



**Douglas Partners**  
Geotechnics | Environment | Groundwater

Report on  
Preliminary Site Investigation (Contamination)

Inner West Phase 2A LEP  
16-18 Crystal Street, Petersham

Prepared for  
Inner West Council

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Integrated Practical Solutions



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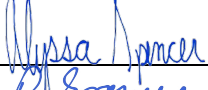

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## Executive Summary

This report presents the results of a Preliminary Site Investigation (Contamination) (PSI) at 16-18 Crystal Street, Petersham (the site). The PSI was undertaken to assist a planning proposal for rezoning of sites that may introduce sensitive land uses including residential, educational, recreational, childcare or a hospital.

The investigation included a desktop review of site history and environs, a site walkover, and development of a conceptual site model.

The reviewed site history sources indicate that the site had a commercial and residential land use from at least 1923, if not earlier. Based on aerial photographs, the site layout (including the current building on site) and inferred use has not changed significantly since *circa* 1961 to 1965. Historical and current surrounding land uses include residential, commercial, and educational.

Identified potential sources of contamination at the site include imported fill, current and former site buildings / structures, current site use as a motor vehicle rental shop, and neighbouring and up-gradient service stations and dry cleaner. Based on the contamination risk rating matrix used for the investigation, the site is considered to have a medium to high risk of contamination.

For a more conclusive evaluation, is recommended that a detailed site investigation for contamination (DSI), including soil sampling and groundwater / soil vapour sampling, and a hazardous building materials (HAZMAT) survey for the site buildings / structures is undertaken. The purpose of the DSI is to evaluate the potential contamination status of the site, by addressing the identified potential sources of contamination, and assess the site's suitability (from a site contamination standpoint) for a sensitive land use. The purpose of the HAZMAT survey is to identify and advise on appropriate management of hazardous building materials at the site (if present).

Subject to the implementation of the recommendations outlined above, and subsequent contamination management and / or remediation as deemed necessary on the basis of those investigations, it is considered that the site can be made suitable for the proposed rezoning.

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## Report on Preliminary Site Investigation (Contamination)

### Inner West Phase 2A LEP

### 16-18 Crystal Street, Petersham

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## 1. Introduction

Douglas Partners Pty Ltd (DP) has been engaged by Inner West Council (Council) to complete this preliminary site investigation (Contamination) (PSI) undertaken at 16-18 Crystal Street, Petersham (the site). The site is shown on Drawing 1, Appendix A.

The investigation was undertaken in accordance with DP's proposal P200501.00 dated 5 February 2021.

Council is preparing a planning proposal to amend the draft Inner West LEP for the Parramatta Road Corridor Urban Transformation Strategy (PRCUTS) area. The PRCUTS is given statutory weight by a Ministerial Direction under section 9.1(2) of the *Environmental Planning and Assessment Act 1979*.

Ministerial Direction 2.6 (Remediation of Contaminated Land) requires Council to consider the findings of a PSI where the planning proposal it is preparing may introduce sensitive land uses including residential, educational, recreational, childcare or a hospital on certain sites. As this site has been nominated by Council for rezoning to a sensitive land use, the current PSI is required to address Ministerial Direction 2.6.

The objectives of the PSI are to:

- Address Ministerial Direction 2.6 (Remediation of Contaminated Land);
- Based on site history searches and a brief inspection from publicly accessible areas, identify potential sources of contamination on the site;
- Assess potential contamination risks that may preclude rezoning of the site;
- Nominate a contamination risk rating for the site; and
- Comment on the need for further detailed investigation where contamination may be present.

This report must be read in conjunction with all appendices including the notes provided in Appendix B.

The following key guidelines were consulted in the preparation of this report:

- NEPC *National Environment Protection (Assessment of Site Contamination) Measure 1999 (as amended 2013)* [NEPM] (NEPC, 2013); and
- NSW EPA *Guidelines for Consultants Reporting on Contaminated Land* (NSW EPA, 2020).

## 2. Scope of Works

The scope of work for the PSI comprised the following:

- Review of site / history information, provided to DP by the Council:
  - o Section 10.7 (2&5) Planning Certificates; and
  - o Council records pertinent to potential contamination issues [not available at the time of reporting].
- Review of the following site history and environs information / records, obtained by DP:
  - o Regional geological, soil and hydrogeological mapping;
  - o Acid sulphate soil and salinity risk maps;
  - o Registered groundwater bores for the site and surrounding properties;
  - o Historical title deeds;
  - o Historical aerial photographs;
  - o NSW EPA databases held under the *Contaminated Land Management (CLM)* and *Protection of the Environment Operations (POEO)* Acts for the site and surrounding properties; and
  - o SafeWork NSW records of dangerous goods licences registered to the site [not available at the time of reporting].
- A site walkover from publicly accessible areas only to identify current site features and land uses, signs of historical uses, hydrogeological features (i.e., streams, dams, water wells, catchments and drainage), presence of fill, waste disposal practices, etc.;
- Based on the above information, identification of potential sources of contamination (areas of environmental concern - AEC) and contaminants of potential concern (CoPCs) at the site;
- Preparation of a Conceptual Site Model (CSM) for the site;
- Nominate a contamination risk rating for the site; and
- Provision of this draft PSI report for submission to Council for comment.

## 3. Site Information

Site Address	16-18 Crystal Street, Petersham
Legal Description	<ul style="list-style-type: none"> <li>• Lot 7, Deposited Plan 1008761 (16 Crystal Street)</li> <li>• Lot 82, Deposited Plan 1010136 (north part of 18 Crystal Street)</li> <li>• Lot 81, Deposited Plan 1010136 (south part of 18 Crystal Street)</li> </ul> <p>Address and legal description divisions for the site are shown on Drawing 2, Appendix A.</p>
Area	610 m <sup>2</sup>
Zoning	Zone B2 Local Centre (current and proposed)
Local Council Area	Inner West Council

Current Use	<ul style="list-style-type: none"> <li>• 16 Crystal Street - vacant commercial / residential building</li> <li>• 18 Crystal Street - motor vehicle rental business</li> </ul>
Surrounding Uses	<p>North - Commercial (motor trade shop, 7-Eleven)</p> <p>East - Crystal Street, then residential and educational (TAFE NSW)</p> <p>South - Elswick Street, then commercial (accounting business)</p> <p>West - Petersham Lane, then residential</p>



**Figure 1: Site Location**

## 4. Environmental Setting

### 4.1 Topography

Regional topography slopes downwards towards the north-east.

Site topography falls gently towards the north-west, with levels between 34 m in the north-west corner of the site and 35 m in the south-east corner of the site relative to Australian Height Datum (AHD).



The regional topography (through ground contours) is shown in Figure 2.



**Figure 2: Regional Topography with 2 m Elevation Contours**

## 4.2 Site Geology

The Sydney 1:100,000 Soils Landscape Sheet indicates that the site is underlain by Blacktown residual soils. The Blacktown soils landscape group comprises shallow to moderately deep red and brown podzolic soils on crests, upper slopes and well drained areas, and deep yellow podzolic soils and soloths on lower slopes and in areas of poor drainage.

The Sydney 1:100,000 Geology Sheet indicates that the site is underlain by Ashfield Shale. Ashfield Shale comprises black to dark-grey shale and laminite.

### 4.3 Acid Sulphate Soils and Salinity

Published acid sulphate soils (ASS) risk mapping indicates that the site has an extremely low probability of having ASS.

There are no mapped areas of ASS occurrence within 2 km of the site.

Published salinity risk mapping indicates that the site is not mapped for salinity hazard.

### 4.4 Surface Water and Groundwater

The closest watercourse to the site is Johnston's Creek, located 1.16 km east (down gradient) of the site. Other watercourses located a similar distance from the site include Whites Creek (1.24 km north-east of the site) and Hawthorne Canal (1.24 km west of the site). With respect to surface water, given the highly urbanised nature of the area, most surface water is anticipated to be collected by the local stormwater network.

