significance positioned 1 metres outside the northern boundary within the neighbouring property. Determined to be of High Landscape Significance due to external ownership. Existing boundary wall has restricted southern root growth from tree in upper soil surface.
7	*Murraya paniculata*	Murraya	Mature	4	4	15	20	Good	Fair	Medium	High	Moderate	2.0	1.7	Larger shrub of reduced species significance positioned 1 metres outside the northern boundary within the neighbouring property. Determined to be of High Landscape Significance due to external ownership. Existing boundary wall has restricted southern root growth from tree in upper soil surface.
8	*Morus alba*	White Mulberry	Semi mature	6	4	13	14	Good	Fair	Medium	High	Moderate	2.0	1.5	Small tree of reduced species significance positioned 1.5 metres outside the southern boundary within the neighbouring property. Determined to be of High Landscape Significance due to external ownership. Existing concrete driveway within south-western boundary has restricted brother root growth from this tree within the upper soil surface.
9	*Pittosporum undulatum*	Sweet Pittosporum	Mature	8	5	20	25	Good	Fair	Long	High	High	2.4	1.9	Small tree of native species positioned 4 metres outside the southern boundary within the neighbouring property. Existing concrete driveway within south-western boundary has restricted brother root growth from this tree within the upper soil surface.
10	*Jacaranda mimosifolia*	Jacaranda	Young	5	2	10	10	Good	Fair	Medium	High	Moderate	2.0	1.5	Small tree of exotic species positioned 1.5 metres outside the southern boundary within the neighbouring property. Determined to be of High Landscape Significance due to external ownership. Existing concrete driveway within south-western boundary has restricted brother root growth from this tree within the upper soil surface.

Legend

- Proposed building line
- Proposed driveway line
- Existing trees to be retained
- Tree protection zone (TPZ)
- Structural root zone (SRZ)



PLAN HESSIAN TIES nts

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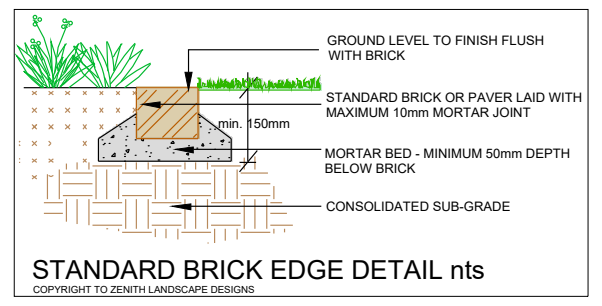

STANDARD BRICK EDGE DETAIL nts

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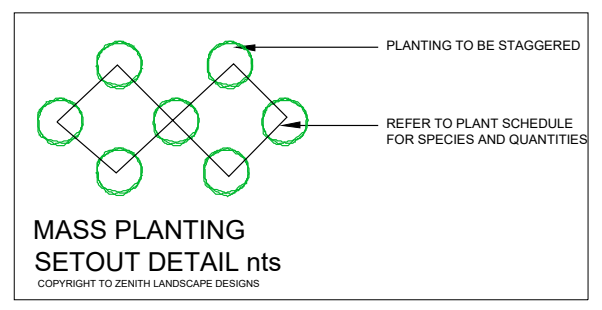

MASS PLANTING SETOUT DETAIL nts

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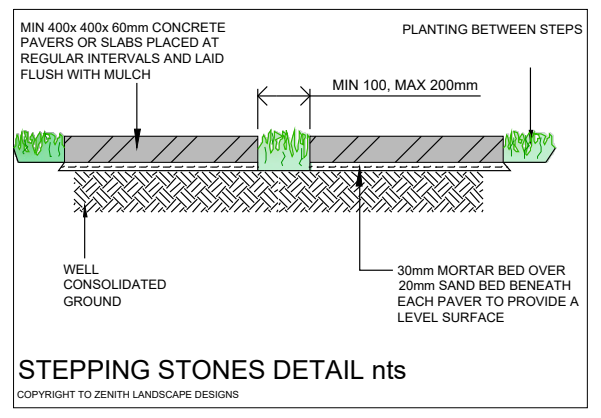

STEPPING STONES DETAIL nts

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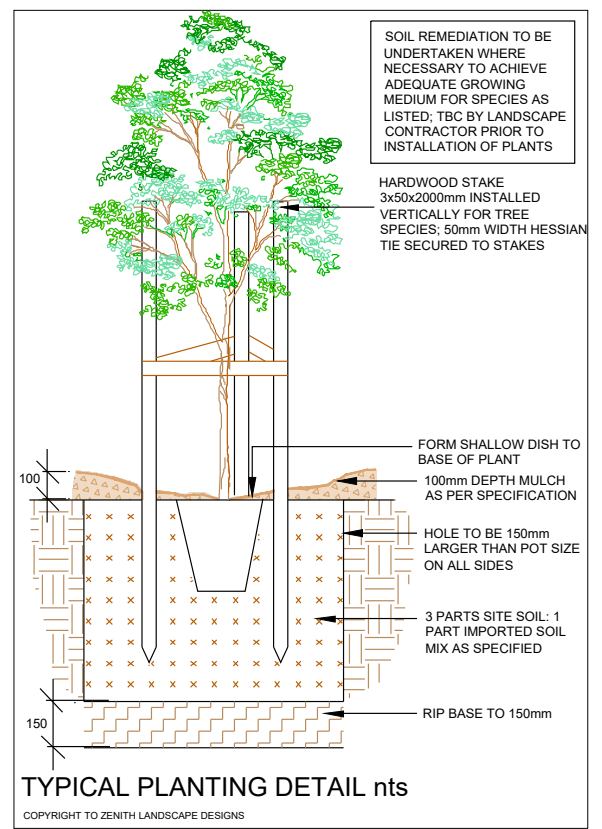

TYPICAL PLANTING DETAIL nts

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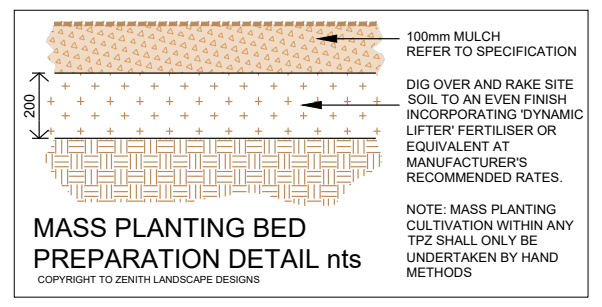

MASS PLANTING BED PREPARATION DETAIL nts

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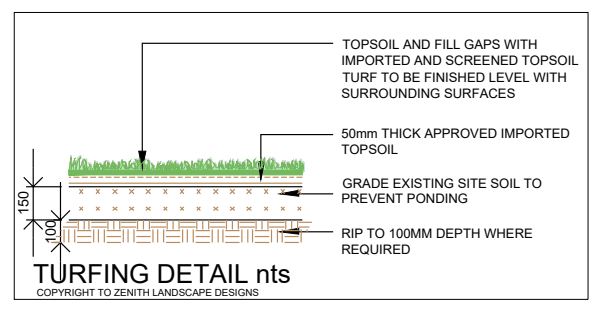

TURFING DETAIL nts

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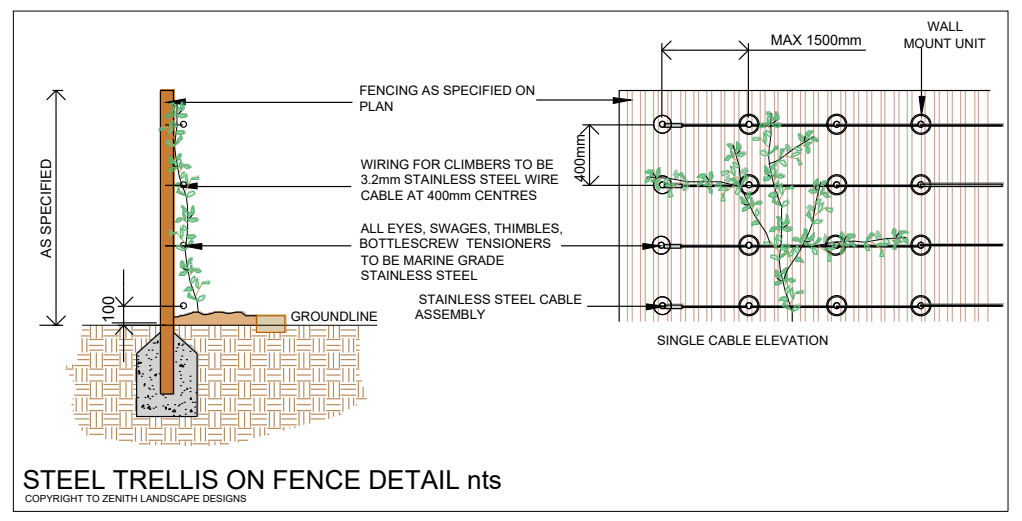

STEEL TRELLIS ON FENCE DETAIL nts

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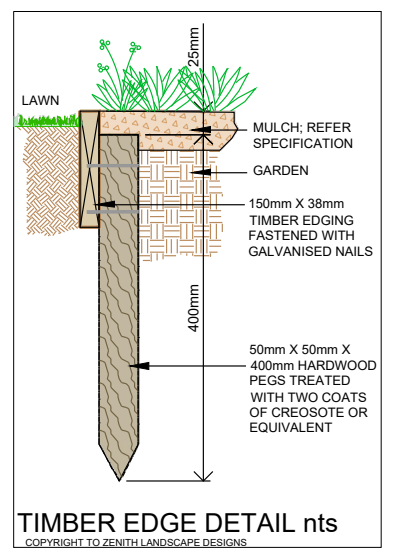

TIMBER EDGE DETAIL nts

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Weeping Lilly Pilly | Blueberry Ash | Water Gum | Lemon Scented Tea Tree | Green Hop Bush | Slender Lady Palm | Waxflower | Dwarf Lilly Pilly | Dwarf Philodendron | Flax Lily | Native Kidney Plant | Creeping Boobialla | Native Violet | White Bower Vine

NOTES
1. Vehicular pavement, fencing and built structure details shall be to Architect's specification.
2. All surface and sub-surface drainage requirements shall be to Engineers details.
3. Numeric dimensions should be taken in preference to scaling.
4. All dimensions should be checked on-site prior to commencing construction.
5. Contractors shall verify the location of all site features prior to commencing works.
6. Soil testing has not been undertaken as part of the preparation of this design; Contractors shall determine the need for soil testing prior to any planting works.
7. A search of underground services has not been undertaken as part of the preparation of this design; it is recommended that Contractors contact DIAL BEFORE YOU DIG ON 1100 prior to commencing any works.
8. This plan is to be read in conjunction with the architectural and engineering plans
9. It is recommended that an approved root barrier be installed to manufacturers recommendations to all tree planting in the vicinity of structures, walls and hard pavement areas.

NOT FOR CONSTRUCTION

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		Rev. no.	ISSUE:	Date:
ARCHITECT:	DESIGN FORMATION		DA APPLICATION	09.09.2025
ENGINEER:	JOHN ROMANOUS & ASSOC.	A	REVISED ARCHITECTURAL DESIGN- RFI	20.03.2026
SURVEYOR:	H RAMSAY	B	REVISED ARCHITECTURAL DESIGN- RFI	22.04.2026
ARBORIST:	TEMPORAL TREE MANAGEMENT			
CLIENT:	DAMIAN KALTOUM			

LANDSCAPE PLAN
481 WOODVILLE ROAD
GUILDFORD

SCALE: AS SPEC. A1

PROJECT No: 25-5180 L02
ISSUE: DA SHEET: 2 OF 2
DRAWN: MG REVISION: B

DOCUMENTS ASSOCIATED WITH REPORT ELPP023/26

Attachment 4

Clause 4.6 Variation Request - Minimum Lot Size for Secondary Dwellings



PRAGMA
URBAN PLANNING

Written Justification

Address: 481 Woodville Road, Guildford

Proposal: 'Site preparation works, initial subdivision to create two allotments, and construction of a dwelling house and a dual occupancy, with each resulting dwelling incorporating a corresponding secondary dwelling. Torrens title subdivision of the dual occupancy is also sought'

Variation: Clause 53(2) of State Environmental Planning Policy (Housing) 2021

Pragma Urban Planning Pty Ltd
Prepared by: M. Boutros
Revision: B
Date: April 2026

Contents

Introduction 3
Site Context 5
Development Standard 5
Is Compliance with the Development Standard Unreasonable or Unnecessary? 6
Environmental Planning Grounds to Justify Contravening the Development Standard 6
The Public Interest 7
Conclusion 7

Document History				
Prepared by	**Date Prepared**	**Reviewed by**	**Date Reviewed**	**Revision Issue**
M.B.	September 2025	M.B.	September 2025	A
M.B.	April 2026	M.B.	April 2026	B
M.B.	April 2026	M.B.	April 2026	C

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Introduction

This written justification relates to a Development Application for 481 Woodville Road, Guildford which seeks Site preparation works, initial subdivision to create two allotments, and construction of a dwelling house and a dual occupancy, with each resulting dwelling incorporating a corresponding secondary dwelling. Torrens title subdivision of the dual occupancy is also sought'. Under the State Environmental Planning Policy (Housing) 2021 ('Housing SEPP'), a detached secondary dwelling requires a minimum site area of 450m^2. However, Part B2 Low Rise Medium Density Development of the Cumberland Development Control Plan 2021 ('CDCP 2021') permits detached secondary dwellings on lots with an area of 380m^2. Accordingly, this written request pursuant to Clause 4.6 of the Cumberland Local Environmental Plan 2021 ('CLEP 2021') has been prepared as a precautionary measure. This written justification demonstrates that strict compliance with the development standard is unreasonable or unnecessary in this instance and that sufficient planning grounds exist to support the proposed variation.

This statement has been prepared in consideration of the '*Department of Planning & Environment's Guideline for Varying Development Standards: A Guide'* (August 2011) and '*Planning Circular PS-18-003: Variations to development standards'* (Issued 21 February 2018), and has attempted to ensure consistency with the relevant principles identified in the following Land and Environment Court judgements:

- *Winten Property Group Limited v North Sydney Council [2001] NSWLEC 46*
- *Wehbe v Pittwater Council [2007] NSWLEC 827 ('Wehbe')*
- *Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 1009 ('Four2Five No 1')*
- *Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 90*
- *Four2Five Pty Ltd v Ashfield Council [2015] NSWCA 248 ('Four2Five No 3')*
- *Moskovich v Waverley Council [2016] NSWLEC 1015*
- *Initial Action Pty Ltd v Woollahra Municipal Council [2018] NSWLEC 118 ('Initial Action')*

Please refer to the drawings and documents listed below when reading this statement:

- *Architectural Plans prepared by Design Formation Architects*

Clause 4.6 of the CLEP 2021 has been cited below:

> ***Cumberland Local Environmental Plan 2021***
>
> *Current version for 6 February 2026 to date (accessed 7 April 2026 at 13:56)*
>
> ***4.6 Exceptions to development standards***
>
> *(1) The objectives of this clause are as follows—*
>
> *(a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,*
>
> *(b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*
>
> *(2) Development consent may, 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.

(3) Development consent must not be granted to development that contravenes a development standard unless the consent authority is satisfied the applicant has demonstrated that—

(a) compliance with the development standard is unreasonable or unnecessary in the circumstances, and

(b) there are sufficient environmental planning grounds to justify the contravention of the development standard.

Note—

The Environmental Planning and Assessment Regulation 2021 requires a development application for development that proposes to contravene a development standard to be accompanied by a document setting out the grounds on which the applicant seeks to demonstrate the matters in paragraphs (a) and (b).

(4) The consent authority must keep a record of its assessment carried out under subclause (3).

(5) (Repealed)

(6) Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone C2 Environmental Conservation, Zone C3 Environmental Management or Zone C4 Environmental Living if—

(a) the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or

(b) the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.

(7) (Repealed)

(8) This clause does not allow development consent to be granted for development that would contravene any of the following—

(a) a development standard for complying development,

(b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies or for the land on which such a building is situated,

(c) clause 5.4,

(caa) clause 5.5.

This written justification addresses the objectives of Clause 53(2)(a) of the Housing SEPP and the R2 Zone of the CLEP 2021, and identifies the environmental planning grounds that support a variation to the non-discretionary lot size requirement. The subsequent sections of this document demonstrate that the preconditions of Clause 4.6 are satisfied in this instance.

Site Context

The subject site is 481 Woodville Road, Guildford, legally described as Lot 40 in Deposited Plan 218008 (the 'Site'). The Site is an irregular allotment with a frontage to Woodville Road with a frontage of 22.99m and a total area of 1335.489m^2 as calculated by Design Formation Architects. The Site is oriented west to east, and the topography falls west to east, with an approximate variance of 1.89m. The Site appears to be vacant of permanent structures as per Figures 4 and 5. The Site is zoned R2 Low Density Residential under the provisions of the CLEP 2021, see Figure 1.

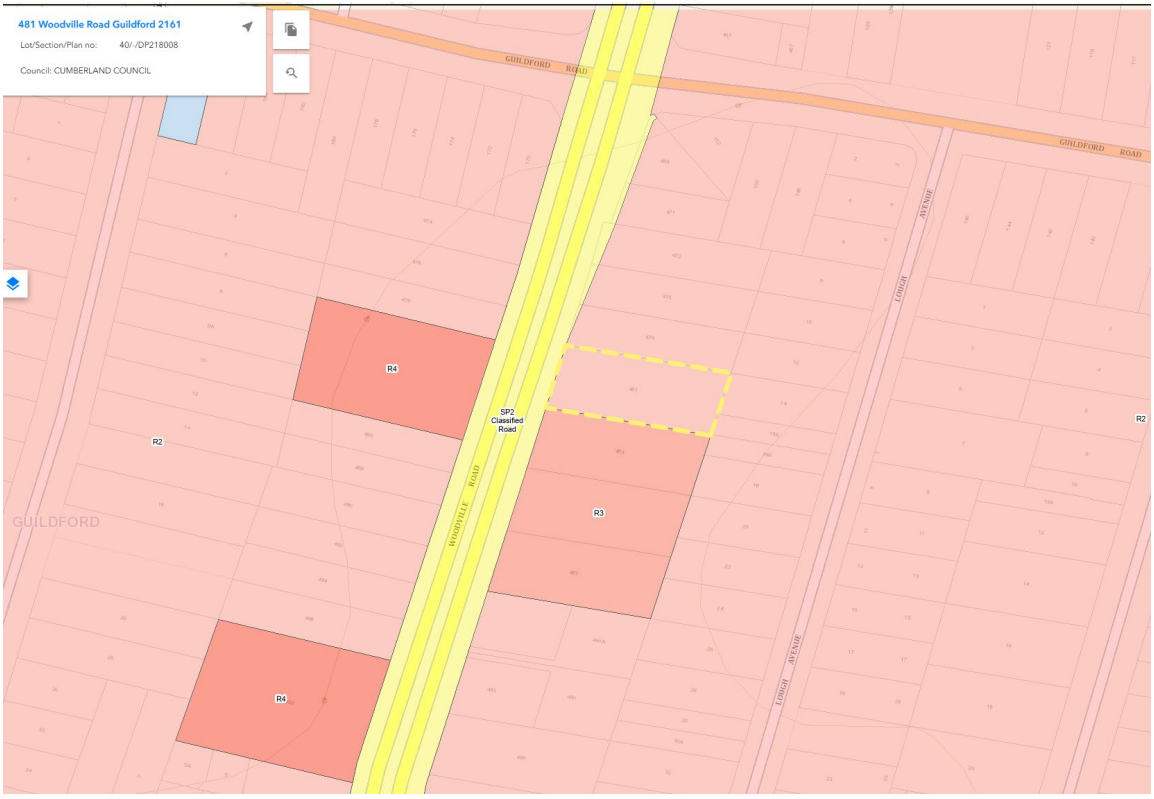

Figure 1. Zoning Map Overlay – R2 Low Density Residential – CLEP 2021 (Extracted from https://www.planningportal.nsw.gov.au/spatialviewer/#/find-a-property/address)

Development Standard

The Development Application proposes Site preparation works, initial subdivision to create two allotments, and construction of a dwelling house and a dual occupancy, with each resulting dwelling incorporating a corresponding secondary dwelling. Torrens title subdivision of the dual occupancy is also sought. Each of the resulting lots will have an area of more than 380m^2; however Lots 2 and 3 will have an area of less than 450m^2 and as such are less than the non-discretionary lot size provision of the Housing SEPP for secondary dwellings which has been cited below:

> ***State Environmental Planning Policy (Housing) 2021***
>
> *Current version for 6 February 2026 to date (accessed 7 April 2026 at 9:50)*
>
> ***53 Non-discretionary development standards—the Act, s 4.15***
>
> *(1) The object of this section is to identify development standards for particular matters relating to development for the purposes of a secondary dwelling that, if*

complied with, prevent the consent authority from requiring more onerous standards for the matters.
Note—
See the Act, section 4.15(3), which does not prevent development consent being granted if a non-discretionary development standard is not complied with.
(2) The following are non-discretionary development standards in relation to the carrying out of development to which this Part applies—
(a) for a detached secondary dwelling—a minimum site area of 450m2,

Highlight added

Lot 2 will have an area of 391.025m² and Lot 3 will have an area of 394.334m², resulting in variations of approximately 13.1% and 12.37% respectively to the non-discretionary 450m² lot size requirement.

Is Compliance with the Development Standard Unreasonable or Unnecessary?

In this circumstance, it is unreasonable and unnecessary to strictly comply with the lot size requirement of Clause 53(2)(a) of the Housing SEPP as the applicable objective is satisfied and considered below:

> *(1) The object of this section is to identify development standards for particular matters relating to development for the purposes of a secondary dwelling that, if complied with, prevent the consent authority from requiring more onerous standards for the matters.*

The objective of this clause is to prevent consent authorities from imposing more onerous standards. In this instance the CDCP 2021 permits detached secondary dwellings on lots with an area of 380m² of which the proposal complies. The relevant provision is cited below:

2.21 Secondary dwellings

Lot restriction

C7. The minimum site area for a detached secondary dwelling shall not be less than 380m².

Accordingly, the objective of the clause is achieved, and strict adherence to the non-discretionary lot size standard is not warranted.

Environmental Planning Grounds to Justify Contravening the Development Standard

It is emphasised that Initial Action confirms there is no requirement to demonstrate a neutral or beneficial outcome in this context. The Proposal strictly complies with the minimum lot size requirement under the CDCP 2021. Accordingly, it would be inappropriate to impose a non-discretionary standard, the objective of which is to prevent consent authorities from applying more onerous requirements, consistent with section 4.15(3A)(a) of the Environmental Planning and Assessment Act 1979, which provides:

> ***Environmental Planning and Assessment Act 1979 No 203***
>
> *Current version for 21 March 2026 to date (accessed 7 April 2026 at 14:02)*

(3A) Development control plans If a development control plan contains provisions that relate to the development that is the subject of a development application, the consent authority—

(a) if those provisions set standards with respect to an aspect of the development and the development application complies with those standards—is not to require more onerous standards with respect to that aspect of the development

Highlight added.

The Public Interest

The public interest is considered in this section having already established consistency with the objectives of Clause 53(2)(a) of the Housing SEPP in a previous section and as such the objectives of the R2 zone within the CLEP 2021 are considered below.

Zone R2 General Residential

1 Objectives of zone

- *To provide for the housing needs of the community within a low density residential environment.*

The variation to the non-discretionary lot size requirement is consistent with the desired low density character of the area prescribed by the CDCP 2021.

- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

The Proposal relates to a residential use.

- *To encourage residential development that maintains the amenity of the surrounding area.*

The secondary dwellings are not expected to result in undue amenity impacts on the surrounding area

- *To ensure that non-residential land uses are located in a setting that minimises impacts on the amenity of a low-density residential environment.*

The Proposal preserves a residential use in a residential zone.

The Proposal is considered to result in neutral or positive impacts with respect to each of the applicable objectives of the R2 zone. There are no discernible, undue, adverse, or unreasonable impacts on the broader community and as such there are no public interest matters that would prevent a variation being granted in this instance.

Conclusion

In this circumstance, the variation satisfies the criteria established under Clause 4.6 of the CLEP 2021. It is our view that there are sufficient planning grounds to justify the contravention to Clause 53(2)(a) of the Housing SEPP and that the development is consistent with the

objective of Clause 53(2)(a) and the R2 zone of the CLEP 2021. The Proposal is considered to be suitable for the Site subject to appropriate conditions of consent.

DOCUMENTS ASSOCIATED WITH REPORT ELPP023/26

Attachment 5

Appendix A - Cumberland LEP 2021 Assessment

APPENDIX A
Cumberland Local Environmental Plan 2021

Section	Comments	Compliance
1.2 Aims of Plan	The particular aims of this Plan are as follows: (aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts, (a) to provide a comprehensive planning framework for the sustainable development of land in Cumberland, (b) to provide for a range of land uses and development in appropriate locations to meet community needs, (c) to facilitate economic growth and employment opportunities within Cumberland, (d) to conserve and maintain the natural, built and cultural heritage of Cumberland, (e) to provide for community facilities and services in Cumberland to meet the needs of residents, workers and visitors, (f) to promote development that is environmentally sustainable. <u>Comment:</u> The proposed development complies with the aims of the Cumberland Local Environmental Plan 2021.	Yes
2.3 Zone Objectives and Land Use Table	The objectives of the R2 High Density Residential zone are: • *To provide for the housing needs of the community within a low density residential environment.* • *To enable other land uses that provide facilities or services to meet the day to day needs of residents.* • *To encourage residential development that maintains the amenity of the surrounding area.* • *To ensure that non-residential land uses are located in a setting that minimises impacts on the amenity of a low-density residential environment.* <u>Comment:</u> The proposed development provides for the needs of the community within a low density residential environment and does not result in adverse amenity impacts on adjacent properties. Therefore, the proposed development complies with Objectives 1 and 3 of the R2 Low Density Residential Zone.	Yes
2.6 Subdivision-consent requirements	Torrens Subdivision is proposed.	Yes
2.7 Demolition requires development consent	Demolition is not proposed.	N/A

4.1 Minimum Subdivision Lot Size	(3) The size of any lot resulting from a subdivision to which this section applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land. Comment: The lot size is not to be less than 550 square metres. The proposed lot sizes at the first stage of subdivision are as follows: • Lot A: 550.007 square metres. • Lot B: 785.359 square metres.	Yes
4.1A Exceptions to minimum subdivision lot sizes for certain residential development	(2) Development consent must not be granted for the subdivision of land to create a lot of a size that is less than the minimum size shown on the Lot Size Map in relation to the land unless— (a) The subdivision is for the purposes of dual occupancies or semi-detached dwellings, or (b) There is an existing dual occupancy situated on the land that was lawfully erected in accordance with an environmental planning instrument before this plan commenced and each resulting lot from the subdivision will contain a single dwelling. Comment Proposed lot B is to contain a dual occupancy and the further subdivision of that dual occupancy is proposed. Therefore, section 4.1 does not apply to the subdivision of lot B.	Yes
4.1B Minimum lot sizes for dual occupancies and semi-detached dwellings in Zones R2 and R3	(3) Development consent must not be granted to development to which this section applies unless the area of the lot is equal to or greater than 550 square metres. Comment: Proposed lot B has a proposed lot size of 785.359 square metres.	Yes
4.3 Height of Buildings	(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. Comment: The height of a building is not to exceed 9 metres. The maximum building height of the dual occupancy within proposed lot B is 6.8m. Whilst the proposed dwelling house within proposed lot A has a maximum building height of 7m.	Yes
4.4 Floor Space Ratio	(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. Comment: The subject site does not contain a maximum floor space ratio requirement as it is within a R2 Low Density Residential Zone.	N/A
4.6 Exceptions to development standards	(3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the	Yes

	contravention of the development standard by demonstrating: (g) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and (a) that there are sufficient environmental planning grounds to justify contravening the development standard. <u>Comment:</u> A written request in accordance with section 4.6 of CLEP 2021 to vary the minimum lot size requirement for secondary dwellings development standard was submitted. The shortfall in the minimum lot size for secondary dwellings is supported in this instance, having regard to the circumstances of the case. Refer to the discussion in the body of the report.	
5.10 Heritage Conservation	The site is not identified as a heritage listed item and is not located within a heritage conservation area.	N/A
5.21 Flood planning	(2) Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development— (a) is compatible with the flood function and behaviour on the land, and (b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and (c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and (d) incorporates appropriate measures to manage risk to life in the event of a flood, and (e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of riverbanks or watercourses. (3) In deciding whether to grant development consent on land to which this section applies, the consent authority must consider the following matters— (a) the impact of the development on projected changes to flood behaviour as a result of climate change, (b) the intended design and scale of buildings resulting from the development, (c) whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood, (d) the potential to modify, relocate or remove buildings resulting from development if the	N/A

	surrounding area is impacted by flooding or coastal erosion. Comment: The site is not a flood control lot.	
6.2 Earthworks	The proposed earthworks will not have a detriment ion effect on existing drainage patterns or soil stability. The proposal will not affect the amenity of adjoining properties given the minor nature of the proposed development. The proposal is satisfactory subject to compliance with standard conditions.	Yes, subject to conditions.
6.4 Essential Services	(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: a) the supply of water, b) the supply of electricity, c) the disposal and management of sewage, d) stormwater drainage or on-site conservation, e) suitable vehicular access. Comment: These matters can be addressed by the imposition of conditions in any approval of the development.	Yes, subject to conditions.
6.7 Stormwater management	(2) Development consent must not be granted to development on land to which this section applies unless the consent authority is satisfied that the development— (a) is designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics affecting on-site infiltration of water, and (b) includes, if practicable, on-site stormwater retention for use as an alternative supply to mains water, groundwater or river water, and (c) avoids significant adverse impacts of stormwater runoff on adjoining properties, native bushland and receiving waters, or if the impact cannot be reasonably avoided, minimises and mitigates the impact. Comment: Conditions shall be imposed to ensure that the stormwater system is adequately managed.	Yes, subject to conditions.
6.12 Urban Heat	In deciding whether to grant development consent for the purposes of commercial premises, industries or residential accommodation, the consent authority must consider whether— (a) the facade and roof of the proposed building and paved surfaces are designed to reduce adverse effects of solar heat on the surrounding land, including private open space and the public domain, and (b) the awnings and eaves of the building are designed to provide shelter from the sun and improve public comfort at street level, and	Yes.

	(c) the heating, ventilation and air conditioning systems of the building are designed to minimise the release of heat in the direction of private open space and the public domain, and (d) the development maximises the use of green infrastructure that is strategically designed and managed to support a good quality of life in an urban environment, and (e) the development accommodates sufficient tree canopy, open space and deep soil zones to achieve urban cooling benefits, and (f) the building is designed to achieve high passive thermal performance. <u>Comment:</u> The proposed development is proposed to utilise materials that will not result in adverse urban heat impacts. Furthermore, the site does not have any existing trees and the planting of the following flora are proposed: • 1 x Weeping Lilly Pilly (mature height of 10m+). • 4 x Blueberry Ash (mature height of 8m+). • 4 x Water Gum (mature height of 6m+). • 3 x Lemon Scented Tea tree (mature height of 4m). • 12 x Green Hop Bush (mature height of 2.5m). • 7 x Slender Lady Palm (mature height of 2.5m). • 17 x Waxflower (mature height of 1.2m). • 6 x Dwarf Lilly Pilly (mature height of 1m). • 32 x Dwarf Philodendron (mature height of 0.7m). • 50 x Flax Lily (mature height of 0.5m). • 85 x Native Kidney Plant. • 28 x Creeping Boobialla. • 45 x Native Violet. • 4 x White Bower Vine. The proposed development is considered to be satisfactory with regard to the provisions of this section.	

DOCUMENTS ASSOCIATED WITH REPORT ELPP023/26

Attachment 6

Appendix B - Cumberland DCP 2021 Assessment

APPENDIX B

Cumberland Development Control Plan 2021

Relevant Control		Compliance with Requirements	Consistency Objectives
Part A – Introduction and General Controls			
Part A2 – Subdivision			
2.1 Design and landscaping for subdivision	C1. In determining the suitability or otherwise of any subdivision application, consideration of the following matters will be taken into account: • slope and orientation of land; • opportunities for solar and daylight access to future development; • design of roads, access ways and individual site access; • retention of special qualities or features of a site, such as trees and views; • availability of utilities; • evacuation controls; • provision of adequate site drainage; and • provision of public open space.	The subject site is generally considered suitable in relation to subdivision as proposed, as subdivision will occur after development of the dual occupancy.	Yes
	C2. Avoid rear fences directly fronting public roads.	None proposed.	N/A
	C3. The provision of an easement of support will be required to cover all embankments that extend into the lots if the batters are steeper than 5 to 1.	General conditions require an easement for support. (No specific embankments or batters).	Yes
	C4. Provide space for a retaining wall within the newly created allotment boundaries where required as a result of topography, new road construction and/or impact on existing allotments.	No retaining walls required. No proposed on submitted plans.	N/A
2.2 Services	C1. Easements required by Council for the purpose of subdivision may include those necessary for utility services. The width of the easement is to be determined by the service authority.	General conditions imposed require an easement for support across the shared partition wall.	Yes
	C2. The design, construction and location of utility services shall conform to Council's stormwater standards and work specifications for subdivision and developments and the specific standards of the relevant servicing authority.	Yes, access to services and utilities are imposed as conditions for the purpose of the newly created allotment.	Yes
	C3. Design road corridors and other accessways to take into account existing	No new road proposed.	N/A

	services to avoid any unnecessary alterations or diversions.		
	C4. Where possible, coordinate compatible public utility services in common trenching to minimise cost.	N/A	N/A
	C5. Areas affected by construction works are to be reinstated to appropriate grades, covered with 100mm of topsoil and turf	Verge area turfing is conditioned.	Yes, per conditions.
	C6. For subdivision requiring a new low voltage electricity supply, reticulate via an underground supply system.	General conditions imposed relating to powerlines.	Yes
	C7. Provide an adequate reticulation water supply system from water supply mains for domestic supply and firefighting purposes.	General conditions imposed relating to water supply.	Yes
	C8. Arrange sewerage reticulation to allow the whole of each new allotment to be serviced by gravity drainage.	General conditions imposed relating to sewer and Sydney water requirements.	Yes, per conditions.
2.3 General residential	C1. Allotment orientation should ensure that living and private open space areas of any dwelling can be orientated to the north and that dwellings can be positioned so that the possible overshadowing impact on existing or future adjoining buildings can be minimised.	The proposed development has been designed to minimise overshadowing impacts on adjoining buildings.	Yes
	C2. Allotments shall be design and configured to: • minimise boundary retaining walls; • minimise potential overlooking; and • maintain solar access, where slopes face south.	No retaining walls are proposed. No overlooking impacts are anticipated, subject to conditions.	Yes, subject to conditions.
Part B – Development in Residential Zones			
Part B1 – Dwelling Houses and Secondary Dwellings			
2.1 Setbacks	Min. 6 metre front setback. Dwellings shall align with the street.	The front setback of the dwelling house is 5.2m as measured from the front porch.	No, see variation discussion.
	Balconies, porticos, entrances may protrude max 900mm.	The development protrudes into the 6m front setback requirement by approximately 800mm in the form of a front porch.	Yes
	Min. 900mm side setback.	The northern side setback is 950mm whilst the southern side setback ranges from 1.3m to 2.6m.	Yes
	Rear Setbacks - Min. 8 metres.	The rear setback ranges from 22.8m to 23.63m.	Yes