A search of the publicly available registered groundwater bores indicated that there are three registered groundwater bores within 1 km of the site. The groundwater bores are summarised in Table 1.

**Table 1: Summary of Available Information from Nearby Registered Groundwater Bores**

<b>Bore ID Authorised Purpose</b>	<b>Location Relative to Site</b>	<b>Final Depth (m)</b>	<b>Standing Water Level (m bgl)</b>
GW111087 Monitoring Bore	9 m north (down gradient)	8.7	Not recorded
GW111088 Monitoring Bore	13 m north (down gradient)	9.0	Not recorded
GW111089 Monitoring Bore	19 m north (down gradient)	9.0	Not recorded

Based on the regional topography, the anticipated flow direction of groundwater beneath the site is to the north-east, towards Whites Creek, the likely receiving surface water body for the groundwater flow path. Whites Creek is a stormwater channel that ultimately flows into Rozelle Bay, part of the Sydney Harbour.

Given the local geology (i.e., Ashfield Shale), the groundwater in the fractured rock beneath the site is anticipated to be saline and very low yield. Accordingly, there would be no significant potential beneficial uses of the groundwater. Furthermore, the search of the groundwater bore database found no domestic, recreational or irrigational bores within 1 km of the site, and the use of the groundwater for these purposes in the vicinity of the site is considered unlikely given the urban setting.

## 5. Site History

### 5.1 Title Deeds

A historical title deeds search was used to obtain ownership and occupancy information including company names and the occupations of individuals. The title information can assist in the identification of previous land uses by the company names or the site owners and can, therefore, assist in establishing whether there were potentially contaminating activities occurring at the site. A summary of the title deeds and possible land uses (with reference to the aerial photographs and other historical searches) is presented in Tables 2 and 3.

**Table 2: Historical Title Deeds - Lots 81 and 82, Deposited Plan 1010136 (18 Crystal Street)**

Date of Acquisition and Term Held	Registered Proprietor(s) & Occupations	Inferred Land Use
16.08.1927 (1927 to 1956)	David White Fairweather (Window Cleaner) Ida Sarah Fairweather (Married Woman)	Residential or commercial
28.02.1956 (1956)	Carle Berge Phillips (Trustee for Leahy's Motors Pty Limited)	Commercial (motor vehicle sales and workshop)
13.06.1956 (1956 to 1978)	Leahy's Motors Pty Limited	Commercial (motor vehicle sales and workshop)
26.05.1978 (1978 to 1984)	Malcolm Leonard Corbett (Pharmacist) (Trustee for Leslie John Abrahams)	Commercial (motor vehicle sales and workshop)
18.04.1984 (1984 to 1999)	Leslie John Abrahams	Commercial (motor vehicle sales and workshop)
29.11.1999 (1999 to date)	# Jalel Elias # Charlie Saba	Commercial (motor vehicle sales and workshop)

#: Denotes current registered proprietor.



**Table 3: Historical Title Deeds - Lot 7, Deposited Plan 1008761 (16 Crystal Street)**

<b>Date of Acquisition and Term Held</b>	<b>Registered Proprietor(s) &amp; Occupations</b>	<b>Inferred Land Use</b>
26.09.1923 (1923 to 1957)	William Cook Bowrey	Residential
28.03.1957 (1957 to 1961)	Vera Augusta Bowrey	Residential
12.12.1961 (1961 to 1961)	Thomas Lowry Jones (Customs Agent)	Commercial and / or residential
12.12.1961 (1961 to 1978)	Leahy's Motors Pty Limited	Commercial and / or residential
26.05.1978 (1978 to 1984)	Malcolm Leonard Corbett (Pharmacist) (Trustee for Leslie John Abrahams)	Commercial and / or residential
18.04.1984 (1984 to 1999)	Leslie John Abrahams	Commercial and / or residential
15.11.1999 (1999 to date)	# Jalel Elias # Charlie Saba	Commercial and or residential

#: Denotes current registered proprietor.

In addition to Title Deeds, two leases were recorded for the site:

- 25.06.1938 - Keith Normal (Metal Polisher), of Garage - for 5 years; and
- 25.07.1990 - Wing Biu Wong, of The Panel Beating and duco spraying Lock-up shop 16 - for 3 years.

## 5.2 Historical Aerial Photography

Several historical aerial photographs were obtained from public databases in order to assess changes in site and surrounding property features in recent history. Extracts of the aerial photographs are included in Appendix D. A summary of key features observed for the site and surrounding land is presented in Table 4.

**Table 4: Summary of Historical Aerial Photographs**

Year	Site	Surrounding Land Use
1930	The site was partially covered by a rectangular-shaped building on the north side of the site (16 Crystal Street). Low photograph resolution precluded any detailed site observations.	<p>The surrounding land was largely developed with residential and likely commercial buildings. Few vacant lots were present in the vicinity of the site. A residential property borders the site to the north.</p> <p>Major roads surrounded the site (including Crystal Street, Paddington Lane and Elswick Street) in an orientation consistent with their current layout.</p>
1951	In addition to the rectangular shaped building on the site, there were two smaller structures in the north-west (16 Crystal Street) and south-west (18 Crystal Street) corners of the site, and a triangular shaped structure along the east site boundary (18 Crystal Street). A large tree was present on the west site boundary.	A medium-sized, likely commercial building was constructed approximately 20 m east of the site (across Crystal Street).
1961	The triangular shaped structure along the east site boundary was no longer present.	<p>Residential/possible commercial buildings approximately 50 m north of the site were demolished and replaced by a commercial development (service station).</p> <p>A new likely commercial building was constructed adjacent to the west site boundary (across Petersham Lane).</p>
1965	<p>The rectangular building on the north side of the site (16 Crystal Street) was extended or replaced with a larger rectangular building.</p> <p>The parts of the site that were not covered by buildings (most of 18 Crystal Street) were paved with concrete. Several cars were parked on the site. The site appeared to be consistent with the current site layout.</p>	No significant changes to the surrounding land use were observed when compared with the 1961 aerial photograph.
1971	No significant changes to the site were observed when compared with the 1965 aerial photograph.	No significant changes to the surrounding land use were observed when compared with the 1965 aerial photograph.
1978	No significant changes to the site were observed when compared with the 1971 aerial photograph.	A large new possibly educational building with some surrounding fields / landscaped areas, consistent with the layout of the current child care centre, was constructed approximately 55 m west of the site.

Year	Site	Surrounding Land Use
1986	No significant changes to the site were observed when compared with the 1978 aerial photograph. Several cars were parked on the south side of the site (18 Crystal Street).	A large building consistent with the layout of the current TAFE NSW was constructed approximately 20 m east of the site (across Crystal Street).
1994	The small structure in the north-west corner of the site was no longer visible.	No significant changes to the surrounding land use were observed when compared with the 1986 aerial photograph.
1998	No significant changes to the site were observed when compared with the 1994 aerial photograph.	No significant changes to the surrounding land use were observed when compared with the 1994 aerial photograph.
2002	No significant changes to the site were observed when compared with the 1998 aerial photograph.	The commercial development approximately 50 m north of the site was renovated and replaced with several new buildings, consistent with the current 7-eleven and motor garage layout.
2011	No significant changes to the site were observed when compared with the 2002 aerial photograph. Cars were parked on the south side of the site (18 Crystal Street).	No significant changes to the surrounding land use were observed when compared with the 2002 aerial photograph.

### 5.3 Public Registers and Planning Records

EPA Notices available under Section 58 of the Contaminated Lands Management Act (CLM Act)

[accessed 14/02/2021]

The results of a search of the public database of records of notices for contaminated sites indicated that there were no records of notices for the site.

Three properties were listed with records of notices within the 1 km search buffer of the site, including:

- SRA Land - 10-11 Balmain Road, Leichhardt [170 m north] - five former notices;
- Former Kolotex Site - 22 George Street, Leichhardt [925 m west] - one current notice and eight former notices; and
- Former Labelcraft Site - 30-40 George Street, Leichhardt [915 m west] - four current and three former notices.