2.2 Height	Max. 2 storeys.	The proposed dwelling is 2 storeys.	Yes
	Minimum floor to ceiling height: 2.7 metres.	The floor to ceiling height is 3m on both floors.	Yes
2.4 - Streetscape	Dwelling entry must face the street. Windows and doors in balanced manner and must respond to orientation and internal room use. Blank, minimally or poor articulated walls are not acceptable.	The dwelling entry faces the street. The windows and the entry door are utilised in a balanced manner and respond to orientation and internal room use. No blank wall is proposed on the front façade.	Yes
2.5 – Building Materials	New dwelling houses and alterations and additions to existing dwelling houses shall use durable, quality materials that provide consistency and compatibility with the streetscape and character of its locality. Building materials and/or colours shall be used to reduce the appearance of bulk.	The proposed dwelling house utilises durable, quality materials that are consistent and compatible with the streetscape and character of the area.	Yes
2.6 Site Coverage	- 450m^2 or less - max 70% - **451m^2 or greater - max 65%**	The site coverage of proposed lot 1 is 37.24% (204.9 square metres).	Yes
	The non-built upon areas shall be landscaped and/or deep soil and provide for POS.	The non-built upon areas have been landscaped.	Yes
2.7 Landscaping	- 450m^2 or less - min 15% - **451m^2 or greater - min 20%**	The deep soil zone makes up 39.1% (215.3 square metres) of proposed Lot 1.	Yes
	The landscaped area shall be a deep soil zone.	The landscaped area is a deep soil zone.	Yes
	The majority of deep soil shall be located at rear in a continues area and shall extend across at least 50% of the rear boundary.	The majority of the deep soil zone has been provided at the rear of the site.	Yes
	Deep soil zone minimum width of 1 metre.	The deep soil zone has a minimum width of 1m.	Yes
	Landscape area above structures shall not be considered deep soil zone.	Not proposed.	Yes
2.8 – Private Open Space	POS must be provided at ground level and located side and rear of dwelling.	POS has been provided at the rear of the dwelling.	Yes
	<u>POS Area</u>: - 450m^2 or less - min 30m^2. - 451m^2 or greater - min 50m^2. - Dimensions of 4 metre in any direction. Note: 3 metres can be considered on lots 450m^2 or less.	The POS within proposed Lot 1 is 148.8 square metres.	Yes

	- POS directly accessible from living area.		
	POS be bounded by buildings, fencing or other screening devices. Incorporate dense landscaping that restricts views to a height of 1.8m.	The POS is bounded by the proposed primary and secondary dwellings as well as the boundary fencing.	Yes
	Additional POS should be provided in form of balcony or the like. Subject to site conditions and privacy considerations.	Additional POS has been provided in the form of a rear alfresco.	Yes
	Private open space and balconies shall predominantly face north, east or west, to enhance residential amenity.	The POS faces east.	Yes
2.9 – Dwelling house mix	Dwelling Size: - 1 bedroom dwelling - min. 65m$^{2.}$ - 2 bedroom dwelling - min. 85m$^{2.}$ - 3 bedroom dwelling - min. 115m$^{2.}$ - **4 bedroom dwelling - min. 130m$^{2.}$**	The dwelling size is 222.5 square metres.	Yes
	At least 1 living area be spacious and connect to POS area.	The living area is spacious and directly connects to the POS area.	Yes
	Bedroom sizes - Min 1 Master/double bedrooms with min. area of 12m^2 excluding built-in wardrobes. - Single bedroom min. 10m^2 excluding built-in wardrobes.	The master bedroom has an area of 15.5 square metres. Bedroom 1 has an area of 15.7 square metres. Bedroom 2 has an area of 9.8 square metres.	No, see variation discussion.
2.10 – Visual and Acoustic Privacy	Site layout and building design must ensure windows do not result in direct or close view into windows, balconies or private open spaces of adjoining dwellings.	Northern Elevation No overlooking impacts are anticipated from the living room window D1.08 as the existing boundary fencing will provide adequate privacy screening. No overlooking impacts are anticipated from the bedroom, bathroom or laundry windows as they are considered to be low use. No overlooking impacts are anticipated from the rumpus room windows W1.09 and W1.10 as they are a highlight window type with a sill height of 1.5m above the finished floor level.	Yes, subject to conditions.

		No overlooking impacts are anticipated from the northern elevation of the proposed alfresco as it is directly overlooking to the existing detached garage on the adjoining property to the north. <u>Eastern Elevation</u> No overlooking impacts are anticipated from the ground floor towards the east. No overlooking impacts are anticipated from the bedroom windows as it is considered to be low use. <u>Southern Elevation</u> No overlooking impacts are anticipated from the kitchen window W1.06 as much of the window will be below the southern 1.8m boundary fence. No overlooking impacts are anticipated from the dining room window W1.05 as it is directly overlooking towards the rainwater tank on the proposed dwelling to the south. No overlooking impacts are anticipated from the bedroom windows as they are considered to be low use.	
	Windows to living rooms and main bedrooms shall be located to face the front and rear of the site.	The main living room and main bedroom windows either face the front or rear of the street.	Yes
	Windows to be located to not provide direct or close view into windows of habitable rooms and POS of adjoining dwellings.	Noted, see above.	Yes
	Any direct views shall be obscured by: - Existing dense vegetation or new planting; - Fixed obscure glazed or highlight window type; and/or, - Elevated outdoor areas screening to be provided with a maximum	Noted, see above.	Yes

	area of 25% openings and permanently with durable material.		
	Building design elements and landscaping be designed to increase visual privacy.	The proposed development has been designed to increase visual privacy.	Yes
	Windows of living rooms within 9 metres of adjoining living windows be offset.	The living room windows are offset against the living room windows of the adjoining dwellings.	Yes
	Upper floor habitable rooms have sill height minimum 1.5m (excluding bedrooms).	Satisfactory.	Yes
	Acoustic Privacy: Where site adjoins busy road, non-habitable rooms shall be located in noise affected side of dwelling. Each opening must include treatment and design solutions should be sought to minimise external acoustic impact.	The property is adjacent to a classified road known as "Woodville Road". An acoustic report has been submitted, which has been reviewed by Council's Environmental Health Officer and has considered it to be acceptable, subject to conditions.	Yes
	Air conditioning, pool pump, ancillary elements etc must not exceed a background noise of more than 5dba measured from habitable room from adjoining dwelling.	This requirement is covered as a condition of consent.	Yes, subject to conditions.
	Balconies: - First floor balconies maximum depth of 3 metres. - Balconies at the rear shall be semi recessed and/or screened so that the view lines are to the rear of that property and not to the adjacent properties. Screening shall be provided by durable fixed privacy screens, minimum 1.5m in height as measured above finished floor level and a minimum of 75% obscured. - Orientated to face street or rear or a public domain. - Not located along side wall elevations or corner of dwelling house (unless it faces street). - If located higher than 800mm above ground level, privacy measures must be incorporated.	A street facing balcony is proposed, which will not result in adverse amenity impacts on the surrounding properties. Privacy screening measures have been incorporated into the balcony design.	Yes
2.11 Solar Access	Development is to be designed and sited to minimise the extent of shadows that it casts on:	The proposed development has been designed to minimise shadowing on the POS and living space	Yes

	• private open space within the development; • private open space of adjoining dwellings; • public open space such as bushland reserves and parkland; • solar collectors of adjoining development; and • habitable rooms within the development and in adjoining developments.	within the subject and adjoining properties. Additionally, there are no solar collectors on adjoining properties.	
	Subject and adjoining property: - Min. 3hrs of sunlight to one or more living areas of neighbouring dwellings in mid-winter between 8am and 4pm on 21 June. - Min. 50% sunlight to the required POS between 8am and 4pm on 21 June.	Subject dwelling within proposed lot 1 The living room of the proposed dwelling within proposed lot 1 will receive 8 hours of sunlight between 8am and 4pm on June 21. At least 50% of the required POS of the proposed development will receive at least 4 hours of sunlight between 10am and 2pm on June 21. Adjoining dwelling within proposed lot 2 The living area of the proposed dwelling within proposed lot 2 will receive no sunlight on June 21. 50% of the required POS will receive at least 4 hours of sunlight between 8am and 12pm on June 21.	No, see variation discussion.
	Habitable room windows have sufficient head and sill height to allow sun penetration into room.	The habitable room windows have sufficient head and sill height to allow sun penetration into the rooms.	Yes
	Where practical, living areas, kitchens and family be located north and non-habitable rooms be orientated south or west.	The living area and the kitchen are located north. The garage is located south.	Yes
	Increase building setbacks to maximise solar access and minimise overshadowing on adjoining properties.	The proposed development exceeds the side and rear setback requirements.	Yes
	Solar Collectors: - Proposed solar collectors achieve 3 hours solar access between 8am	No solar collectors are proposed. The proposed dwellings to the south do not propose solar collectors either however, the majority	Yes

	and 4pm on 21 June for proposed development. - Existing solar collectors of adjoining properties achieve 3 hours between 8am and 4pm in mid-winter. - Retain min. 3m^2 north facing roof space on adjoining properties for potential solar panel installation with unimpeded solar access between 8am to 4pm in mid-winter.	of its roof will receive unimpeded solar access between 8am and 4pm on June 21.	
2.12 Cross Ventilation	Rooms with high fixed ventilation openings such as bathrooms and laundries be situated south to act as buffers to insulate the dwelling house from winter winds. Garages may also useful as buffers on the southern and western sides.	The bathrooms are situated south and north. The laundry and garage are situated south.	Yes
	Internal layout be designed with bathrooms, laundries and kitchens sited in a position that allows natural ventilation of the room through an openable window.	The internal layout has been designed so that the bathrooms, laundry and kitchen can receive natural ventilation via openable windows.	Yes
2.13 Ancillary site facilities	A maximum of 1 TV antenna to each dwelling.	This requirement is covered as a condition of consent.	Yes
	Satellite dishes, antennas and other facilities shall be located away from primary street frontages and incorporated into design.	This requirement is covered as a condition of consent.	Yes
	Mailbox be provided centrally and close to major street entry.	This requirement is covered as a condition of consent.	Yes
	Locate air conditioning unit at rear or side of dwelling.	This requirement is covered as a condition of consent.	Yes
2.15 Rainwater tanks	- Above ground rainwater tanks shall not be located within the front setback of a dwelling house. - Rainwater tanks that are visible from the street shall be suitably screened, unless Council is satisfied that the tank will not have an adverse impact on the streetscape	The rainwater tank is situated on the northern elevation of the proposed dwelling and is screened from the street.	Yes
2.16 Safety and security	- Dwelling houses adjacent to streets or public spaces shall be designed to allow casual surveillance over the public area. There shall be at least one living room window facing that area. - Dwelling houses on battleaxe lots shall be designed with clear and uninterrupted sight lines to entrances	The proposed dwelling house has been designed to allow casual surveillance over the street. No blank wall is proposed on the front façade.	Yes

	- Blank walls along street frontages are prohibited. - Secondary entries to dwelling houses may be provided off rear lanes where: • there is some natural surveillance of the lane from adjoining dwellings; • the lane is well lit; and • the lane provides access to other dwellings.		
	- Roller shutters are discouraged where it faces street or public domain - Security grills should compliment architectural features. - Landscaping that may provide concealment opportunities for potential intruders shall be avoided.	No roller shutters or security grills are proposed.	Yes
	<u>Ownership</u> - Each property shall be clearly identified by street number, which is visible from a car on the street. - Property lines and private areas should be defined through building materials, fencing and landscaping.	This requirement is covered as a condition of consent.	Yes
2.18 Car Parking and Site access	Car parking and site access will comply with the provisions set out in Part G3 of this DCP.	See Part G3 below.	N/A
2.19 Garages and carports	Garage and carports will comply with the provisions set out in Part G3 of this DCP.	See Part G3 Below.	N/A
2.21 Secondary dwellings	Design and appearance: - Must not detract from the visual amenity of the development on the site and surrounding locality. - Attached or detached, design must compliment principal dwelling. - Not located forward of building line.	The proposed secondary dwellings do not detract from the visual amenity of the development on the site and the surrounding area. The proposed secondary dwellings compliment each primary dwelling and are located at the rear of each proposed property.	Yes
	Site Area: Min 380m2.	The proposed lot sizes are as follows: • Lot 1: 550.132 square metres. • Lot 2: 390.025 square metres. • 394.334 square metres.	Yes

	Height: 2 storeys and must not be higher than principal dwelling.	Each secondary dwelling is a single storey.	Yes
	Attics prohibited.	No attics are proposed.	Yes
	Floor to ceiling height: Not less than 2.4m and not greater than 2.7m.	The floor to ceiling heights are as follows: • Secondary Dwelling on Lot 1: 2.7m. • Secondary Dwelling on Lot 2: 2.42m. • Secondary Dwelling on Lot 3: 2.7m.	Yes
	Setbacks: - Secondary street (Corner site): 3m. - Side: 900mm single storey/1.5m for 2 storeys. - Rear Setback: 900mm single storey/3m for 2 storey.	<u>Secondary Dwelling on Lot 1</u> The northern side setback is 950mm. The southern side setback ranges from 3m to 3.7m. The rear setback ranges from 3.38m to 4m. <u>Secondary Dwelling on Lot 2:</u> The northern side setback ranges from 921mm to 1.315m. The southern side setback is 900mm. The rear setback ranges from 3.8m to 4.3m. <u>Secondary Dwelling on Lot 3:</u> The northern side setback is 1.4m. The southern side setback is 900mm. The rear setback ranges from 3.4m to 4m.	Yes
	Dwelling and bedroom size: - Secondary dwelling not less then 25m2. - Minimum bedroom size, not less than 8m2.	<u>Secondary Dwelling on Lot 1</u> The floor area is 60 square metres. Bedroom 1 and 2 each have an area of 10 square metres. <u>Secondary Dwelling on Lot 2</u>	Yes

		The floor area is 53.8 square metres. Bedroom 1 has an area of 11.2 square metres whilst bedroom 2 has an area of 10.8 square metres. <u>Secondary Dwelling on Lot 3</u> The floor area is 58 square metres. Bedroom 1 has an area of 13 square metres whilst bedroom 2 has an area of 10.3 square metres.	
	Orientation: - Living area face north where possible with window on northern elevation. - POS for principal and secondary dwelling to have a northern orientation - POS of secondary dwelling to be directly accessible via POS.	The living area of each secondary dwelling faces north with windows proposed on the northern elevation. The POS of each property has a northern orientation. The POS of each secondary dwelling is directly accessible via POS.	Yes
	Privacy: - The windows of living areas within 9m of the windows of living rooms (other than bedrooms) of adjacent dwellings be offset. In case of windows overlooking neighbouring private open space areas, windows shall be fixed obscure glazed or highlight window type with a minimum sill height of 1.5m above finished floor level. - Balconies be semi recessed and/or screened. Screening shall be provided by durable fixed privacy screens, minimum 1.8m high and 75% obscured. - First floor balconies max 12m2 and not be located along side elevations.	The living area windows of the secondary dwellings are offset from each other. No adverse impacts are anticipated as the finished floor level of each secondary dwelling is not significantly elevated above the natural ground level. No balconies are proposed.	Yes
	Site coverage: - 450m2 or less – max 70%. - 451m2 or greater – max 65%.	<u>Lot 1</u> As the proposed site area is greater than 450 square metres, the maximum site coverage permitted for the site is 65%. The site coverage of proposed lot 1	Yes

		is 37.24% (204.9 square metres). Lot 2 The proposed site area is less than 450 square metres, the maximum site coverage permitted for the site is 70%. The site coverage of proposed lot 2 is 45.5% (185.9 square metres). Lot 3 The proposed site area is less than 450 square metres, the maximum site coverage permitted for the site is 70%. The site coverage of proposed lot 3 is 46.2% (182.5 square metres).	
	Deep Soil Zone: - 450m2 or less – min 15%. - 451m2 or greater – min 20%.	Lot 1 As the proposed site area is greater than 450 square metres, 20% (110.02 square metres) of the site must be a deep soil zone. The deep soil zone makes up 39.1% (215.3 square metres) of proposed Lot 1. Lot 2 As the proposed site area is less than 450 square metres, 15% (58.6 square metres) of the site must be a deep soil zone. The deep soil zone makes up 15.06% (58.9 square metres) of proposed lot 2. Lot 3 As the proposed site area is less than 450 square metres, 15% (59.1 square metres) of the site must be a deep soil zone. The deep soil zone makes up 15.5% (61.3 square metres) of proposed lot 3.	Yes
	Secondary dwelling must contain it's own kitchen, bathroom, living and bedroom. A common laundry can be provided.	Each secondary dwelling contains its own kitchen, bathrooms, bedrooms, living area and laundry.	Yes

	Landscaped Area: - POS to be shared and not separated via internal boundary fencing. - POS provided at ground level.	Conditions shall be imposed to ensure compliance with this.	Yes
Part B2 – Low Rise Medium Density Development			
2. Relationship with Design Guide	Multi Dwelling Housing or dual occupancies in Cumberland City to be assessed in accordance with the Principles, Objectives and Design Criteria of the *Low Rise Housing Diversity Design Guide*.	Yes – This development is assessed under the provisions of the Low-Rise Housing Diversity Design Guide. Full assessment is provided in Attachment B.	Yes
3.1 Site frontage	C1. The minimum site frontage of the form of low-rise medium density residential development shall be provided in accordance with Table 6. - Dual Occupancy (attached) – 15m - Dual Occupancy (detached) – 18m	The frontage of the attached dual occupancy is 15m.	Yes
	C2. Sites with a width frontage less than that specified in Table 6 shall be amalgamated with 2 or more sites to provide sufficient width for good building design.	N/A – Lot frontages comply.	N/A
	C3. Development proposals shall not result in one adjacent allotment of less than 15m in width being left over.	N/A – No changes to adjoining allotments.	N/A
3.2 Overshadowing	C1. Development is to be designed and sited to minimise the extent of shadows that it casts on: • private open space of adjoining dwellings; • public open space such as bushland reserves and parkland; • solar collectors of adjoining development; and habitable rooms in adjoining developments.	The proposed dual occupancy has been designed to minimise shadowing on the habitable rooms and the POS of adjoining dwellings. The adjoining property to the south has no existing solar collectors.	Yes
	C2. Adjoining properties are to receive a minimum of 3 hours sunlight to at least one main living area, and to at least 50% of the private open space between 8am and 4pm on 21 June. Where existing development currently receives less sunlight than this requirement, this should not be unreasonably reduced.	Each of the living rooms of townhouses 1-4 on the adjoining property to the south will receive at least 3 hours of sunlight between 10am and 2pm on June 21. The living area of townhouse 5 does not receive sunlight due to an existing awning that is erected within the POS of that unit. 50% of the POS of Townhouse 1 will receive at least 4 hours of sunlight	No, see variation discussion above.