<p>Sites notified to EPA under Section 60 of the CLM Act</p> <p>[accessed 14/02/2021]</p>	<p>The results of a search of the public database of contaminated sites notified to the EPA indicated that the site was not listed as a notified contaminated site.</p> <p>Five properties notified as contaminated were located within a 1 km search buffer of the site, including:</p> <ul style="list-style-type: none"> <li>• SRA Land - 10-11 Balmain Road, Leichhardt [170 m north] - other industry - Contamination formerly regulated under the CLM Act;</li> <li>• 125 Corunna Road, Stanmore [550 m east] unclassified - Regulation under CLM Act not required;</li> <li>• Fanny Durack Aquatic Centre, Station Street, Petersham [660 m south-west] - unclassified - Regulation under CLM Act not required; and</li> <li>• Former Kolotex Site - 22 George Street, Leichhardt [925 m west] - other industry - Contamination currently regulated under CLM Act; and Former Labelcraft Site - 30-40 George Street, Leichhardt [915 m west] - chemical industry - Contamination currently regulated under CLM Act.</li> </ul>
<p>Licences listed under Section 308 of the Protection of the Environment Operations Act 1997 (POEO Act)</p> <p>[accessed 14/02/2021]</p>	<p>The results of a search of the public database of records of environmental protection licenses under Section 308 of the <i>Protection of the Environment Operations Act</i> 1997 (POEO Act) indicated that there are no current Environment Protection Licences issued to the site or any properties within a 1 km buffer zone of the site.</p> <p>Two properties with surrendered licences were identified within the 1km search buffer of the site:</p> <ul style="list-style-type: none"> <li>• Marrickville Council - 113 Station Street, Petersham [530 m south-west] - Miscellaneous licensed discharge to waters (at any time) - Licence surrendered 24 April 2001; and</li> <li>• Marrickville Council - 2-14 Fisher Street, Petersham [630 m south-west] - Miscellaneous licensed discharge to waters (at any time) - Licence surrendered 7 April 2003.</li> </ul>
<p>SafeWork NSW</p>	<p>SafeWork NSW records were not available at the time of reporting.</p>
<p>Planning Certificates</p> <p>[dated 14 February 2021]</p>	<p>The certificates state that, as prescribed by Section 59 (2) of the <i>Contaminated Land Management Act</i> 1997, the land to which the certificates relate <u>is not</u>:</p> <ul style="list-style-type: none"> <li>• Declared to be significantly contaminated land;</li> <li>• Subject to a management order;</li> </ul>

	<ul style="list-style-type: none"> <li>• Subject of an approved voluntary management proposal;</li> <li>• Subject of an ongoing maintenance order; or</li> <li>• Subject to a site audit statement.</li> </ul> <p>The certificates states that '<i>Council has adopted a policy which may restrict the development of the land if the potential for the risk of land contamination exists</i>'.</p> <p>The certificates state that the land is not affected by a policy adopted by the Council or another public authority that restricts development of the land because of the likelihood of ASS.</p> <p>A copy of the planning certificates is included in Appendix E.</p>
Council Records [received 01 March 2021 and 15 March 2021]	<p>Council records available for 16 Crystal Street provided the following site information:</p> <ul style="list-style-type: none"> <li>• On 4 June 1953, a Planning Scheme Ordinance Consent Approval was issued for the erection and use of office and storeroom for Car Sales business;</li> <li>• On 23 March 2005, a development application (DA) was approved for use of the ground floor as a lead light studio (Sugarloaf Leadlight Studio) with retailing of associated products, including leadlight and stained glass;</li> <li>• The DA stated that the site was currently used for a vacant shop at ground floor and residence above; and</li> <li>• The DA included a statement that the building was previously used as a car and motorcycle workshop.</li> </ul> <p>Council records available for 18 Crystal Street provided the following site information:</p> <ul style="list-style-type: none"> <li>• A letter dated 11 July 1990 stated that the property was used as a car sales yard and workshop for mechanical and body repairs and duco spray since 12 July 1946; and</li> <li>• On 22 July 1987, a DA was approved for alterations and additions for use as an office in association with the existing motor showroom. The development included removal of timber office and renovation of a storeroom at the rear of the property. The DA application stated that the property was used as a car sales yard since at least 12 July 1946.</li> </ul>

## 5.4 Other Sources

A brief search of google maps for the site surroundings was undertaken on 26 February 2021. The search located several potentially contaminating operating businesses within a 500 m buffer zone of the site, including:

- Sydney Dry Cleaning [175 m south];
- Premier La Ghia Drycleaners [310 m north];
- Hangout Drycleaners [350 m north];
- 101 Dry Cleaning Laundry [500 m north-west];
- 7-Eleven Service Station and motor repair garage [22 m north]; and
- Budget Petrol Station [240 m south].

Photographs of the interior of the building on 16 Crystal Street were included on a real estate listing. Based on the photographs, the building appeared to be used for offices and residential apartments.

## 5.5 Site History Integrity Assessment

The information used to establish the history of the site was sourced from reputable and reliable reference documents, many of which were official records held by Government departments / agencies. The databases maintained by various Government agencies potentially can contain high quality information, but some of these do not contain any data at all.

In particular, aerial photographs provide high quality information that is generally independent of memory or documentation. They are only available at intervals of several years, so some gaps exist in the information from this source. The observed site features are open to different interpretations and can be affected by the time of day and / or year at which they were taken, as well as specific events, such as flooding. Care has been taken to consider different possible interpretations of aerial photographs and to consider them in conjunction with other lines of evidence.

## 5.6 Summary of Site History

The aerial photographs and title deeds indicate that the site was developed and likely had a commercial and residential use since at least 1923, if not earlier. The aerial photographs and council records indicate that the south part of the site (18 Crystal Street) was occupied by a motor vehicle sales yard, workshop for mechanical and body repairs and duco spray business since at least 1946. The building covering the north side of the site (16 Crystal Street) appeared to be renovated or reconstructed between 1961 and 1965 and has likely been used for mixed residential and commercial purposes since that time. Commercial uses have included a lead light studio and motor vehicle workshop.

The aerial photographs suggest that the site's surrounding land use has been mixed residential and commercial since at least 1930, with some educational developments since 1978.

Whilst the search of properties with EPA notices and licenses identified several contaminated properties within a 1 km search buffer of the site, the majority were located down-gradient and / or over 600 m away from the site. A google search of nearby properties did, however, locate potentially contaminating activities up-gradient from the site including a dry cleaner (170 m south) and a service station (240 m south), as well as a down-gradient service station in close proximity to the site (22 m north).

## 6. Site Walkover

A site walkover was undertaken by an environmental scientist on 18 February 2021, from publicly accessible areas around the site. The general site topography was consistent with that described in Section 4.1, sloping down towards the north and north-west. The site was bound by a vacant commercial building to the north, a sidewalk and Crystal Street to the east, a back alley road (Petersham Lane) to the west, and a sidewalk and Elswick Street to the south. The site layout appears to have remained unchanged from the 1965 aerial photograph. The following key site features pertinent to the PSI were observed (refer to photographs in Appendix F).

18 Crystal Street [Lot 81 and 82, DP 1010136]:

- The lot was occupied by the 'Crystal Car & Truck' motor vehicle rental shop;
- Approximately  $\frac{3}{4}$  of the lot was covered by asphalt concrete. The concrete was in poor to moderate condition with some cracking and staining. Parked vehicles covered most of concrete (photographs 1 and 2);
- Approximately  $\frac{1}{4}$  of the lot was covered by a brick office building (photograph 3);
- A wooden shed was present in the north-west corner of the lot (photograph 3);
- A garden bed was present on the south site boundary, outside of the office; and
- The east and south boundaries of the lot were surrounded by a metal fence.

16 Crystal Street [Lot 7, DP 1008761]:

- The lot was occupied by an apparently vacant multi-storey brick building with a 'for lease' sign. The building appeared to have a former mixed commercial and / or residential use (photographs 4 and 5);
- Several sewer and electrical pipes ran along the outside of the building, most likely associated with sewer venting and electrical cabling; and
- Signs were painted on the outside of the building for 'Ralston Churchill' (a civil engineering firm) and 'Alpha Doors and Grills' (a security doors business).