		between 12pm and 4pm on June 21. 50% of the POS of townhouse 2 will receive at least 1 hour of sunlight between 3pm and 4pm on June 21. The POS of townhouses 3 will not receive sunlight between 8am and 4pm on June 21. 50% of the POS of townhouse 4 will receive at least 2 hours of sunlight between 10am and 12pm on June 21. 50% of the POS of townhouse 5 will receive at least 3 hours of sunlight between 8am and 11am on June 21.	
3.4 Landscaping	Minimum 20% of site area (157.07 square metres). min 30sqm for each dwelling	The deep soil zone of the dual occupancy makes up 18.13% (142.4 square metres) of the site.	No, see variation discussion above.
Part G – Miscellaneous Development Controls			
Part G3 – Traffic, Parking, Transport & Vehicles (Vehicle)			
4.1 Development in residential zones.	C1 Development shall comply with the minimum parking rates in Section 3 of this Part of the DCP.	One covered parking space is proposed per dwelling.	Yes
	C1 Only one driveway crossover shall be permitted per residential property where the property frontage is less than 15m. A maximum of 2 driveway crossovers shall be permitted for residential properties with a residential frontage of 15m or more.	One crossover is proposed.	Yes
	C4 Driveways which service a double garage shall be a maximum width of 6m.	The driveway has a maximum width of 4.5m.	Yes
	C5 All new driveways shall be located a minimum of 1 metre from the side property boundaries	The driveway has a side setback of 800mm.	No, see variation discussion above.
	C7 Driveways servicing car parking including manoeuvring areas to the parking bays shall comply with AS 2890 – Parking Facilities unless otherwise specified by Council.	The Council's development engineer has reviewed the proposed vehicular access arrangements and considers them to not be in compliance with AS2890. Therefore, deferred commencement conditions	Yes, subject to conditions.

		have been imposed that will require amendments to the driveway to ensure compliance with AS2890.	
	C8 The maximum gradient for a driveway shall be 20% or 1:5 (with appropriate transitions). However, in extreme circumstances, gradients up to 25% or 1:4 (with appropriate transitions) may be considered by Council, subject to individual merit.	Satisfactory.	Yes
	C9 Minimum clearance of 1.2 metres shall be provided to structures, such as power poles, service pits and drainage pits.	The proposed driveway is in close proximity to a service pit. A condition has been imposed requiring that the pit be relocated.	Yes, subject to conditions.
	C10 Vehicular access points and parking areas are to be: • easily accessible and recognisable to motorists; • located to minimise traffic hazards; and • located to minimise the loss of on-street car parking.	The vehicular crossover is easily accessible and recognisable to motorists and minimises traffic hazards. Additionally, on street parking losses are minimised.	Yes
	C11 The area between the driveway and the property boundary shall be suitably landscaped to minimise the visual impacts of vehicular access points and to maximise the visual quality of the streetscape.	The area between the driveway and the side boundary is suitable landscaped.	Yes
	C12 Driveways shall be designed and constructed in materials to avoid glare and large expanses of plain concrete, whilst ensuring the driveway colour does not detract from the development and character of the street	Satisfactory.	Yes
4.2 Garages and carports	C1 Garages shall not be a dominant feature of the dwelling house façade. The garage must be subservient in scale to the dwelling house and integrated and compatible with the overall design of the dwelling house in terms of height, form, materials, detailing and colour.	The garages do not form a dominant feature of the front façade of each dwelling.	Yes
	C2 Garages and carports at grade are to be set back a minimum of 1 metre behind the front wall of the dwelling house	The garages of the dual occupancy are setback 1m from the front building wall. The garage of the single dwelling is setback 1m behind the front building wall.	Yes
	C3 Where garaging is provided as part of the dwelling frontage, it must be integrated into	Garaging is integrated into the design of each dwelling house.	Yes

	the design of the dwelling house to minimise visual impact.		
	C7 No more than two single garages or one double garage shall be placed on the front facade.	One single garage is proposed per lot on the front façade.	Yes
	Dimensions C9 Parking spaces within an enclosed garage shall have minimum dimensions of 3 metres width x 5.4 metres length clear of walls and columns per vehicle.	The garage within dwelling 1 has a length and width of 5.5m x 3m. The garages within the dual occupancy each have a length and width of 5.5m x 3.020m.	Yes
	C10 Single garage doors shall be a maximum of 3.5m and double garage doors shall be a maximum of 5.5 metres wide.	Each of the garage doors has a width of 2.7m.	Yes
	C11 Garage doors shall not exceed 50% of the width of the street elevation.	The combined width of the garage doors make up 35.2% of the width of the street elevation.	Yes
	C13 Triple garages are not permitted.	Not proposed.	Yes
Part G4 - Stormwater & Drainage			
2.2 Method of stormwater disposal from the site	C1. All stormwater collecting as a result of the carrying out of development under this DCP must be directed by a gravity fed or charged system to: (a) a public drainage system, or (b) an inter-allotment drainage system, or (c) an on-site disposal system.	Conditions shall be imposed to ensure that the stormwater system is adequately managed.	Yes, subject to conditions.
Part G5 - Sustainability, Biodiversity & Environmental Management			
2.5 Biodiversity	C1. Development is to be sited and designed to minimise the impact on indigenous flora and fauna, including canopy trees and understorey vegetation, and on remnant native ground cover species.	The proposed development has been designed to minimise impacts on flora and fauna.	Yes
2.6 Energy efficiency and renewables	C1. New development shall implement energy efficient design and promote renewable energy sources through the inclusion of solar panels, skylights, cross ventilation and other such measures.	The following BASIX Certificates have been submitted and are acceptable: • Certificate Number: 1810094M_05 (dated 24 April 2026). • Certificate Number: 1810095M_05 (dated 24 April 2026).	Yes
Part G7 - Tree Management & Landscaping			

2.1 Preservation of trees	C1. The following are not considered to be substantive criteria for tree removal: • flower, leaf or fruit fall causing nuisance; • to increase general natural light; • to enhance views; • to reduce shade created by a tree; • tree not suiting existing or proposed landscape; • unsubstantiated fear of tree failure; • a tree being too large or high; and • to increase direct sunlight onto solar panels or pool heating apparatus.	No tree removal is proposed.	N/A
2.2 Tree management and proposed development	C1. Development shall be designed to incorporate existing trees that are identified as being suitable for retention, with adequate setbacks to any works and protection measures stipulated in accordance with AS 4970-2009 to ensure their long-term survival.	The proposed development has been reviewed by the Council's Senior Tree Management Officer who has considered the proposal to be acceptable, subject to conditions.	Yes, subject to conditions.
	C2. Development proposals must consider existing trees situated on adjacent properties with adequate setbacks to any works and protection measures stipulated in accordance with AS4970-2009 to ensure their long-term survival.		
	C7. Council may require an Arborist Report and/or Tree Protection Plan, to be prepared in accordance with Council's Submission Requirements for Consulting Arborists' Impact Assessment Report document and submitted with development applications when any existing trees are to be retained.	An arborist report has been submitted, which has been reviewed by Council's Senior Tree Management Officer and has considered it to be acceptable, subject to conditions.	Yes, subject to conditions.
2.3 Landscaping	C1. Where a landscape plan is required, it shall be prepared by an appropriately qualified person such as an experienced Landscape Architect/Landscape Designer. The landscape plan shall be prepared at a minimum scale of 1:100, be fully documented with the inclusion of a plant schedule and show sufficient detail to enable construction.	A Landscape plan provided, which has been reviewed by Council's Senior Tree Management Officer and has considered it to be acceptable, subject to conditions.	Yes, subject to conditions.
Part G8 – Waste Management			
3.3 Residential	C1. The waste service requirements for residential developments shall comply with Table 2.	Yes – Satisfactory.	Yes
	C6. All developments must ensure separate residential and commercial bin storage areas, which shall be located behind the primary building line and adequately screened.	Yes – Adequate areas provided behind building line.	Yes

3.5 Bin transfer requirements	C1. Waste and recycling bins shall be positioned in locations that permit easy, direct and convenient access for users of the facility and permit easy transfer of bins to the collection point.	Yes – Adequate areas provided.	Yes

ATTACHMENT B – Low Rise Housing Diversity Design Guide

<table>
<tr><th colspan="4">Relevant Control</th><th>Compliance with Requirements</th><th>Consistency Objectives</th></tr>
<tr><td colspan="6">2.1A Building Envelopes</td></tr>
<tr><td>Objective 2.1A-1</td><td colspan="3">Height - Maximum permissible building height as per CLEP 2021.</td><td>The dual occupancy is compliant with section 4.3 of the CLEP 2021.</td><td>Yes</td></tr>
<tr><td></td><td colspan="3">- Two (2) storeys maximum (excluding basement).
- For detached Dual Occupancy, dwelling at rear single storey max height 5.4m.</td><td>The height of the dual occupancy is 2 storeys.</td><td>Yes</td></tr>
<tr><td></td><td colspan="3">Setback from classified road: 9m.</td><td>The front setback from the classified road is 9.4m.</td><td>Yes</td></tr>
<tr><td>Objective 2.1A-3</td><td colspan="3">Side setback in accordance with table below:
<table>
<tr><th>Lot width at Building line (m)</th><th>Building height at any height</th><th>Minimum required setback from each side boundary</th></tr>
<tr><td rowspan="2">0 – 24</td><td>0m – 4.5m</td><td>900mm</td></tr>
<tr><td>>4.5m – 8.5m</td><td>= (building height – 4.5m) ÷ 4 + 0.9m</td></tr>
<tr><td rowspan="2">>24 – 36</td><td>0m – 4.5m</td><td>1.5m</td></tr>
<tr><td>>4.5m – 8.5m</td><td>= (building height – 4.5m) ÷ 4 + 1.5m</td></tr>
<tr><td>>36</td><td>0m – 8.5m</td><td>2.5m</td></tr>
</table></td><td>The required ground floor rear setback is 900mm.

The ground floor rear setback is 900mm.

The required first floor side setback is calculated as follows:

(6.8-4.5)/4+0.9 = 1.475m.

The first floor side setback of dwelling 2 is 1.611m whilst for dwelling 3, its 1.5m.</td><td>Yes</td></tr>
<tr><td>Objective 2.1A-4</td><td colspan="3">Rear Setbacks
<table>
<tr><th>Lot Area (m²)</th><th>Building height</th><th>Minimum required setback from rear boundary</th></tr>
<tr><td rowspan="2">0 – 900</td><td>0m – 4.5m</td><td>3m</td></tr>
<tr><td>>4.5m</td><td>8m</td></tr>
</table></td><td>The required ground floor rear setback is 3m.

The proposed ground floor rear setback ranges from 21.7m to 23.3m.

The required first floor rear setback is 8m.</td><td>Yes</td></tr>
</table>

	>900 - 1500	0m – 4.5m	5m	The proposed first floor rear setback ranges from 24.7m to 26m.	
		>4.5m	12m		
	>1500	0m – 4.5m	10m		
		>4.5m	15m		
2.1C Landscaped Area					
Objective 2.1C-1	Where the LEP or DCP does not contain a minimum landscaped area the minimum landscaped area is: 50% of the parent lot area minus 100m²			Part B2 of the Cumberland DCP provides a minimum landscaped area requirement.	N/A
	Minimum dimensions of any area included in the landscaped area calculation is 1.5 metres.			Noted.	Yes
	Minimum 25% (32.9 square metres) forward of the building line be landscaped.			32.44% (42.7 square metres) of the area forward of the front building line is landscaped.	Yes
	Minimum 50% (78.5 square metres) of the required landscaping to be located behind the building line.			59.9% (94.2 square metres) of the area behind the building line is landscaped.	Yes
Objective 2.1C-2	Ongoing maintenance plan to be provided as part of the landscape plan. Tree planting of a particular size or species the following is to be provided: - Front: 1 tree with mature height of 5m if primary road setback is greater than 3m. - Rear: 1 tree with mature height of 8m.			This requirement is covered as a condition of consent.	Yes, subject to conditions.
Objective 2.1C-3	Mature trees are to be retained, particularly those along the boundary, (except those where approval is granted by Council for their removal).			There are no existing trees within the property.	N/A
Objective 2.1C-4	The landscape plan proposes a combination of tree planting, for shade, mid height shrubs, lawn and ground covers.			The landscape plan does propose a combination of tree planting.	Yes
	The landscape plan indicates that at least 50% of the overall number of trees and shrubs are species native to the region.			This requirement is covered as a condition of consent.	Yes
2.1D Local Character and Context					
	Provide a description in the Design Verification Statement how the built form of the development contributes			The Design Verification Statement adequately describes how the built form of	Yes

	to the character of the local area, using the guidance in Section 3D Local Character and Context.	the development contributes to the character of the local area.	
2.1E Public Domain Interface			
Objective 2.1E-1	The front door of each dwelling is to be directly visible from the public street.	The front door of each dwelling is directly visible from the street.	Yes
	Windows from habitable rooms are to overlook the public domain.	Windows from habitable rooms overlook the street.	Yes
2.1F Pedestrian and Vehicle Circulation			
Objective 2.1F-1	Vehicle circulation complies with AS2890.1.	The development engineer has reviewed the proposed vehicle circulation and considers that it does not comply with AS2890.1 due to insufficient driveway width to allow for vehicles to pass each other and inadequate sight lines. A deferred commencement condition has been imposed requiring the driveway be amended to comply with AS2890.1.	Yes, subject to conditions.
	Where on street parking is currently available in front of the development, the proposed driveways are located so that at least one car space remains.	Multiple on-street parking spaces are retained by the proposed development.	Yes
	Vehicular crossing is to have a maximum width of 3.5m for single and 6m for double at the street boundary.	The double crossover has a width of 4.5m.	Yes
2.1G Orientation, Siting and Subdivision			
Objective 2.1G-2	Subdivision pattern to be consistent with the prevailing lot sizes and be a minimum of 200sqm each.	The subdivision pattern is consistent with the area. The proposed lot sizes are 391.025 square metres for Lot 2 and 394.334 square metres for Lot 3.	Yes
Objective 2.1G-1	Minimum frontage: 15m attached. 18m detached.	The frontage is 15m.	Yes
Objective 2.1G-3	The dwelling frontage is to be at least 5m.	The frontage of Lot 2 is 8.2m whilst the frontage of Lot 3 is 6.9m.	Yes

Objective 2.1G-4	A window that is more than 3m from the boundary to a living room of an adjoining dwelling is to receive more than 3 hours of direct sunlight between 9am and 3pm on the winter solstice (June 21). If the window currently receives less than 3hrs - direct sunlight is not reduced. Note: Direct sunlight is measured consistent with Design Criteria 51 and is only required to one window serving the living room. Where the location of the living room windows of an adjoining dwelling cannot be verified, the proposed development is accommodated within a building envelope defined by a 35° plane springing from 3.6m above the boundary.	Part B2 of the Cumberland DCP contains the solar access requirements.	N/A
Objective 2.1G-5	Dwellings are located to step with the topography.	The dwellings are compatible with the slope of the land.	Yes
	Unless a dwelling is over a basement, the ground floor is not more than 1.3m above ground level, and no more than 1m below ground level.	The ground floor has a maximum height of 1.3m above the natural ground level.	Yes
Objective 2.1G-7	All lots must have access to reticulated water, sewer, electricity, telecommunications and where available, gas.	This requirement is covered as a condition of consent.	Yes
2.1H Solar and Daylight Access			
Objective 2.1H-1	A living room or principal private open space in each dwelling is to receive a minimum of 3 hours direct sunlight between 9 am and 3 pm on the winter solstice (June 21). *Note: Direct sunlight is achieved when 1m² of direct sunlight on the glass is received for at least 15 minutes. To satisfy 3 hours direct sunlight, 12 periods of 15 minutes will need to be achieved, however the periods do not need to be consecutive.*	<u>Dwelling 1</u> The principal POS will receive approximately 2 hours of sunlight between 9am and 11am on June 11. The living area will receive not receive sunlight between 9am and 3pm on June 21. <u>Dwelling 2</u> The principal POS will receive at least one hour of solar access between 9am and 10am on June 21. The living area of will not receive sunlight on June 21.	No, see variation discussion.
Objective 2.1H-2	Daylight may not be borrowed from other rooms, except where a room has a frontage to a classified road.	Not proposed.	Yes
	No part of a habitable room is more than 8m from a window.	No part of a habitable room is more than 8m from a window.	Yes

	No part of a kitchen work surface is more than 6m from a window or skylight.	No part of a kitchen work surface is more than 6m from a window.	Yes
	A window is visible from 75% of the floor area of a habitable room.	Satisfactory.	Yes
2.1I Natural Ventilation			
Objective 2.1I-1	All habitable rooms are naturally ventilated.	All habitable rooms are naturally ventilated.	Yes
	Each dwelling is naturally cross ventilated.	Each dwelling is naturally cross ventilated.	Yes
2.1J Ceiling Height	Minimum ceiling heights are: - 2.7m to ground floor habitable rooms. - 2.7m to upper-level living rooms. - 2.4m to upper-level habitable rooms (excluding living rooms). The ceiling height is measured from finished floor level to finished ceiling level.	The floor to ceiling height of the ground floor is 3m whilst for the first floor, its 2.5m.	Yes
2.1K Dwelling Size and Layout			
Objective 2.1K-1	Dwellings are to have the following minimum internal floor areas: **Bedrooms** / **Area** 1 bed / 65m^2 2 bed / 90m^2 3+ bed / 115m^2	Dwelling 2 is proposed to contain 5 bedrooms and 3 bathrooms. Therefore, 149 square metres of floor area is required. Dwelling 2 is proposed to have a floor area of 192.6 square metres. Dwelling 3 is proposed to contain 4 bedrooms and 3 bathrooms. Therefore, 137 square metres of floor area is required. Dwelling 3 is proposed to have a floor area of 192.6 square metres.	Yes
	The minimum internal areas outlined above only include one bathroom. The minimum area of each additional bathroom is 5m² added onto the minimum dwelling area.	Noted, see above.	Yes
	The minimum area of any additional bedroom is 12m². The area of each additional bedroom is then added to the minimum internal for area contained in Design Criteria 60.	Noted, see above.	Yes

	Kitchens are not part of a circulation space, such as a hallway.	The kitchens are not part of a circulation space.	Yes
Objective 2.1K-2	One bedroom has a minimum area of 10m², excluding wardrobe space.	The master bedroom in each dwelling has an area of 15.8 square metres.	Yes
	Bedrooms have a minimum length and width of 3m, excluding wardrobe space.	Each of the proposed bedrooms complies with this requirement.	Yes
	Combined living and dining rooms have a minimum area of: **Bedrooms** / **Area** 1 and 2 bed / 24m² 3+ bed / 28m²	The living/dining area has a combined area of 33 square metres.	Yes
	Living room or lounge rooms are to have a minimum length and width of 4m, excluding fixtures.	The living room in each dwelling has a length of 4.8m and a width of 4.8m.	Yes
2.1L Principal Private Open Spaces			
Objective 2.1L-1	The area of principal private open space provided for each dwelling is at least 16m² with a minimum length and width of 3m.	The principal POS for each dwelling is 16 square metres.	Yes
Objective 2.1L-2	The principal private open space is located behind the front building line.	The principal POS for each dwelling is located in the rear yard.	Yes
	The principal private open space is located adjacent to the living room, dining room or kitchen to extend the living space.	The principal POS for each dwelling is located adjacent to the living area.	Yes
	25% of the principal private open space is to be covered to provide shade and protection from rain.	The entirety of the principal POS for each dwelling is covered.	Yes
2.1M Storage			
Objective 2.1M-1	In addition to storage in kitchens and bedrooms, the following storage with a minimum dimension of 500mm is provided: **Bedrooms** / **Area** 1 bed / 6m³ 2 bed / 8m³ 3+ bed / 10m³	6.27 cubic metres of internal storage is provided underneath the stairs of each dwelling.	No, see variation discussion.
	At least 50% of the required storage is located inside the dwelling.	No outdoor storage is proposed.	N/A
2.1N Car and Bicycle Parking			
Objective 2.1N-1	One space per dwelling is to be provided.	One space per dwelling has been provided.	Yes

<table>
<tr><td></td><td>Car parking spaces and circulation are to comply with AS 2890.1:2004.</td><td>The Council's development engineer has reviewed the proposed vehicular access arrangements and considers them to not be in compliance with AS2890. Therefore, deferred commencement conditions have been imposed that will require amendments to the driveway to ensure compliance with AS2890.</td><td>Yes, subject to conditions.</td></tr>
<tr><td>Objective 2.1N-2</td><td>Covered space is to be provided for the secure storage of at least 1 bicycle per dwelling.</td><td>This requirement is covered as a condition of consent.</td><td>Yes</td></tr>
<tr><td>Objective 2.1N-3</td><td>The setback of a car space from a primary, secondary or parallel road is to be at least:
<table><tr><th>Setback of Dwelling from Road</th><th>Minimum Of-Street Parking Setback from Road</th></tr><tr><td>< 4.5m</td><td>5.5m</td></tr><tr><td>4.5m or more</td><td>1m behind the building line</td></tr></table></td><td>The garages are setback 1m behind the front building line.</td><td>Yes</td></tr>
<tr><td></td><td>The maximum width of all garage doors facing a primary, secondary or parallel road:
<table><tr><th>Lot width</th><th>Maximum width of Garage Door Width Openings</th></tr><tr><td>12m – 15m</td><td>3.2m</td></tr><tr><td>>15m – 20m</td><td>6m</td></tr><tr><td>>20m</td><td>9.2m</td></tr><tr><td>>25m</td><td>12m</td></tr></table>
Note: Lot width refers to the completed Torrens title lot or in the case of a strata subdivision being the development site.</td><td>The width of each garage door is 2.7m.</td><td>Yes</td></tr>
<tr><td colspan="4">2.1O Visual Privacy</td></tr>
<tr><td>Objective 2.1O-1</td><td>Orientate living room windows, primary private open space to the street front or rear.</td><td>The main living room windows face the rear. The primary POS is at the rear.</td><td>Yes</td></tr>
<tr><td></td><td>At least one window for each habitable room is provided without the need for a privacy screen.</td><td>Noted.</td><td>Yes</td></tr>
<tr><td></td><td>A privacy screen is required when:
<table><tr><th>Distance from Boundary</th><th>Finished Floor Level Above</th></tr></table></td><td>Dwelling 2
<u>Northern Elevation</u></td><td>Yes, subject to conditions.</td></tr>
</table>

	Ground Level (Existing)
<3m	1m – 3m
<6m	>3m

Distance from windows in Dwelling on same lot	Finished Floor Level Above Ground Level (Existing)
<3m	1m – 3m
<6m	>3m

Note: *This does not apply to a habitable room with a floor level not more than 1m above ground level (existing), bedroom windows that have an area less than 2m² or windows that have a frontage to a road or public open space.*

The entry window W2.01 has a sill height of 1.5m above the finished floor level, which is acceptable.

The guest bedroom window W2.02 has a sill height of 1.5m above the finished floor level.

The kitchen window W2.03 is below the 1.8m boundary fence. Therefore, no overlooking impact is anticipated.

No overlooking impact is anticipated from the living area window W2.04 as it is not significantly elevated above the natural ground level.

No overlooking impacts are anticipated from the living area window W2.05 as it is directly overlooking a part of the proposed dwelling to the north that is considered to be low use in the form of the clothes line.

The window W2.06 has a sill height of 1.5m above the finished floor level, which is acceptable.

The bedroom window W2.07 has an area of 1.4 square metres, which is acceptable.

The bedroom window W2.09 has an area of 1.1 square metres, which is acceptable.

Conditions shall be imposed requiring that the bedroom window W2.08 be reduced in area to be no more than 2 square metres.

<u>Eastern Elevation</u>

No overlooking impact is anticipated from the ground floor towards the east.

No overlooking impact is anticipated from the bathroom window W2.10 as it is considered to be low use.

Dwelling 3

<u>Southern Elevation</u>

		No overlooking impact is anticipated from the entry windows W3.01 and W3.02 as they have a sill height of 1.5m above the finished floor level. No overlooking impact is anticipated from the study room window W3.03 as it has a sill height of 1.5m above the finished floor level. The kitchen window W3.04 is below the 1.8m boundary fence. Therefore, no overlooking impact is anticipated. Conditions shall be imposed requiring that the living room windows W3.05 and W3.06 be amended to either be treated with fixed obscured glazing to a height of at least 1.5m above the finished floor level or be raised to have a sill height of at least 1.5m above the finished floor level. The window W3.07 has a sill height of 1.5m above the finished floor level, which is acceptable. The bedroom window W3.08 has an area of 1.4 square metres, which is acceptable. The bedroom window W3.09 has an area of 1.1 square metres, which is acceptable. Conditions shall be imposed requiring that the bedroom window W3.10 be reduced in area to be no more than 2 square metre <u>Eastern Elevation</u> No overlooking impact is anticipated from the ground floor towards the east. No overlooking impact is anticipated from the bathroom window W3.11 as it is considered to be low use.	
	A privacy screen is required at the edge of that part of a terrace, deck, balcony or veranda that is parallel or faces towards a side or rear boundary.	Conditions shall be imposed requiring that a privacy screen be installed on the northern elevation of dwelling 2, which	Yes, subject to conditions.

	Distance from boundary / **Finished Floor Level Above Ground Level (Existing)** <3m: 1m – 3m <6m: >3m **Distance from Windows in Dwelling on Same Lot** / **Finished Floor Level Above Ground Level (Existing)** <3m: 1m – 3m <6m: >3m ***Note:** This does not apply to a terrace, deck, balcony or patio that has an area less than 3m² or has a frontage to a road or public open space.*	shall have a height of at least 1.5m above the finished floor level. Conditions shall be imposed requiring that a privacy screen be installed on the southern elevation of dwelling 3, which shall have a height of at least 1.5m above the finished floor level. No overlooking impacts are anticipated from the street facing balcony of either dwelling.	
Objective 2.1O-2	Where privacy screens are provided to windows, they must not cover part of the window required to meet the minimum daylight or solar access requirements or restrict ventilation.	Noted.	Yes
2.1P Acoustic Privacy			
Objective 2.1P-1	Electrical, mechanical, hydraulic and air conditioning equipment is housed so that it does not create an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997 either within or at the boundaries of any property at any time of the day.	This requirement is covered as a condition of consent.	Yes
2.1Q Noise and Pollution			
Objective 2.1Q-1	Dwellings that are within 100m of a classified road or 80m from a rail corridor are to have LAeq measures not exceeding: - In any bedroom: 35dB(A) between 10pm-7am. - Anywhere else in the building (other than a kitchen, garage, bathroom or hallway): 40dB(A) at any time. This is achieved by: - Providing a full noise assessment prepared by a qualified acoustic engineer; and - Complying with relevant noise control treatment for sleeping areas and other habitable rooms in	The proposed development is adjacent to a classified road known as "Woodville Road". An acoustic report has been submitted, which has been reviewed by Council's Environmental Health Officer who has considered the report and the proposed development to be acceptable, subject to conditions.	Yes, subject to conditions.

	Appendix C of RMS Development Near Rail Corridors and Busy Roads - Interim Guideline.		
2.1R Architectural Form and Roof Design			
Objective 2.1R-1	Provide in the Design Verification Statement a description as to how the architectural form reduces the visual bulk and provides a cohesive design response.	The Design Verification Statement describes how the architectural form reduces the visual bulk and provides a cohesive design response.	Yes
Objective 2.1R-2	Provide in the Design Verification Statement how the roof design integrates harmoniously with the overall building form.	The Design Verification Statement describes how the roof design integrates harmoniously with the overall building form.	Yes
	Skylights and ventilation systems are integrated into the roof design.	Ventilation systems are integrated into the roof design.	Yes
2.1S Visual Appearance and Articulation			
Objective 2.1S-1	Provide in the Design Verification Statement a description as to how the aesthetics and articulation contribute to the character of the local area.	The Design Verification Statement describes how the aesthetics and articulation contribute to the character of the local area.	Yes
2.1U Energy Efficiency			
Objective 2.1U-1	Provide an outdoor area for clothes drying that can accommodate at least 16 lineal metres of clothes line for each dwelling.	This requirement is covered as a condition of consent.	Yes
	Any clothes drying area is screened from public and communal areas.	This requirement is covered as a condition of consent.	Yes
2.1V Water Management and Conservation			
Objectives **Objective 2.1V-1**	A stormwater system must: - Comply with requirements in the DCP that applies to the land. - Be approved (if required) under s.68 of the Local Government Act 1993.	Conditions shall be imposed to ensure that the stormwater is adequately managed.	Yes, subject to conditions.
	Detention tanks are to be located under paved areas, driveways or in basements.	OSD tanks are located underneath the alfresco's of each dwelling.	Yes
2.1W Waste Management			
Objective 2.1W-1	Provide storage space for the type and number of bins designated in council's waste policy.	Satisfactory.	Yes
Objective 2.1W-2	Storage areas for rubbish and recycling bins are to be provided: - Within garages; - In a screened enclosure that is part of the overall building design; or - In the basement car park.	Satisfactory.	Yes

DOCUMENTS ASSOCIATED WITH REPORT ELPP023/26

Attachment 7

Redacted Submissions



RECORDS **DEPARTMENT**
RECORDS DEPARTMENT

16 Memorial Avenue, PO Box 42 Merrylands NSW 2160
T
E council@cumberland.nsw.gov.au
W www.cumberland.nsw.gov.au

Sent: Friday, 24 April 2026 3:26 PM
To: Records Department <council@cumberland.nsw.gov.au>
Subject: Concerns about application No. DA2026/0014

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Dear Council team,

I am writing in relation to Development Application **DA2026/0014** for the property at 481 Woodville Road, Guildford.

I am a resident living in close proximity to the proposed development and would like to formally raise my concerns and objection.

Due to the immediate proximity of this project to our residence, the construction activities are expected to generate **significant levels of noise, dust, and ongoing disturbance** over an extended period of time. These impacts would directly affect our daily living conditions.

In particular:

1. Excessive construction noise from machinery, demolition, and ongoing works would severely disrupt our ability to rest, work, and maintain normal living conditions.

2. Dust and air pollution generated from site preparation and construction would pose a serious concern for health and wellbeing, especially in a residential area.

3. The scale and closeness of the development will make our home environment feel intrusive, stressful, and effectively uninhabitable during the construction phase.

Given these factors, I believe the proposed development, in its current form, does not adequately consider the impact on neighbouring residents and their right to reasonable amenity and liveability.

I respectfully request that Council carefully assess these impacts and reconsider the application or imposing strict conditions to significantly mitigate noise, dust, and construction-related disturbances.

Thank you for considering my submission.

Yours sincerely,

Disclaimer

Item No: ELPP024/26

DEVELOPMENT APPLICATION - 1-7 ELVINA STREET, GREYSTANES

Directorate: Environment and Planning
Responsible Officer: Acting Executive Manager City Planning and Development

Application lodged	29 April 2026.
Applicant	EDDRIM Pty Ltd.
Owner	Eddrim Pty Limited.
Application No.	DA2026/0298.
Description of Land	1-7 Elvina Street Greystanes being Lots 11 to 14 in DP 236829.
Proposed Development	Strata subdivision of the approved mixed use development into nine (9) lots.
Site Area	742.8 square metres.
Zoning	E1 Local Centre.
Disclosure of political donations and gifts	Nil disclosure.
Cost of works	$20,000.
Heritage	N/A - The subject site is not heritage listed or within a heritage conservation area.
Principal Development Standards	N/A.
Issues	“Nil”.

SUMMARY:

1. Development Application 2026/0298 was lodged on Monday 29 April 2026 for the strata subdivision of the approved mixed use development into nine (9) Strata title lots.

2. The application was not required to be publicly notified in accordance with the Cumberland Development Control Plan 2021.

3. The subject site is not listed as a heritage item or located within a heritage conservation area.

4. The application is referred to the Panel as the applicant of the proposal is a Councillor of Cumberland City Council and is a conflict of interest.

5. The application is recommended approval subject to the conditions as recommended in the Council’s assessment report.

REPORT:

Subject Site and Surrounding Area

The site forms Lots 11 to 14 in DP 236829 and is known as 1-7 Elvina Street, Greystanes. The site has an area of 742.8 square metres, has a frontage to Elvina Street of 27.63m, a secondary frontage to Gozo Road of 21.335m and a splay of 4.31m. The site has a fall of approximately 2m from the front to rear (north to south).

The subject site is currently vacant of buildings and contains a vehicular crossing with hardstand surfaces at the rear and construction fencing surrounding the site. Early site works have commenced and the site is fenced off from the public.

Council's mapping shows a Council easement along the southern side of the site and a Sydney Water pipeline alongside the southern boundary.

There are two shops situated to the east and dwelling houses to the east of that retail building.

There are two storey dwelling houses situated to the west but on the western side of Gozo Road. There is also a centre based childcare facility situated at 19 Gozo Road to the west but located on the western side of Gozo Road.

Development in the broader surrounding area mainly consists of low density residential developments and public recreation land.

The location of the site is shown below edged in purple.



Figure 1 - Aerial view of subject site (Source: Intramaps)

A photo of the site taken during a recent site inspection



Figure 2 - Street view of subject site (as seen from Elvina Street)

Description of The Development

Council has received a development application for strata subdivision of the approved mixed use development into nine (9) Strata title lots. The site area of each lot as shown on the submitted draft strata plans are as follows:

Proposed lot	Area
Lot 1	96sqm
Lot 2	123sqm
Lot 3	135sqm
Lot 4	135sqm
Lot 5	134sqm
Lot 6	137sqm
Lot 7	98sqm
Lot 8	69sqm
Lot 9	81sqm

The strata plan also shows common property garbage rooms, lift, carwash space, shared area, services and entry area.

The proposed strata subdivision does not physically alter the approved design of the mixed use development or their relationship with neighbouring and nearby properties.

The strata plan submitted is consistent with the latest consent granted by Council. Additionally, conditions have been imposed as recommended by Council's Development Engineer requiring ongoing strict compliance with the latest development consent.

History

- DA2012/315/1 - Deferred commencement consent for the construction of a part 2; part 3 storey mixed use development above basement car parking containing 2 x retail units and 1x1 bedroom and 6x2 bedroom residential units under State Environmental Planning Policy (Affordable Rental Housing) 2009 was granted "Deferred commencement consent" by the Land and Environment Court following a hearing on Friday 10 July 2015 subject to conditions.

- The operational consent was granted by Council on Friday 7 July 2017.

It is identified through Council records, that the subject development consent has been taken up and has not lapsed following preliminary works that have already been undertaken across the site.

Applicants Supporting Statement

The applicant has provided a Statement of Environmental Effects which was received by Council on Monday 29 April 2026 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

Development Engineering

The development application was referred to Council's Development Engineer for comment who has advised that the development proposal is satisfactory and therefore can be supported subject to recommended conditions of consent.

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:

State Environmental Planning Policies (SEPPs)	Relevant Clause(s)	Compliance with Requirements
• **State Environmental Planning Policy**	Chapter 6 -	It is determined that given the location of the site / development, a

(Biodiversity and Conservation) 2021.	Water Catchments. Sydney Harbour Catchment.	detailed assessment is not required given that there is no direct impact upon the catchment and no direct impact upon watercourses. As such, the development is acceptable under this provision.
• **State Environmental Planning Policy (Resilience and Hazards) 2021.**	Chapter 4 - Remediation of Land. Part 4.6.	Part 4.6 - Contamination and remediation to be considered in determining development application. <u>Comments</u> No physical works are proposed by this development application, and it is noted that the use as approved will remain unchanged. Therefore, no assessment against the contamination provision of the SEPP is warranted in this case. As such, it is considered that the development application is satisfactory under Part 4.6 of Chapter 4 of the State Policy.

<u>Local Environmental Plans</u>

<u>Cumberland Local Environmental Plan 2021</u>

The provision of the Cumberland Local Environmental Plan 2021 is applicable to the development proposal. It is noted that the development achieves compliance with the key statutory requirements of the Cumberland Local Environmental Plan 2021 and the objectives of the E1 Local Centre zone.

(a) Permissibility:

The proposed development is defined as a subdivision. Clause 2.6 of the Cumberland Local Environmental Plan 2021 permits a subdivision with consent.

The relevant matters to be considered under the Cumberland Local Environmental Plan 2021 and the applicable clauses for the proposed development are contained below.

DEVELOPMENT STANDARD	COMPLIANCE	DISCUSSION
Height 11 metres.	N/A	No change on the approval granted being 9.35 metres.
Floor space ratio 1.0:1.	N/A	No change on the approval granted being 1.25:1.

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

Council has received a Gateway Determination from the Department of Planning, Housing and Infrastructure for the Draft Woodville Road Corridor Planning Proposal. As part of this approval, public exhibition of the Draft Woodville Road Corridor Planning Proposal has commenced. The public exhibition was carried out between Tuesday 4 March 2025 and Thursday 17 April 2025.

The Draft Planning Proposal seeks to revitalise Woodville Road by amending planning controls in the Cumberland Local Environmental Plan (CLEP) 2021 for 31 sites located around the three (3) precincts of Woodville North, Merrylands East and Woodville South.

The subject application was received on Monday 29 April 2026 and the site does not fall within the Draft Woodville Road Corridor. Therefore, no further consideration is required.