It is noted that the walkover was undertaken from publicly accessible areas and did not comprise a detailed walkover within the premises. In particular, the interior parts of the site buildings were not inspected. Detailed observations of the site were precluded by limited access.

The following surrounding site uses were observed:

- North: Commercial - a motor dealer office;
- West: Paddington Lane, then residential developments;



- East: Crystal Street, then residential and educational - TAFE building (approximately 25 m south-east) (photograph 6); and
- South: Elswick Street, then commercial - an accounting business (approximately 15 m south) (photograph 8).

At the time of the inspection suspected ACM was not apparent on the external areas of the building. Notwithstanding as the site could only be inspected from publicly accessible areas, access into the site or the building was not possible. Additionally, based on the inferred age of buildings from the historical aerial photographs, it is considered likely that at least some of the site buildings were built at a time when asbestos containing materials (ACM) were widely used in construction. Therefore, the potential for ACM cannot be completely ruled out.

## 7. Preliminary Conceptual Site Model

A Conceptual Site Model (CSM) is a representation of site-related information regarding contamination sources, receptors and exposure pathways between those sources and receptors. The CSM provides the framework for identifying how the site became contaminated and how potential receptors may be exposed to contamination either in the present or the future i.e., it enables an assessment of the potential source - pathway - receptor linkages (complete pathways).

### Potential Sources (or Areas of Environmental Concern - AEC)

Based on the current preliminary investigation, the following potential sources of contamination and associated contaminants of potential concern (COPC) have been identified.

- S1: Fill: Associated with general levelling and backfilling (a common characteristic of inner Sydney suburbs):
  - o CoPC: metals, total recoverable hydrocarbons (TRH), benzene, toluene, ethylbenzene, xylene (BTEX), polycyclic aromatic hydrocarbons (PAH), polychlorinated biphenyls (PCB), organochlorine pesticides (OCP), phenols and asbestos. These are the more common contaminants associated with fill of an unknown source.
- S2: Former and existing buildings / structures on the site:
  - o CoPC: Hazardous building materials including lead (in paint), asbestos containing materials (ACM), synthetic mineral fibres ('SMF') and PCB.
- S3: Current and former commercial / industrial land uses (including motor vehicle rental business, motor vehicle workshop and lead light studio):
  - o CoPC: Metals, TRH, BTEX, PAH, phenols, volatile organic compounds - VOC (more likely contaminants associated with general commercial / industrial uses, associated with commonly used products such as fuels, oils, and solvents).
- S4: Nearby service stations and dry cleaner:
  - o CoPC: Metals, TRH, BTEX, PAH, phenols, VOC.



### Potential Receptors

The following potential human receptors have been identified:

- R1: Current users [commercial];
- R2: Construction and maintenance workers;
- R3: End users [possibly residential, educational, recreational, childcare or hospital]; and
- R4: Adjacent site users [commercial and residential].

The following potential environmental receptors have been identified:

- R5: Surface water [Whites Creek, freshwater];
- R6: Groundwater; and
- R7: Terrestrial ecology.

### Potential Pathways

The following potential pathways have been identified:

- P1: Ingestion and dermal contact;
- P2: Inhalation of dust and / or vapours;
- P3: Surface water run-off;
- P4: Lateral migration of groundwater providing base flow to water bodies;
- P5: Leaching of contaminants and vertical migration into groundwater; and
- P6: Contact with terrestrial ecology.

### Summary of Potentially Complete Exposure Pathways

A 'source - pathway - receptor' approach has been used to assess the potential risks of harm being caused to human or environmental receptors from contamination sources on or in the vicinity of the site, via exposure pathways (potential complete pathways). The possible pathways between the above sources (S1 to S4) and receptors (R1 to R7) are provided in below Table 5.

**Table 5: Summary of Potentially Complete Exposure Pathways**

Potential Source and Contaminants of Concern	Pathway	Receptor	Action Recommended
<b>S1: Fill</b> Metals, TRH, BTEX, PAH, OCP, OPP, PCB, phenols, and asbestos.	P1: Ingestion and dermal contact P2: Inhalation of dust and / or vapours	R1: Current site users [commercial] R2: Construction and maintenance workers R3: End site users [sensitive land use]	An intrusive investigation (soil, groundwater and soil vapour) to identify the presence or otherwise of the potential source and/or

Potential Source and Contaminants of Concern	Pathway	Receptor	Action Recommended
<b>S3: Current and former site use</b>  Lead, TRH, BTEX, PAH, VOC	P2: Inhalation of dust and / or vapours	R4: Adjacent site users [commercial and residential]	contaminants associated with each source.  A hazardous building materials assessment for the existing site buildings. Hazardous materials, if present, will need to be removed in accordance with relevant legislation and guidelines prior to demolition.
	P3: Surface water run-off P4: Lateral migration of groundwater providing base flow to water bodies	R5: Surface water [Whites Creek]	
	P4: Lateral migration of groundwater providing base flow to water bodies P5: Leaching of contaminants and vertical migration into groundwater	R6: Groundwater	
	P6: Contact with terrestrial ecology	R7: Terrestrial ecology	
<b>S2: Current and former site buildings</b>  Hazardous building materials including lead, asbestos, SMF and PCB.	P1: Ingestion and dermal contact P2: Inhalation of dust and / or vapours	R1: Current site users [commercial] R2: Construction and maintenance workers R4: Adjacent site users [commercial and residential]	
<b>S4: Neighbouring and up-gradient service stations and dry cleaner</b>  Lead, TRH, BTEX, PAH, phenol and VOC	P5: Leaching of contaminants and vertical migration into groundwater	R1: Current site users [commercial] R2: Construction and maintenance workers R3: End site users [sensitive land use] R6: Groundwater	

## 8. Risk Rating

The method of assigning a contamination risk rating to the site is included in Appendix G.

The following Table 6 presents the results of the application of the risk matrix (Appendix G) to each identified potential AEC.

**Table 6: Application of Risk Matrix**

Potential AEC	Probability	Consequence	Risk Number
S1	4	3	12
S2	2	2	4
S3	2	4	8
S4	2	4	8
		<b>Site Risk Rating</b>	<b>12</b>

## 9. Conclusions and Recommendations

Based on the available history information the site appears to have had a commercial and residential land use from at least 1923. The building which currently occupies the north side of the site (16 Crystal Street) was likely reconstructed between 1961 and 1965, although it was preceded by another building that covered the site footprint. The site history indicates that the building was likely used for mixed commercial and residential purposes since that time. The south part of the site (18 Crystal Street) likely had a commercial / motor vehicle sales and workshop then rental business use since at least 1946. The surrounding land use appears to have remained primarily residential and commercial from at least 1930 with some educational developments since 1978.

Due to access constraints and the existing structures, a thorough inspection of the site surface (soil) and interior of buildings was not possible during the walkover. This is considered to be a data gap in the investigation. At the time of the inspection suspected ACM was not apparent on the external areas of the building. Based on the inferred age of buildings, it is considered likely that at least some of the site buildings were built at a time when ACM were widely used in construction. Therefore, an assumption can be made that hazardous building materials are present.

SafeWork NSW records pertinent to potential contamination issues at the site were not obtained at the time of reporting. This is considered to be a data gap in the investigation, however based on the apparent history it is unlikely that dangerous goods requiring notification were stored at the site. A SafeWork NSW records search should form part of further investigations as recommended below.

Potential sources of contamination identified from the site history information reviewed herein and the site walkover include imported fill, current and former site buildings / structures, current site use as a motor vehicle rental shop, and neighbouring and up-gradient service stations and dry cleaner.

In accordance with the process outlined in Appendix G, the site has been assigned a contamination risk rating of 12, corresponding to a medium to high risk.