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

The Cumberland Development Control Plan 2021 is applicable to the development application. For Strata subdivision, the provisions will have limited applicability. The relevant provisions are considered below:

Part A General Controls (Part A2 - Subdivision)

Part A2 (Subpart 2.4, C4 and C6) of the CDCP is the primary control of relevance to the proposal and is reproduced below:

	Comment
C4. The community title or strata title subdivision of a residential flat building shall be in accordance with the approved development application plans, particularly in regard to the allocation of private open space, communal open space and car parking spaces.	The proposed strata plan is compliant with Control C1. The submitted strata plans are consistent with the plans approved under DA2012/315/1. Council's Development Engineer has reviewed the proposed development and raised no objections in terms of car parking or loading.
C6. Council will allow the strata subdivision of residential flat buildings subject to compliance with all other related controls contained in this DCP.	The strata plans are consistent with the approval for the subject building and thus is supported by Council officers.

The proposal is therefore considered to be compliant with the CDCP subject to compliance with the recommended conditions of consent. See Appendix A for the full Cumberland Development Control Plan 2021 assessment table.

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)(iiia))

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 Regulation 2021 (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 (Website) ☐ Mail ☐ Sign ☐ Not Required ☒

In accordance with Council's Notification requirements contained within the Cumberland Development Control Plan 2021, the development application was not required to be publicly notified and no submissions are received

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.

CUMBERLAND LOCAL INFRASTRUCTURE CONTRIBUTIONS PLAN

The development would not require the payment of contributions in accordance with Cumberland Local Infrastructure Contributions Plan as confirmed by Council's Senior Contributions Advisor.

HOUSING AND PRODUCTIVITY OF CONTRIBUTION (HPC)

In accordance with Schedule 2 of the HPC Order 2024, the proposed development is exempt from the HPC as the development relates only to strata subdivision.

DISCLOSURE OF POLITICAL DONATIONS AND GIFTS

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

CONCLUSION:

The development application has been assessed in accordance with the relevant requirements of the Environmental Planning and Assessment Act 1979, Cumberland Local Environmental Plan 2021 and Cumberland DCP 2021 and is considered to be satisfactory for approval subject to conditions.

CONSULTATION:

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

FINANCIAL IMPLICATIONS:

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

POLICY IMPLICATIONS:

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

COMMUNICATION / PUBLICATIONS:

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

REPORT RECOMMENDATION:

That Development Application 2026/0298 for strata subdivision of the approved mixed use development into nine (9) lots on land at 1-7 Elvina Street Greystanes be approved subject to the conditions listed in the attached schedule.

ATTACHMENTS

1. Draft Notice of Determination ⇩
2. Strata Subdivision Plans ⇩
3. Appendix A - Cumberland LEP 2021 Assessment ⇩
4. Appendix B - Cumberland DCP 2021 Assessment ⇩
5. DA2012/315/1 - Stamped Architectural Plans ⇩

DOCUMENTS ASSOCIATED WITH REPORT ELPP024/26

Attachment 1

Draft Notice of Determination

CUMBERLAND CITY COUNCIL

DEVELOPMENT APPLICATION
DRAFT CONDITIONS OF CONSENT

Under the *Environmental Planning and Assessment Act, 1979*

Application No:	DA2026/0298
Applicant:	EDDRIM PTY LTD 11 Daniel Street Greystanes.
Property Description:	1-7 Elvina Street Greystanes. Lots 11 to 14 in DP 236829.
Development:	Strata subdivision of the approved mixed use development into nine (9) Strata Title lots.
Determined by:	Cumberland Local Planning Panel.

CONDITIONS OF CONSENT

General Conditions

1. **DAGCA01- General**
This consent shall lapse five years after the date from which it operates unless building, engineering or construction work has physically commenced.

(Reason: Advisory)

2. **DAGCA02 - Approved Plans and Supporting Documents**
The development must be carried out in accordance with the following endorsed plans and documents, except as otherwise provided by the conditions of this consent.

Reference/Dwg No	*Title/Description*	*Prepared By*	*Date/s*
Reference No. 15028 SP Sheets 1 to 4.	Plan of Subdivision of Lot 1 in DP 1326652	Zeimowit Tomasz Wierzchowski	27 March 2026

(Reason: To confirm and clarify the details of the approval)

3. **DAGCF03 - Reciprocal Right of Carriageway**
A reciprocal right of carriageway for vehicular access shall be registered on the title of proposed lots as part of the subdivision certificate.

(Reason: To ensure safe, satisfactory and legal rights of access for occupants)

Conditions Which Must be Satisfied Prior to the Issue of a Subdivision Certificate.

4. **DASCA04 - Application for Subdivision Certificate**
An application for a Subdivision Certificate must be lodged with Council.

Note: In accordance with s.6.5(3) of the Environmental Planning and Assessment Act 1979, a certifier that issues a Subdivision Certificate must be Council unless an environmental planning instrument permits a registered certifier to issue a certificate.

(Reason: To comply with statutory requirements)

5. **DASCA05 - Section 73 Compliance Certificate from Sydney Water**
A section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained prior to the issue of the Subdivision Certificate confirming satisfactory arrangements have been made for the provision of water and sewer services. An application must be made through Sydney Water or an

authorised Water Servicing Coordinator (WSC). Please refer to Sydney Water's website to learn more about applying through an authorised WSC or Sydney Water.

(Reason: To meet Sydney Water's requirements to adequately service the new development)

6. **DASCB02 - Easement for Services**
As part of the subdivision, an easement for services is to be created. All costs associated with the creation and carrying out works within the easement/s shall be borne by the applicant.

(Reason: To ensure the site can be serviced)

7. **DASCB04 - Easements - Subdivision**
Prior to the issue of a Subdivision Certificate, easements must be created over the following:
a) the alignment of inter allotment drainage lines.
b) the area required for on-site detention.
c) rights of carriageway within relevant allotment(s).

The easements and terms thereof must be created under the provisions of s.88B of the Conveyancing Act, 1919.

(Reason: To facilitate access to shared service areas)

8. **DASCZ01 – As-built (as constructed) plan of building floors**
The final plan of subdivision shall conform to the subdivision plan approved as a part of this development consent and shall be lodged with council for endorsement before registration with NSW Land and Registry Services (LRS).

(Reason: To ensure the Linen plans are in accordance with the approved subdivision plan as a part of the development consent)

9. **DASCZ02 – Strata Subdivision plan**
An application of Strata Subdivision certificate shall be accompanied with the copy of the architectural plan of the floor/cross-section, annotated with the "As constructed" floor level for the area where the stratum lot changes, and certified by the registered surveyor. The final Stratum subdivision plan shall be based on the "As-constructed" levels of the areas shown on the "As-constructed" plan.

(Reason: To ensure the Final Stratum Subdivision plans are consistent with the as built levels of the structures)

10. **DASCZ03 - Subdivision plan to conform to Development consent**
Final plan of subdivision shall conform to Council's Development Consent No. DA2012/315/1 as approved by the Land and Environment Court, subsequent approved S4.55 modification consents and associated approved Concept plan of strata subdivision as a part of this development consent.

(Reason: To ensure the Linen plans are in accordance with the approved subdivision plan as a part of the development consent.)

Conditions Which Must be Satisfied During the Ongoing Use of the Development

11. **DAOUE01 - Registration of Final Plan**
Upon issue of a Subdivision Certificate, the final plan of subdivision must be registered with the NSW Land Registry Services.

(Reason: To give effect to the subdivision)

12. **DAOUE02 - Visitor Parking Restriction**
Visitor parking spaces must not be allocated, sold or leased to an owner, occupier or any other person or entity. In any strata subdivision, visitor parking spaces must be retained within the common property.

(Reason: Compliance)

Advisory Notes

13. DAANN08 - Process for Modification

The plans and/or conditions of this Consent are binding and may only be modified upon approval of an application under s.4.55 or 4.56 of the *Environmental Planning and Assessment Act, 1979*. A modification application shall be accompanied by the appropriate fee, application form and required information. You are not to commence any action, works or the like on the requested modification unless and until a modified consent is issued.

14. DAANN09 - Review of Determination

In accordance with the provisions of section 8.2 of the *Environmental Planning and Assessment Act 1979*, you can request a review of a determination not relating to a complying development certificate, application for designated development or application for Crown development. A review application may not be determined after the period within which any appeal may be made to the Court if no appeal was made. To determine a review application within that time limit, the application must be submitted well in advance of the appeal right timeframe. A fee as per Council's current Pricing Policy, Fees and Charges, is payable for a review application.

15. DAANN10 - Right of Appeal

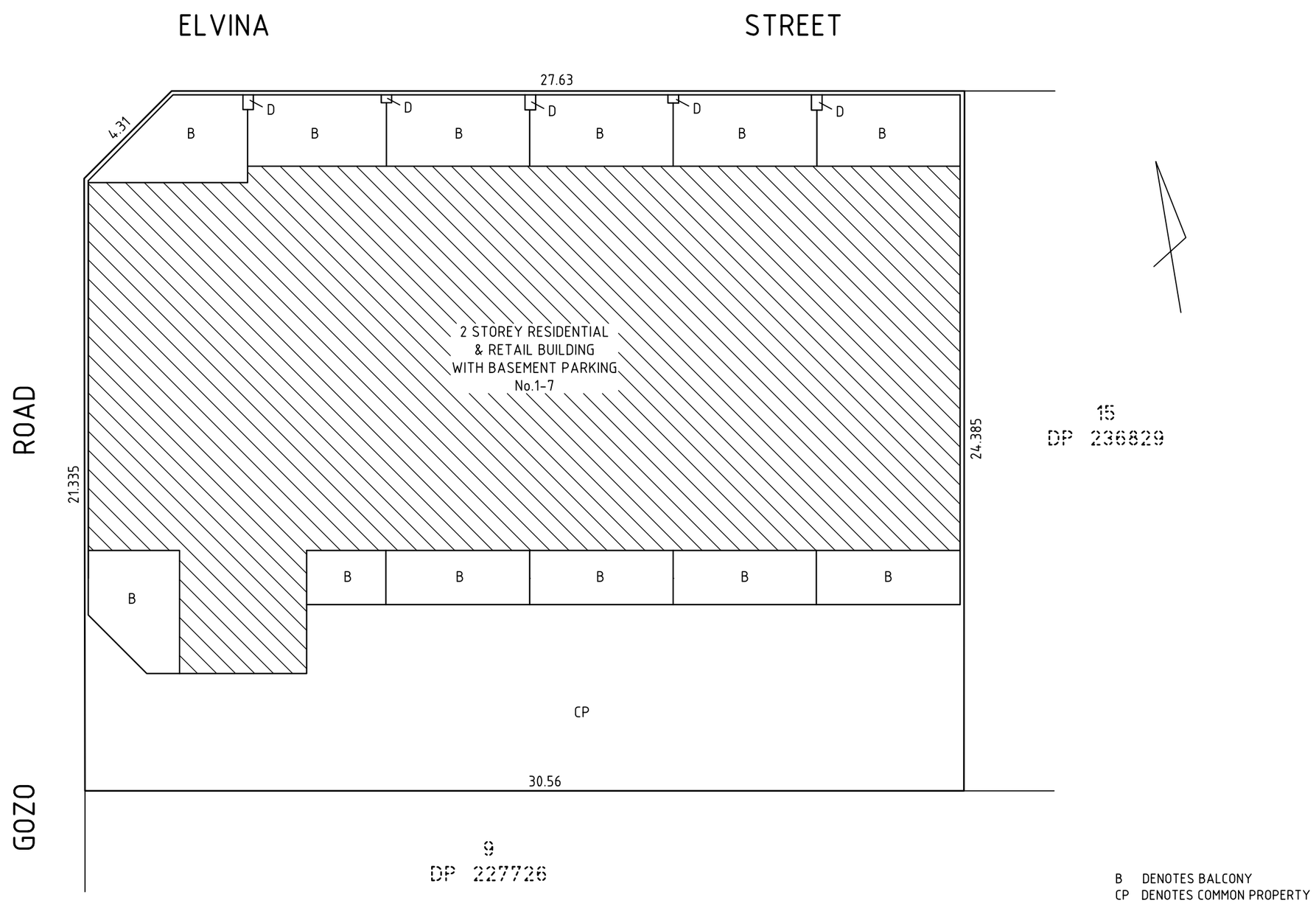
Section 8.7 and 8.10 of the *Environmental Planning and Assessment Act 1979*, gives the applicant the right of appeal to the Land and Environment Court within six months after the date the decision appealed against is notified or registered on the NSW Planning Portal.

DOCUMENTS ASSOCIATED WITH REPORT ELPP024/26

Attachment 2

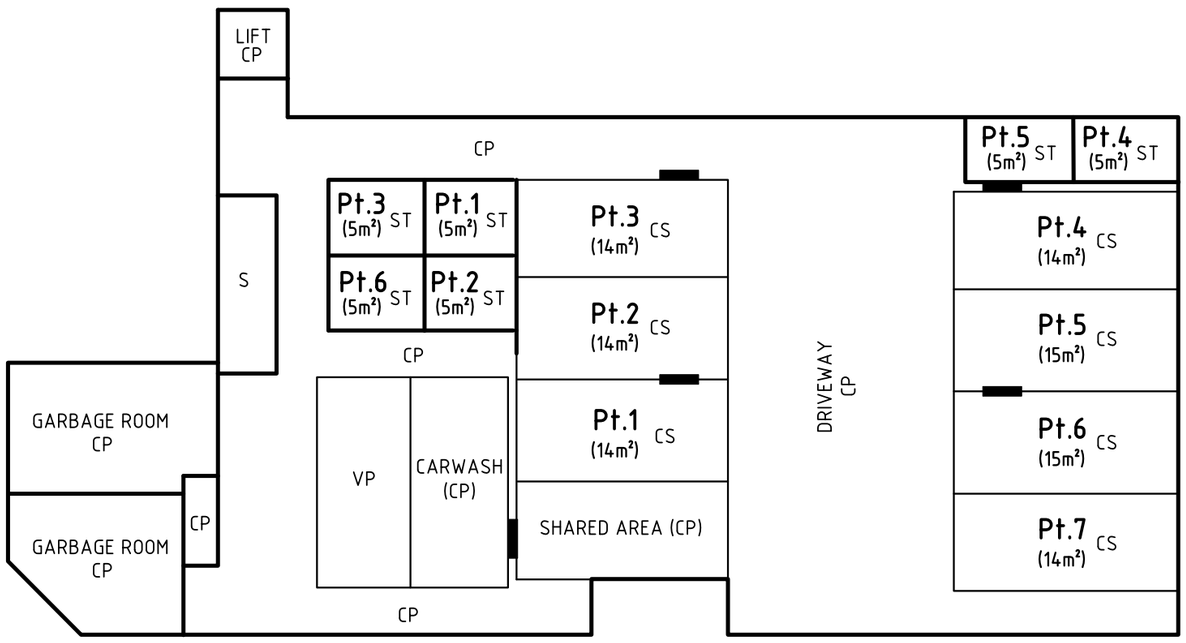
Strata Subdivision Plans

LOCATION PLAN



B DENOTES BALCONY
CP DENOTES COMMON PROPERTY
D DENOTES DUCT (CP)

Surveyor: **Ziemowit Tomasz Wierzchowski** Date of Survey: **27th March 2026** Surveyor's Ref: **261016 SP–01**	PLAN OF SUBDIVISION OF LOT 1 IN DP 1326652	L.G.A.: **CUMBERLAND** Locality: **GREYSTANES** Subdivision No: Lengths are in metres. Reduction Ratio 1:150	Registered	SP DRAFT



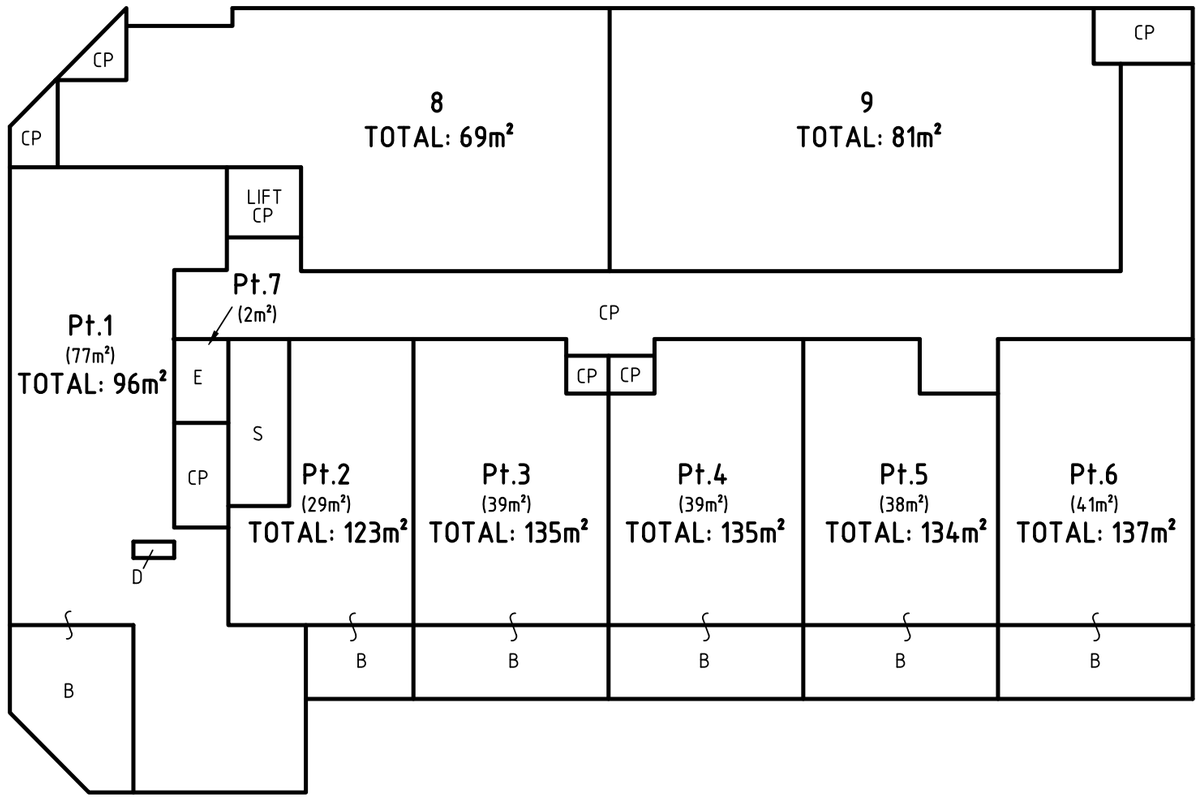
BASEMENT FLOOR PLAN

NOTES:

1. THE STRATUM OF CARSPACE IS LIMITED TO THE UNDERSIDE OF THEIR RESPECTIVE TILED FLOOR OVER
2. ANY SERVICE LINE WITHIN ONE LOT SERVICING ANY OTHER LOT IS COMMON PROPERTY, NOT ALL SERVICE DUCTS ARE SHOWN, FOR CLARITY
3. AREAS ARE APPROXIMATE AND FOR THE PURPOSES OF STRATA SCHEMES DEVELOPMENT ACT 2015

CP DENOTES COMMON PROPERTY
CS DENOTES CARSPACE
S DENOTES STAIRS (CP)
ST DENOTES STORAGE
VP DENOTES VISITOR PARKING (CP)

Surveyor: **Ziemowit Tomasz Wierzchowski** Date of Survey: **27th March 2026** Surveyor's Ref: **261016 SP–01**	PLAN OF SUBDIVISION OF LOT 1 IN DP 1326652	L.G.A.: **CUMBERLAND** Locality: **GREYSTANES** Subdivision No: Lengths are in metres. Reduction Ratio 1:150	Registered	SP DRAFT



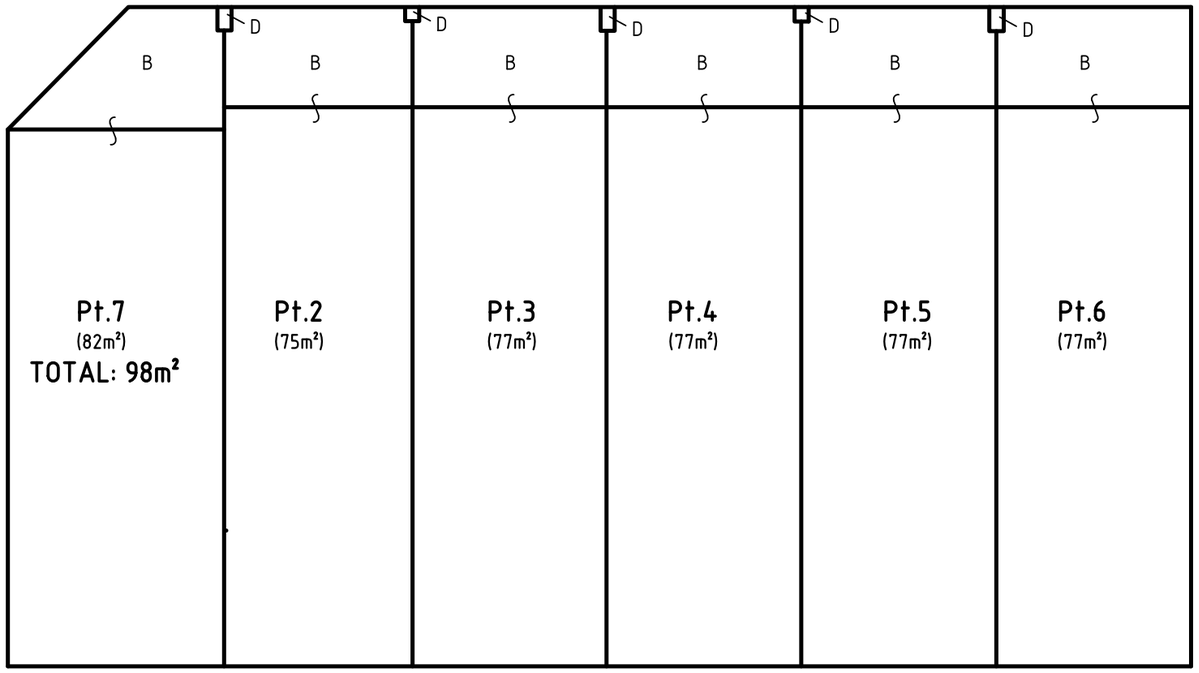
GROUND FLOOR PLAN

NOTES:

1. THE STRATUM OF BALCONIES IS LIMITED TO 3 ABOVE THE UPPER SURFACE OF THEIR RESPECTIVE TILED FLOOR EXCEPT WHERE COVERED WITHIN THIS LIMIT
2. ANY SERVICE LINE WITHIN ONE LOT SERVICING ANY OTHER LOT IS COMMON PROPERTY, NOT ALL SERVICE DUCTS ARE SHOWN, FOR CLARITY
3. AREAS ARE APPROXIMATE AND FOR THE PURPOSES OF STRATA SCHEMES DEVELOPMENT ACT 2015

B DENOTES BALCONY
CP DENOTES COMMON PROPERTY
D DENOTES DUCT (CP)
E DENOTES ENTRY
S DENOTES STAIRS (CP)

Surveyor: **Ziemowit Tomasz Wierzchowski** Date of Survey: **27th March 2026** Surveyor's Ref: **261016 SP–01**	PLAN OF SUBDIVISION OF LOT 1 IN DP 1326652	L.G.A.: **CUMBERLAND** Locality: **GREYSTANES** Subdivision No: Lengths are in metres. Reduction Ratio 1:150	Registered	SP DRAFT



FIRST FLOOR PLAN

NOTES:

1. THE STRATUM OF BALCONIES IS LIMITED TO 3 ABOVE THE UPPER SURFACE OF THEIR RESPECTIVE TILED FLOOR EXCEPT WHERE COVERED WITHIN THIS LIMIT
2. ANY SERVICE LINE WITHIN ONE LOT SERVICING ANY OTHER LOT IS COMMON PROPERTY, NOT ALL SERVICE DUCTS ARE SHOWN, FOR CLARITY
3. AREAS ARE APPROXIMATE AND FOR THE PURPOSES OF STRATA SCHEMES DEVELOPMENT ACT 2015

B DENOTES BALCONY
CP DENOTES COMMON PROPERTY
D DENOTES DUCT (CP)
V DENOTES VOID

Surveyor: **Ziemowit Tomasz Wierzchowski** Date of Survey: **27th March 2026** Surveyor's Ref: **261016 SP–01**	PLAN OF SUBDIVISION OF LOT 1 IN DP 1326652	L.G.A.: **CUMBERLAND** Locality: **GREYSTANES** Subdivision No: Lengths are in metres. Reduction Ratio 1:150	Registered	SP DRAFT

DOCUMENTS ASSOCIATED WITH REPORT ELPP024/26

Attachment 3

Appendix A - Cumberland LEP 2021 Assessment

ATTACHMENT A – Cumberland LEP 2021 Analysis

Cumberland Local Environmental Plan 2021 (CLEP)	
Is the development consistent with the aims of the LEP?	Yes.
Is the development consistent with the Zone objectives?	Yes. Only strata subdivision is proposed which does not cause any contravention of the objectives of the E1 Local Centre zone.
Permissibility	Subdivision is identified as being permissible with consent within the E1 Local Centre zone. The form of subdivision being Strata is consistent with Clause 2.6 of the Cumberland Local Environmental Plan 2021. Clause 4.1 also addresses subdivision but this is not relevant to the development application and no assessment is made.
Heritage	N/A – The subject site does not contain a heritage item, is not in proximity to a heritage item and is not located within a heritage conservation zone.
Acid Sulphate Soils	N/A – Not mapped as containing acid sulphate soils.
Earthworks	N/A – No works are proposed.
Essential Services	N/A – The site is already serviced.
Biodiversity	N/A.
Riparian land and watercourses	N/A.

DOCUMENTS ASSOCIATED WITH REPORT ELPP024/26

Attachment 4

Appendix B - Cumberland DCP 2021 Assessment

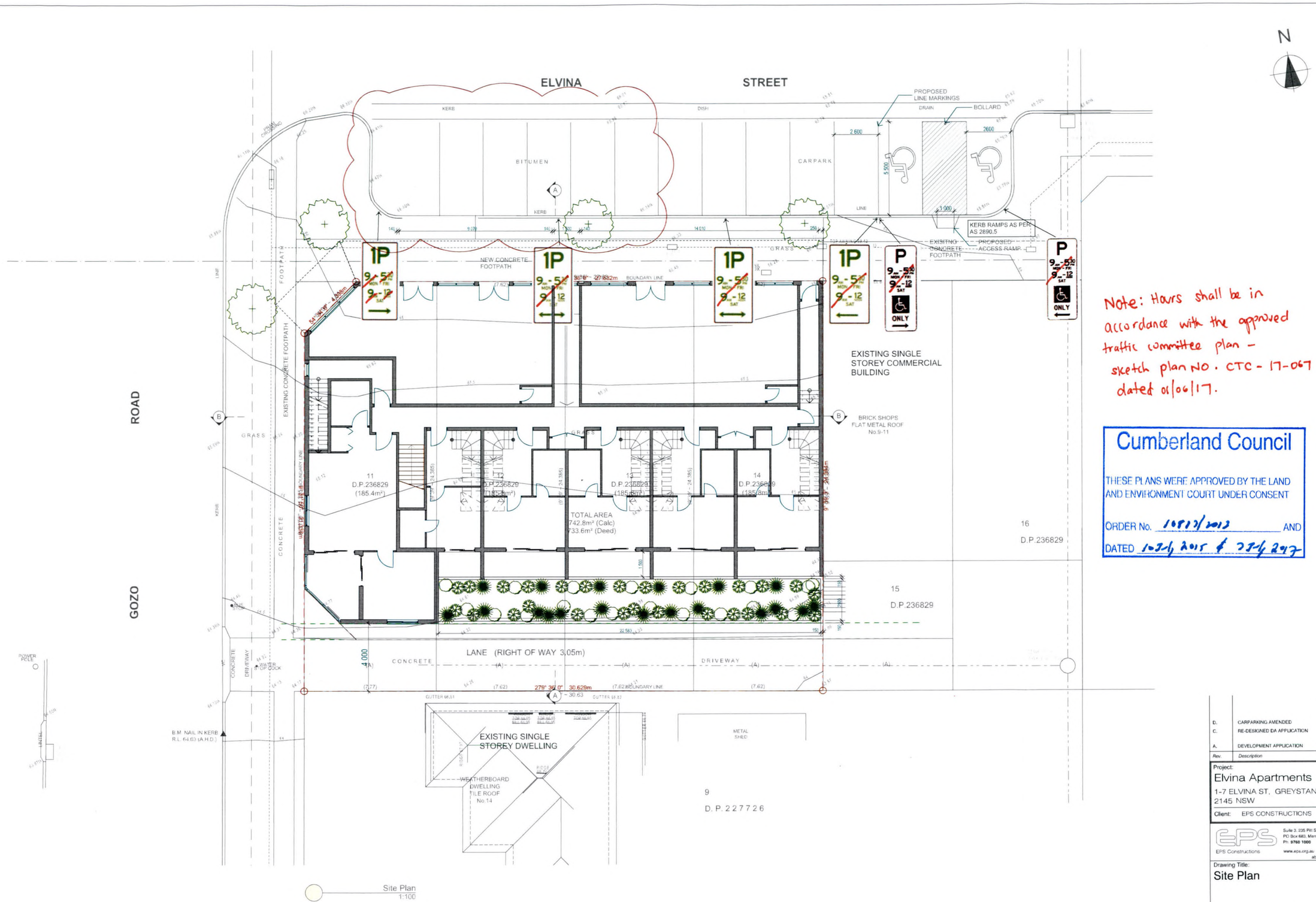
ATTACHMENT A – Cumberland DCP 2021 Analysis
Part A2 Subdivision

Relevant Control		Compliance with Requirements	Consistency Objectives
Part A – Introduction and General Controls			
Part A2 – Subdivision			
2.1 Design and landscaping for subdivision	C1. In determining the suitability or otherwise of any subdivision application, consideration of the following matters will be taken into account: • slope and orientation of land; • opportunities for solar and daylight access to future development; • design of roads, access ways and individual site access; • retention of special qualities or features of a site, such as trees and views; • availability of utilities; • evacuation controls; • provision of adequate site drainage; and • provision of public open space.	Yes – The proposed strata subdivision layout reflects the approved building design.	Yes
2.2 Services	C1. Easements required by Council for the purpose of subdivision may include those necessary for utility services. The width of the easement is to be determined by the service authority.	Yes – No changes to the existing stormwater drainage system are proposed. Council's Development Engineer has reviewed the proposed development and raised no objections, subject to conditions. The site has access to all required services as existing and no changes to these services are proposed.	Yes
2.4 Residential flat buildings, multi dwelling development and mixed use development	C4. The community title or strata title subdivision of a residential flat building shall be in accordance with the approved development application plans, particularly in regard to the allocation of private open space, communal open space and car parking spaces.	The proposed strata plan is considered to be compliant with C4 as all lots are in accordance with the approved development application being DA2012/315/1. Council's Engineer has reviewed the proposed development and raised no objections subject to conditions. The proposal is therefore considered to be compliant with the CDCP subject to compliance with the recommended conditions of consent. The proposed strata plan by the applicant in is considered to be fair and reasonable and as such, is considered to be compliant with the intent of C4.	Yes

DOCUMENTS ASSOCIATED WITH REPORT ELPP024/26

Attachment 5

DA2012/315/1 - Stamped Architectural Plans



Note: Hours shall be in accordance with the approved traffic committee plan – sketch plan NO. CTC - 17-067 dated 01/06/17.

Cumberland Council

THESE PLANS WERE APPROVED BY THE LAND AND ENVIRONMENT COURT UNDER CONSENT

ORDER No. 10823/2015 AND

DATED 10/4/2015 & 7/4/2017

Rev.	Description	Date
D.	CARPARKING AMENDED	25/05/17
C.	RE-DESIGNED DA APPLICATION	13/10/14
A.	DEVELOPMENT APPLICATION	10/05/12

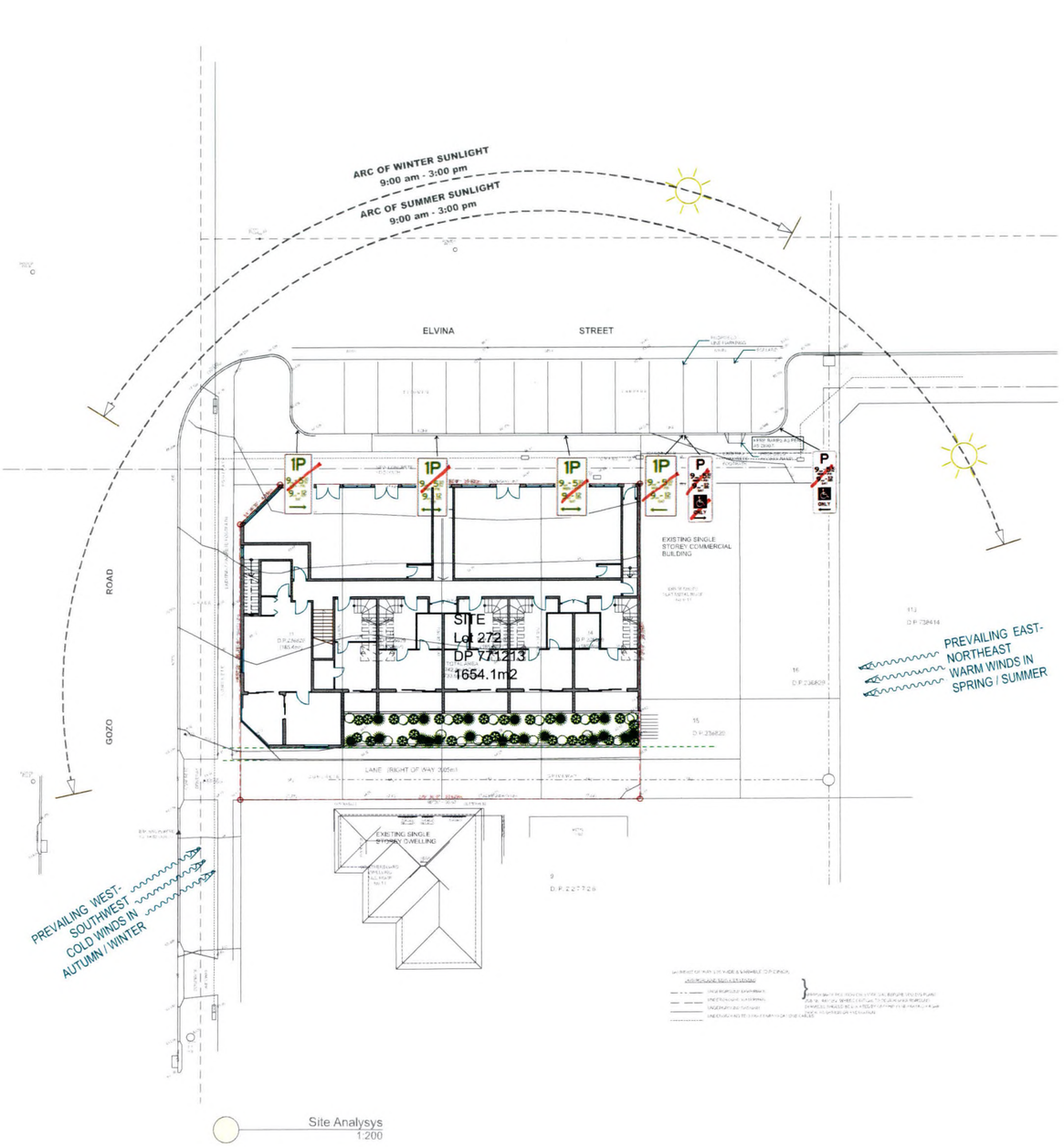
Project:
Elvina Apartments
1-7 ELVINA ST, GREYSTANES
2145 NSW