Based on the results of this PSI, it is recommended that an intrusive soil and groundwater (and possibly soil vapour) investigation should be undertaken to assess the site's suitability (from a contamination standpoint) for a sensitive land use. In addition, the investigation should provide recommendations on the need for any further targeted investigation(s) and / or site remediation if deemed necessary. A hazardous building materials survey for the multi-storey building at 16 Crystal Street and the office

building / shed at 18 Crystal Street is also recommended to assess the presence or otherwise of hazardous building materials.

Given the current limited site access for intrusive investigation, the intrusive investigation may be more readily completed following demolition of current site structures or in stages (e.g., initial intrusive investigation at accessible parts of 18 Crystal Street).

Subject to the implementation of the recommendations outlined above, and subsequent contamination management and / or remediation as deemed necessary on the basis of those investigations, it is considered that the site can be made suitable for the proposed rezoning.

## 10. References

- NEPC. (2013). *National Environment Protection (Assessment of Site Contamination) Measure 1999 (as amended 2013) [NEPM]*. Australian Government Publishing Services Canberra: National Environment Protection Council.
- NSW EPA. (2020). *Guidelines for Consultants Reporting on Contaminated Land*. Contaminated Land Guidelines: NSW Environment Protection Authority.

## 11. Limitations

Douglas Partners (DP) has prepared this report for this project at 16-18 Crystal Street, Petersham in accordance with DP's proposal dated 5 February 2021 and acceptance received from Alan Chen dated 9 February 2021. The work was carried out under Inner West Consultancy Agreement, Contract No. 95-20. This report is provided for the exclusive use of for this project only and for the purposes as described in the report. It should not be used by or relied upon for other projects or purposes on the same or other site or by a third party. Any party so relying upon this report beyond its exclusive use and purpose as stated above, and without the express written consent of DP, does so entirely at its own risk and without recourse to DP for any loss or damage. In preparing this report DP has necessarily relied upon information provided by the client and/or their agents.

DP's advice is based upon the conditions encountered during this investigation. The accuracy of the advice provided by DP in this report may be affected by undetected variations in ground conditions across the site between and beyond the sampling and/or testing locations. The advice may also be limited by budget constraints imposed by others or by site accessibility.

The assessment of atypical safety hazards arising from this advice is restricted to the environmental components set out in this report and based on known project conditions and stated design advice and assumptions. While some recommendations for safe controls may be provided, detailed 'safety in design' assessment is outside the current scope of this report and requires additional project data and assessment.

This report must be read in conjunction with all of the attached and should be kept in its entirety without separation of individual pages or sections. DP cannot be held responsible for interpretations or conclusions made by others unless they are supported by an expressed statement, interpretation, outcome or conclusion stated in this report.

This report, or sections from this report, should not be used as part of a specification for a project, without review and agreement by DP. This is because this report has been written as advice and opinion rather than instructions for construction.

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**Douglas Partners Pty Ltd**

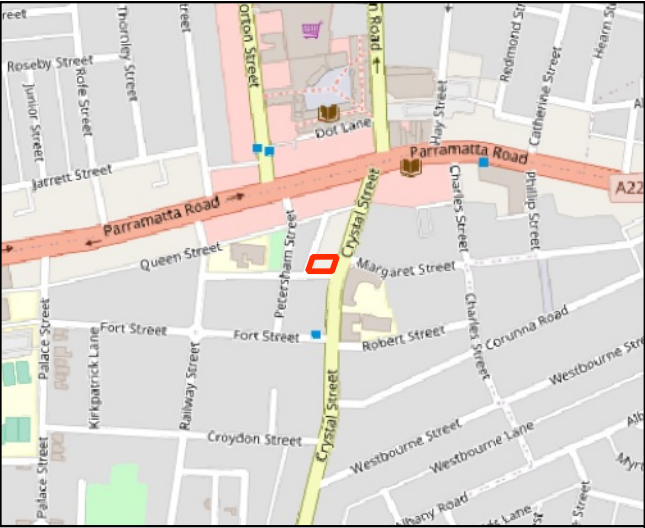
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## Appendix A

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Drawings



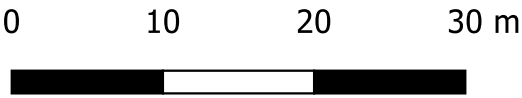


LOCALITY MAP

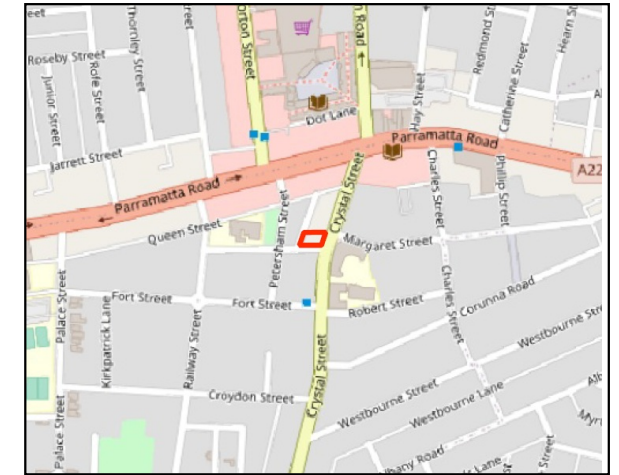
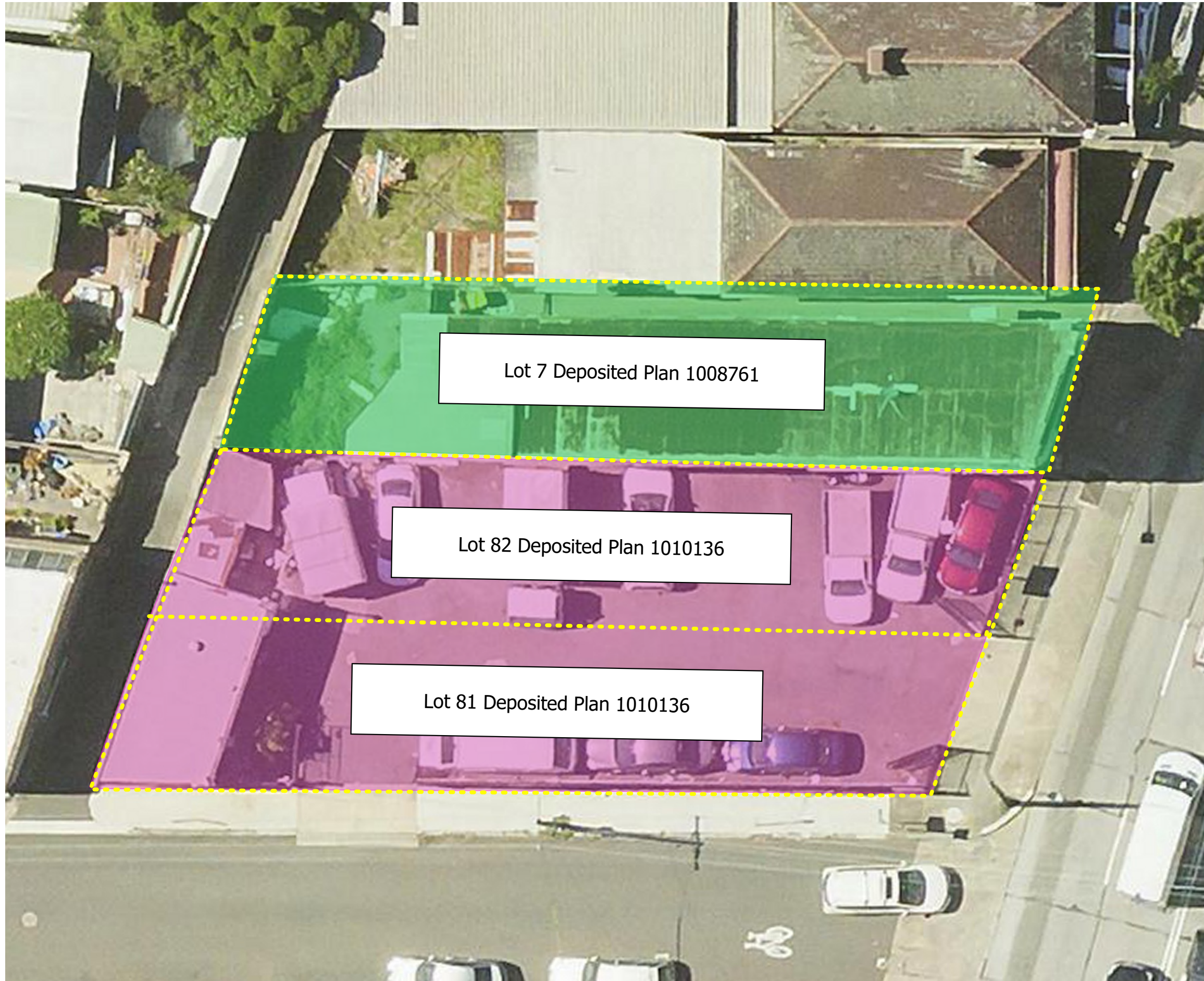
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1. Basemap from metromap.com.au dated 4/12/2020

Legend

Site Boundary





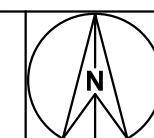
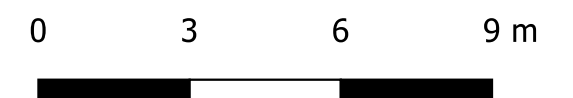


LOCALITY MAP

Notes:  
1. Basemap from metromap.com.au dated 4/12/2020

Legend

- Lot Divisions
- 18 Crystal Street
- 16 Crystal Street





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## Appendix B

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### Notes About this Report

# About this Report

# Douglas Partners



## Introduction

These notes have been provided to amplify DP's report in regard to classification methods, field procedures and the comments section. Not all are necessarily relevant to all reports.

DP's reports are based on information gained from limited subsurface excavations and sampling, supplemented by knowledge of local geology and experience. For this reason, they must be regarded as interpretive rather than factual documents, limited to some extent by the scope of information on which they rely.

## Copyright

This report is the property of Douglas Partners Pty Ltd. The report may only be used for the purpose for which it was commissioned and in accordance with the Conditions of Engagement for the commission supplied at the time of proposal. Unauthorised use of this report in any form whatsoever is prohibited.

## Borehole and Test Pit Logs

The borehole and test pit logs presented in this report are an engineering and/or geological interpretation of the subsurface conditions, and their reliability will depend to some extent on frequency of sampling and the method of drilling or excavation. Ideally, continuous undisturbed sampling or core drilling will provide the most reliable assessment, but this is not always practicable or possible to justify on economic grounds. In any case the boreholes and test pits represent only a very small sample of the total subsurface profile.

Interpretation of the information and its application to design and construction should therefore take into account the spacing of boreholes or pits, the frequency of sampling, and the possibility of other than 'straight line' variations between the test locations.

## Groundwater

Where groundwater levels are measured in boreholes there are several potential problems, namely:

- In low permeability soils groundwater may enter the hole very slowly or perhaps not at all during the time the hole is left open;

- A localised, perched water table may lead to an erroneous indication of the true water table;
- Water table levels will vary from time to time with seasons or recent weather changes. They may not be the same at the time of construction as are indicated in the report; and
- The use of water or mud as a drilling fluid will mask any groundwater inflow. Water has to be blown out of the hole and drilling mud must first be washed out of the hole if water measurements are to be made.

More reliable measurements can be made by installing standpipes which are read at intervals over several days, or perhaps weeks for low permeability soils. Piezometers, sealed in a particular stratum, may be advisable in low permeability soils or where there may be interference from a perched water table.

## Reports

The report has been prepared by qualified personnel, is based on the information obtained from field and laboratory testing, and has been undertaken to current engineering standards of interpretation and analysis. Where the report has been prepared for a specific design proposal, the information and interpretation may not be relevant if the design proposal is changed. If this happens, DP will be pleased to review the report and the sufficiency of the investigation work.

Every care is taken with the report as it relates to interpretation of subsurface conditions, discussion of geotechnical and environmental aspects, and recommendations or suggestions for design and construction. However, DP cannot always anticipate or assume responsibility for:

- Unexpected variations in ground conditions. The potential for this will depend partly on borehole or pit spacing and sampling frequency;
- Changes in policy or interpretations of policy by statutory authorities; or
- The actions of contractors responding to commercial pressures.

If these occur, DP will be pleased to assist with investigations or advice to resolve the matter.

# *About this Report*

## **Site Anomalies**

In the event that conditions encountered on site during construction appear to vary from those which were expected from the information contained in the report, DP requests that it be immediately notified. Most problems are much more readily resolved when conditions are exposed rather than at some later stage, well after the event.

## **Information for Contractual Purposes**

Where information obtained from this report is provided for tendering purposes, it is recommended that all information, including the written report and discussion, be made available. In circumstances where the discussion or comments section is not relevant to the contractual situation, it may be appropriate to prepare a specially edited document. DP would be pleased to assist in this regard and/or to make additional report copies available for contract purposes at a nominal charge.

## **Site Inspection**

The company will always be pleased to provide engineering inspection services for geotechnical and environmental aspects of work to which this report is related. This could range from a site visit to confirm that conditions exposed are as expected, to full time engineering presence on site.

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## Appendix C

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### Historical Title Deeds

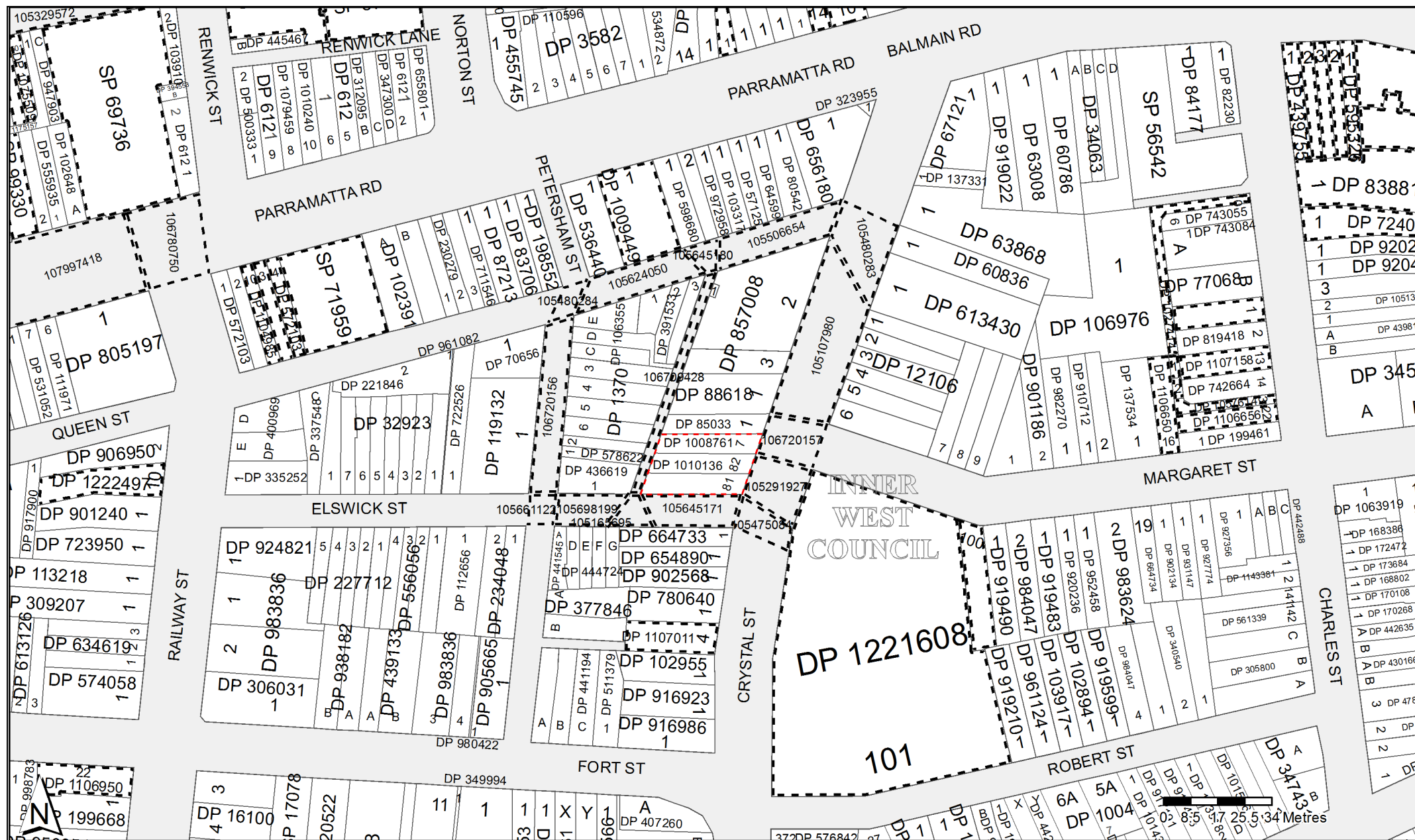
## **Cadastral Records Enquiry Report : Lot 1 DP 85033**