Client: EPS CONSTRUCTIONS

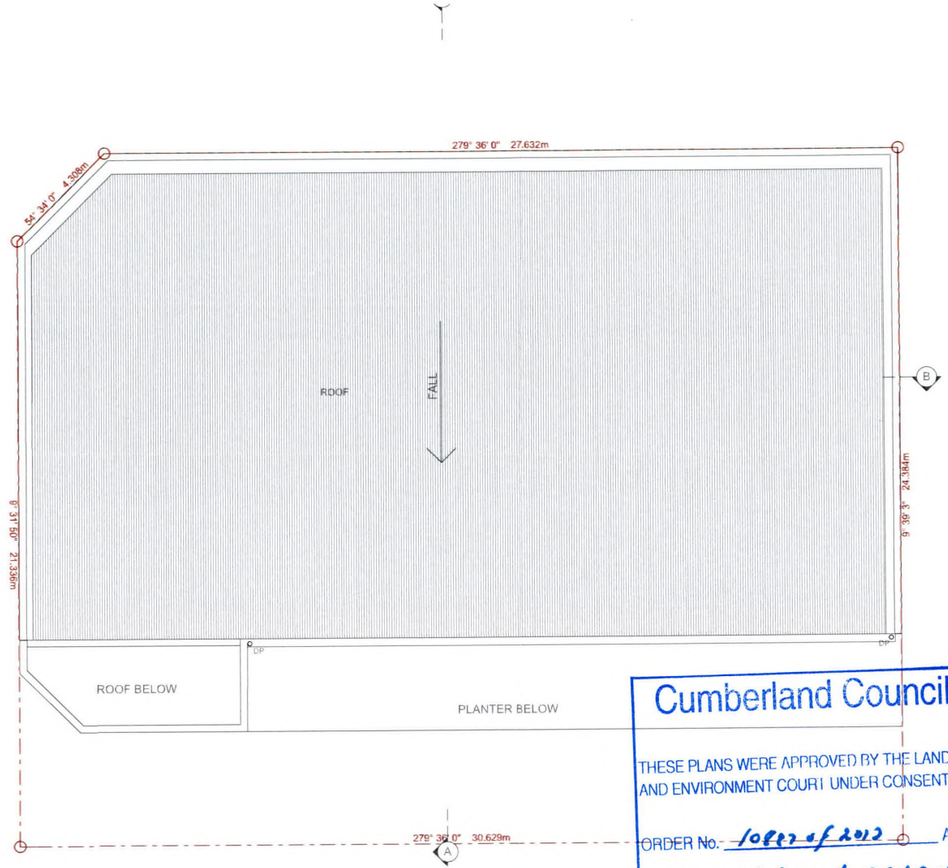
EPS Constructions
Suite 3, 235 Pitt St Merrylands 2160
PO Box 683, Merrylands NSW 2160
Ph: 9760 1000 Fx: 9760 1111
www.eps.org.au info@eps.org.au
abn: 17 120 044 617

Drawing Title:
Site Plan

Status: DA
Designer: EPS
Scale: as noted
Date: NOV 2011
Drawing No.: DA01 Rev D
Job No: 28039
Plot Date: 30/05/2017



Site Analysys
1:200



Roof Plan
1:100

Cumberland Council

THESE PLANS WERE APPROVED BY THE LAND AND ENVIRONMENT COURT UNDER CONSENT

ORDER No. 10882 of 2012 AND

DATED 10/4/2013 & 22/4/2013

Note: Hours shall be in accordance with approved traffic committee plan sketch plan no. CTC-17-067 dated 01/06/17

Rev.	Description	Date
A.	DEVELOPMENT APPLICATION	10/05/12

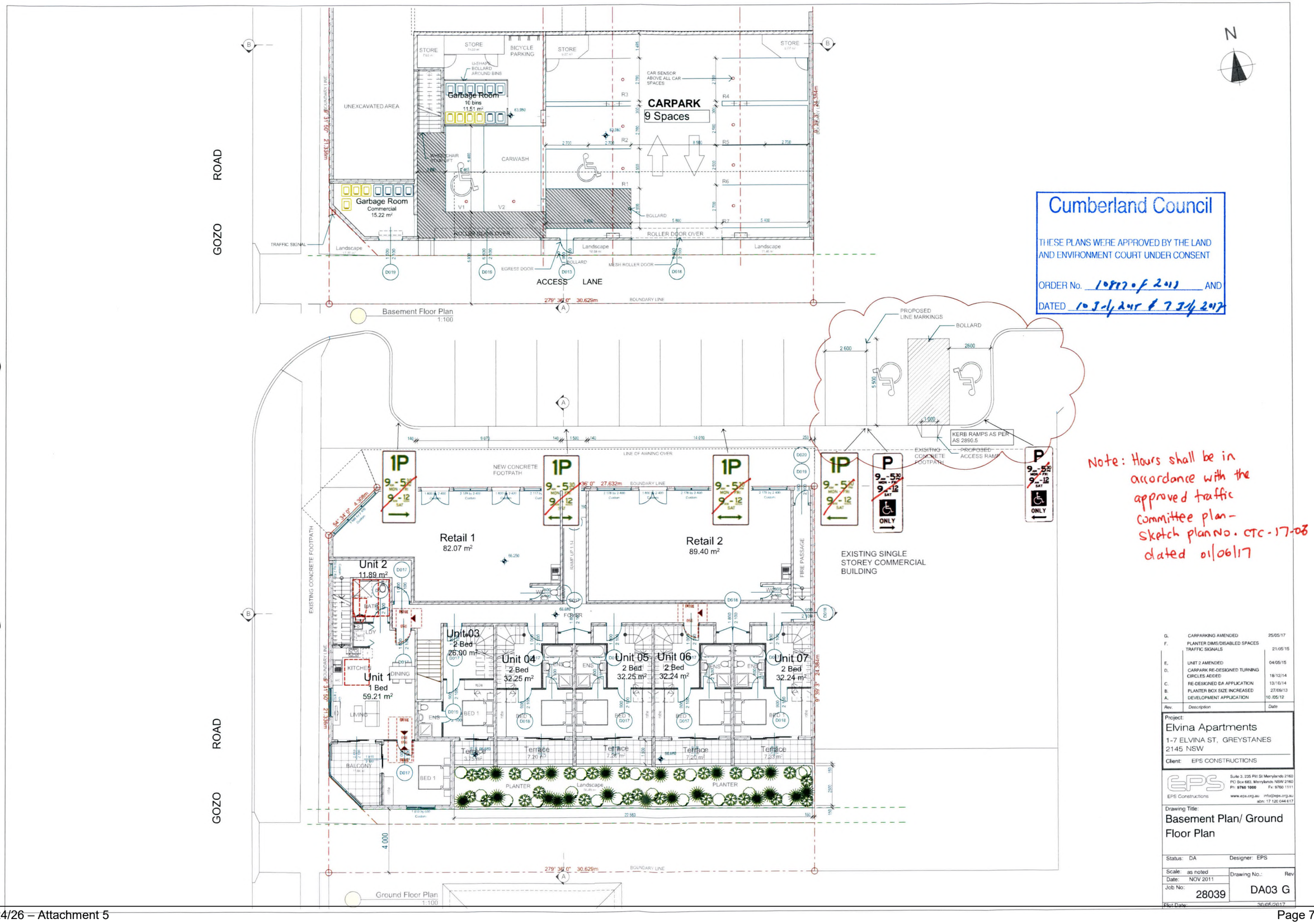
Project:
Elvina Apartments
1-7 ELVINA ST, GREYSTANES
2145 NSW

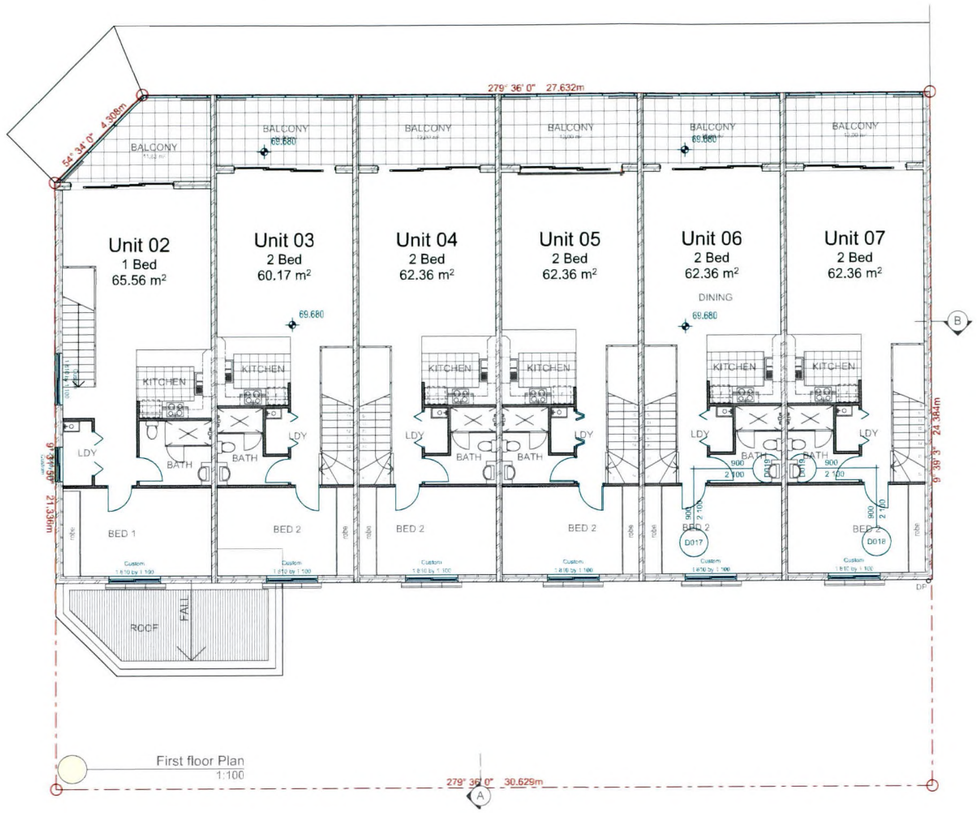
Client: EPS CONSTRUCTIONS

EPS Constructions
Suite 3, 235 Pitt St Merrylands 2160
PO Box 683, Merrylands NSW 2160
Ph: 9760 1000 Fx: 9760 1111
www.eps.org.au info@eps.org.au
abn: 17 120 044 617

Drawing Title:
Site Analysis / Roof Plan

Status: DA
Designer: EPS
Scale: as noted
Date: NOV 2011
Job No: 28039
Drawing No.: DA02 C
Rev
Plot Date: 30/05/2017


N
GOZO ROAD
UNEXCAVATED AREA
STORE
BICYCLE PARKING
Garbage Room
10 bins
11.51 m²
CARPARK
9 Spaces
CAR SENSOR ABOVE ALL CAR SPACES
CARWASH
Garbage Room
Commercial
15.22 m²
ROLLER DOOR OVER
TRAFFIC SIGNAL
Landscape
EGRESS DOOR
MESH ROLLER DOOR
ACCESS LANE
BOUNDARY LINE
Basement Floor Plan
1:100
PROPOSED LINE MARKINGS
BOLLARD
KERB RAMPS AS PER AS 2890.5
EXISTING CONCRETE FOOTPATH
PROPOSED ACCESS RAMP
NEW CONCRETE FOOTPATH
LINE OF AWNING OVER
Retail 1
82.07 m²
Retail 2
89.40 m²
FIRE PASSAGE
EXISTING SINGLE STOREY COMMERCIAL BUILDING
Unit 2
11.89 m²
Unit 1
1 Bed
59.21 m²
Unit 03
2 Bed
26.00 m²
Unit 04
2 Bed
32.25 m²
Unit 05
2 Bed
32.25 m²
Unit 06
2 Bed
32.24 m²
Unit 07
2 Bed
32.24 m²
Terrace
PLANTER
Landscape
Ground Floor Plan
1:100
Cumberland Council
THESE PLANS WERE APPROVED BY THE LAND AND ENVIRONMENT COURT UNDER CONSENT
ORDER No. 10887 of 2013 AND
DATED 10 July 2015 & 7 July 2017
Note: Hours shall be in accordance with the approved traffic committee plan - sketch plan No. CTC-17-08 dated 01/06/17
G. CARPARKING AMENDED 25/05/17
F. PLANTER DIMS/DISABLED SPACES TRAFFIC SIGNALS 21/05/15
E. UNIT 2 AMENDED 04/05/15
D. CARPARK RE-DESIGNED TURNING CIRCLES ADDED 18/12/14
C. RE-DESIGNED DA APPLICATION 13/10/14
B. PLANTER BOX SIZE INCREASED 27/09/13
A. DEVELOPMENT APPLICATION 10 /05/12
Rev. Description Date
Project:
Elvina Apartments
1-7 ELVINA ST, GREYSTANES
2145 NSW
Client: EPS CONSTRUCTIONS
EPS Constructions
Suite 3, 235 Pitt St Merrylands 2160
PO Box 683, Merrylands NSW 2160
Ph: 9760 1000 Fx: 9760 1111
www.eps.org.au info@eps.org.au
abn: 17 120 044 617
Drawing Title:
Basement Plan/ Ground Floor Plan
Status: DA
Designer: EPS
Scale: as noted
Date: NOV 2011
Job No: 28039
Drawing No.: DA03 G
Rev
Plot Date: 30/05/2017



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Cumberland Council

THESE PLANS WERE APPROVED BY THE LAND AND ENVIRONMENT COURT UNDER CONSENT

ORDER No. 10893 of 2015 AND

DATED 10/11/2015 & 7/11/2017

Rev.	Description	Date
D.	UNIT 2 AMENDED	04/05/15
C.	RE-DESIGNED DA APPLICATION	13/10/14
A.	DEVELOPMENT APPLICATION	10 /05/12

Project:
Elvina Apartments
1-7 ELVINA ST, GREYSTANES
2145 NSW

Client: EPS CONSTRUCTIONS

EPS Constructions
Suite 3, 235 Pitt St Merrylands 2160
PO Box 683, Merrylands NSW 2160
Ph: 9760 1000 Fx: 9760 1111
www.eps.org.au info@eps.org.au
abn: 17 120 044 617

Drawing Title:
First Floor / Second Floor Plan

Status: DA
Designer: EPS
Scale: as noted
Date: NOV 2011
Job No: 28039
Drawing No.: DA04
Rev: D
Plot Date: 30/05/2012



North Elevation
1:100



South Elevation
1:100

Cumberland Council
THESE PLANS WERE APPROVED BY THE LAND AND ENVIRONMENT COURT UNDER CONSENT
ORDER No. 10851 of 2017 AND
DATED 10 July 2018 of 7 July 2017

Rev.	Description	Date
D.	UNIT 2 AMENDED	04/05/15
C.	RE-DESIGNED DA APPLICATION	13/10/14
B.	PLANTER BOX SIZE INCREASED	27/09/13
A.	DEVELOPMENT APPLICATION	10 /05/12

Project:
Elvina Apartments
1-7 ELVINA ST, GREYSTANES
2145 NSW

Client: EPS CONSTRUCTIONS

EPS Constructions
Suite 3, 235 Pitt St Merrylands 2160
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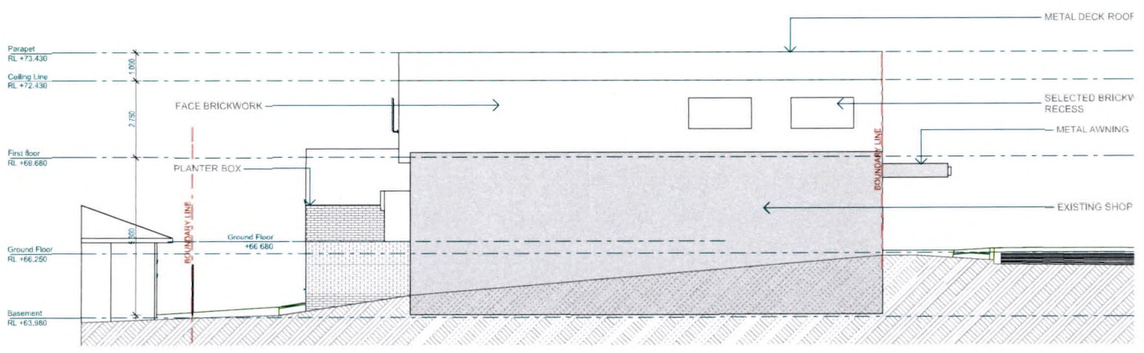
Ph: 9760 1000 Fx: 9760 1111
www.eps.org.au info@eps.org.au
abn: 17 120 044 617

Drawing Title:
North & South Elevations

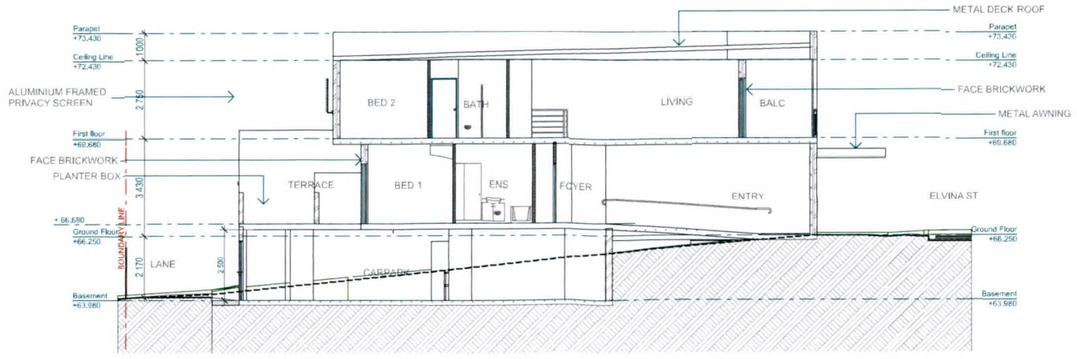
Status: DA
Designer: EPS
Scale: as noted
Date: NOV 2011
Job No: 28039
Drawing No.: DA05 D
Rev
Plot Date: 30/05/2017



West Elevation
1:100



East Elevation
1:100



Section AA
1:100

Cumberland Council

THESE PLANS WERE APPROVED BY THE LAND AND ENVIRONMENT COURT UNDER CONSENT

ORDER No. 10887 of 2013 AND

DATED 10 Jul 2015 & 23 Jul 2017

Rev.	Description	Date
E.	SUNSCREEN DETAIL ADDED	21/05/15
D.	UNIT 2 AMENDED	04/05/15
C.	RE-DESIGNED DA APPLICATION	13/10/14
B.	PLANTER BOX SIZE INCREASED	27/09/13
A.	DEVELOPMENT APPLICATION	10 /05/12

Project:
Elvina Apartments
1-7 ELVINA ST, GREYSTANES
2145 NSW

Client: EPS CONSTRUCTIONS

EPS Constructions
Suite 3, 235 Pitt St Merrylands 2160
PO Box 683, Merrylands NSW 2160
Ph: 9760 1000 Fx: 9760 1111
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abn: 17 120 044 617

Drawing Title:
East & West Elevations / Section A-A

Status: DA Designer: EPS

Scale: as noted
Date: NOV 2011
Job No: 28039
Drawing No.: DA06 Rev E
Plot Date: 30/05/2017