**Locality :** PETERSHAM

LGA : INNER WEST

**Parish : PETERSHAM**

**County :** CUMBERLAND



Report Generated 3:59:34 PM, 25 February, 2021  
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This information is provided as a searching aid only. Whilst every endeavour is made to ensure that current map, plan and titling information is accurately reflected, the Registrar General cannot guarantee the information provided. For ALL ACTIVITY PRIOR TO SEPTEMBER 2002 you must refer to the RGs Charting and Reference Maps

Page 1 of 7



LAND  
REGISTRY  
SERVICES

# Historical Title



NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

26/2/2021 7:45AM

FOLIO: 81/1010136

First Title(s): OLD SYSTEM

Prior Title(s): BK 4256 NO 525

Recorded	Number	Type of Instrument	C.T. Issue
18/1/2000	DP1010136	DEPOSITED PLAN	FOLIO CREATED
18/1/2000	CA81529	CONVERSION ACTION	EDITION 1
14/9/2015	AJ811575	DEPARTMENTAL DEALING	

\*\*\* END OF SEARCH \*\*\*

16 to 18 Crystal Street

PRINTED ON 26/2/2021

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FOLIO: 81/1010136

SEARCH DATE	TIME	EDITION NO	DATE
25/2/2021	3:48 PM	1	18/1/2000

LAND

LOT 81 IN DEPOSITED PLAN 1010136  
AT PETERSHAM  
LOCAL GOVERNMENT AREA INNER WEST  
PARISH OF PETERSHAM COUNTY OF CUMBERLAND  
TITLE DIAGRAM DP1010136

FIRST SCHEDULE

JALEL ELIAS  
CHARLIE SABA  
AS TENANTS IN COMMON IN EQUAL SHARES (CA81529)

SECOND SCHEDULE (2 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 LIMITED TITLE. LIMITATION PURSUANT TO SECTION 28T(4) OF THE REAL PROPERTY ACT, 1900. THE BOUNDARIES OF THE LAND COMPRISED HEREIN HAVE NOT BEEN INVESTIGATED BY THE REGISTRAR GENERAL.

NOTATIONS

NOTE: THE CERTIFICATE OF TITLE FOR THIS FOLIO OF THE REGISTER DOES NOT INCLUDE SECURITY FEATURES INCLUDED ON COMPUTERISED CERTIFICATES OF TITLE ISSUED FROM 4TH JANUARY, 2004. IT IS RECOMMENDED THAT STRINGENT PROCESSES ARE ADOPTED IN VERIFYING THE IDENTITY OF THE PERSON(S) CLAIMING A RIGHT TO DEAL WITH THE LAND COMPRISED IN THIS FOLIO.

UNREGISTERED DEALINGS: NIL

\*\*\* END OF SEARCH \*\*\*



LAND  
REGISTRY  
SERVICES

# Historical Title



NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

26/2/2021 7:45AM

FOLIO: 82/1010136

First Title(s): OLD SYSTEM

Prior Title(s): BK 4256 NO 525

Recorded	Number	Type of Instrument	C.T. Issue
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18/1/2000	CA81529	CONVERSION ACTION	EDITION 1
14/9/2015	AJ811575	DEPARTMENTAL DEALING	

\*\*\* END OF SEARCH \*\*\*

16 to 18 Crystal Street

PRINTED ON 26/2/2021

InfoTrack an approved NSW Information Broker hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with Section 96B(2) of the Real Property Act 1900.





FOLIO: 82/1010136

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LAND

LOT 82 IN DEPOSITED PLAN 1010136  
AT PETERSHAM  
LOCAL GOVERNMENT AREA INNER WEST  
PARISH OF PETERSHAM COUNTY OF CUMBERLAND  
TITLE DIAGRAM DP1010136

FIRST SCHEDULE

JALEL ELIAS  
CHARLIE SABA

AS TENANTS IN COMMON IN EQUAL SHARES

(CA81529)

SECOND SCHEDULE (2 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 LIMITED TITLE. LIMITATION PURSUANT TO SECTION 28T(4) OF THE REAL PROPERTY ACT, 1900. THE BOUNDARIES OF THE LAND COMPRISED HEREIN HAVE NOT BEEN INVESTIGATED BY THE REGISTRAR GENERAL.

NOTATIONS

NOTE: THE CERTIFICATE OF TITLE FOR THIS FOLIO OF THE REGISTER DOES NOT INCLUDE SECURITY FEATURES INCLUDED ON COMPUTERISED CERTIFICATES OF TITLE ISSUED FROM 4TH JANUARY, 2004. IT IS RECOMMENDED THAT STRINGENT PROCESSES ARE ADOPTED IN VERIFYING THE IDENTITY OF THE PERSON(S) CLAIMING A RIGHT TO DEAL WITH THE LAND COMPRISED IN THIS FOLIO.

UNREGISTERED DEALINGS: NIL

\*\*\* END OF SEARCH \*\*\*



LAND  
REGISTRY  
SERVICES

# Historical Title



NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

26/2/2021 7:45AM

FOLIO: 7/1008761

First Title(s): OLD SYSTEM

Prior Title(s): BK 4255 NO 45

Recorded	Number	Type of Instrument	C.T. Issue
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26/11/1999	CA81419	CONVERSION ACTION	
14/9/2015	AJ811575	DEPARTMENTAL DEALING	
20/3/2017	AM237716	CAVEAT	
17/10/2017	AM811327	APPLN TO DISPENSE WITH PROD OF CT LOST AFTER SETTLEMENT	
17/10/2017	AM811328	WITHDRAWAL OF CAVEAT	
17/10/2017	AM811329	MORTGAGE	EDITION 2 CORD ISSUED

\*\*\* END OF SEARCH \*\*\*

16 to 18 Crystal Street

PRINTED ON 26/2/2021

InfoTrack an approved NSW Information Broker hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with Section 96B(2) of the Real Property Act 1900.



FOLIO: 7/1008761

SEARCH DATE	TIME	EDITION NO	DATE
25/2/2021	3:48 PM	2	17/10/2017

NO CERTIFICATE OF TITLE HAS ISSUED FOR THE CURRENT EDITION OF THIS FOLIO.  
CONTROL OF THE RIGHT TO DEAL IS HELD BY NATIONAL AUSTRALIA BANK LIMITED.

LAND

LOT 7 IN DEPOSITED PLAN 1008761  
AT PETERSHAM  
LOCAL GOVERNMENT AREA INNER WEST  
PARISH OF PETERSHAM COUNTY OF CUMBERLAND  
TITLE DIAGRAM DP1008761

FIRST SCHEDULE

JALEL ELIAS  
CHARLIE SABA

AS TENANTS IN COMMON IN EQUAL SHARES

(CA81419)

SECOND SCHEDULE (4 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 LIMITED TITLE. LIMITATION PURSUANT TO SECTION 28T(4) OF THE REAL PROPERTY ACT, 1900. THE BOUNDARIES OF THE LAND COMPRISED HEREIN HAVE NOT BEEN INVESTIGATED BY THE REGISTRAR GENERAL.
- 3 AM811327 THIS EDITION HAS ISSUED AS A CONSEQUENCE OF THE LOSS OF THE PRIOR TITLE/EDITION, PRODUCTION OF WHICH HAS BEEN DISPENSED WITH PURSUANT TO S38(2) REAL PROPERTY ACT 1900
- 4 AM811329 MORTGAGE TO NATIONAL AUSTRALIA BANK LIMITED

NOTATIONS

UNREGISTERED DEALINGS: NIL

\*\*\* END OF SEARCH \*\*\*



ABN: 36 092 724 251  
Ph: 02 9099 7400  
(Ph: 0412 199 304)

Level 14, 135 King Street, Sydney  
Sydney 2000  
GPO Box 4103 Sydney NSW 2001  
DX 967 Sydney

**Summary of Owners Report**

**Address: - 16 to 19 Crystal Street, Petersham**

**Description: - Lots 1 & 2 D.P. 1010136 and Lot 7 D.P. 1008761.**

**As regards Lots 1 and 2 D.P. 1010136.**

<b><u>Date of Acquisition and term held</u></b>	<b><u>Registered Proprietor(s) &amp; Occupations where available</u></b>	<b><u>Reference to Title at Acquisition and sale</u></b>
16.08.1927 (1927 to 1956)	David White Fairweather (Window Cleaner) Ida Sarah Fairweather (Married Woman)	Book 1483 No. 673
28.02.1956 (1956 to 1956)	Carle Berge Phillips (Trustee for Leahy's Motors Pty Limited)	Book 2365 No. 76
13.06.1956 (1956 to 1978)	Leahy's Motors Pty Limited	Book 2376 No. 512
26.05.1978 (1978 to 1984)	Malcolm Leonard Corbett (Pharmacist) (Trustee for Leslie John Abrahams)	Book 3321 No. 706
18.04.1984 (1984 to 1999)	Leslie John Abrahams	Book 3589 No. 735
29.11.1999 (1999 to date)	# Jalel Elias # Charlie Saba	Book 4256 No. 525 Now 1 & 2/1010136

**As regards Lot 7 D.P. 1008761.**

<b><u>Date of Acquisition and term held</u></b>	<b><u>Registered Proprietor(s) &amp; Occupations where available</u></b>	<b><u>Reference to Title at Acquisition and sale</u></b>
26.09.1923 (1923 to 1957)	William Cook Bowrey	Book 1319 No. 658
28.03.1957 (1957 to 1961)	Vera Augusta Bowrey	Book 2401 No. 801
12.12.1961 (1961 to 1961)	Thomas Lowry Jones (Customs Agent)	Book 2594 No. 311
12.12.1961 (1961 to 1978)	Leahy's Motors Pty Limited	Book 2594 No. 312
26.05.1978 (1978 to 1984)	Malcolm Leonard Corbett (Pharmacist) (Trustee for Leslie John Abrahams)	Book 3321 No. 706
18.04.1984 (1984 to 1999)	Leslie John Abrahams	Book 3589 No. 735
15.11.1999 (1999 to date)	# Jalel Elias # Charlie Saba	Book 4255 No. 45 Now 7/11008761

Denotes current registered proprietor

**Easements: - NIL**

**Leases: -**

- 25.06.1938 (Book 1822 No. 120) to Keith Norman (Metal Polisher), of Garage – for 5 years

**Email: mark.groll@infotrack.com.au**



**ABN: 36 092 724 251**

**Ph: 02 9099 7400**

(Ph: 0412 199 304)

**Level 14, 135 King Street, Sydney  
Sydney 2000**

**GPO Box 4103 Sydney NSW 2001  
DX 967 Sydney**

- (Book 1856 No. 898) to Harold Leslie Viles
  - 25.07.1990 to Wing Biu Wong, of The Panel Beating and duco spraying Lock up shop 16 – term of 3 years
- 

Yours Sincerely,

Mark Groll

8 June 2020

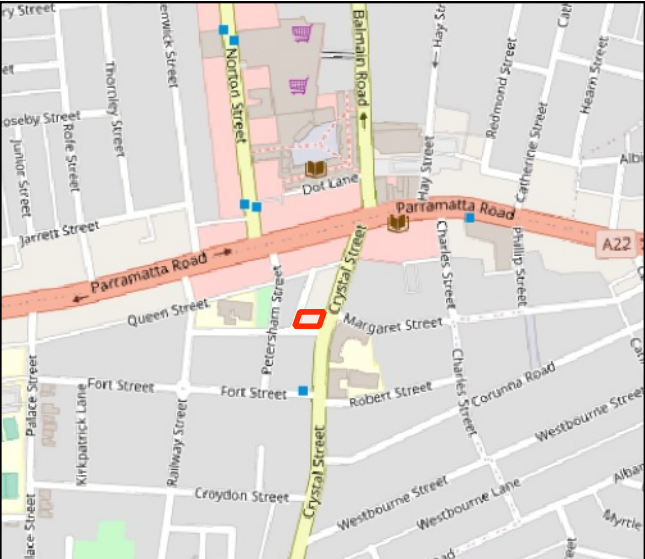
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## Appendix D

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### Historical Aerial Photographs



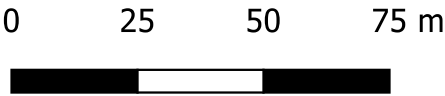


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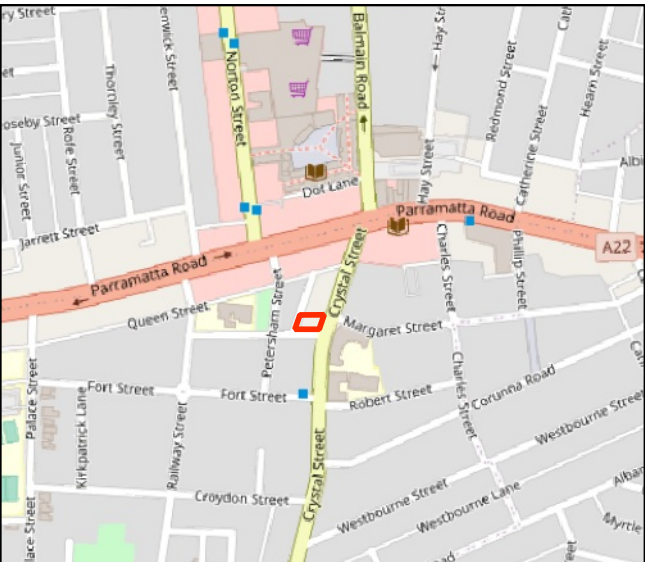
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 Site Boundary







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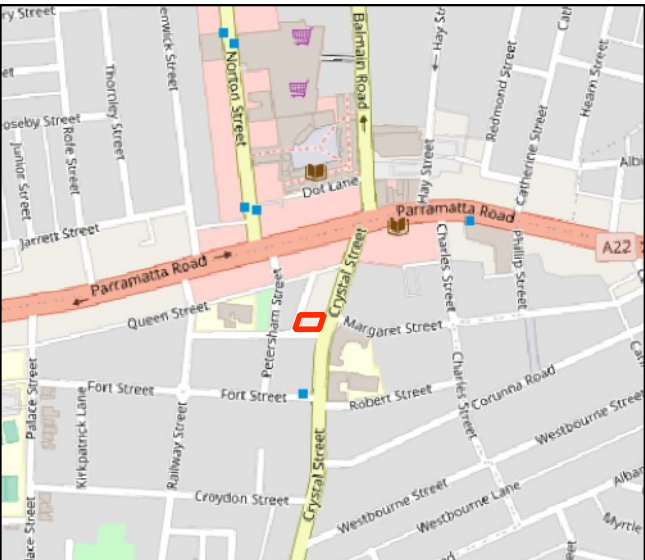
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 Site Boundary







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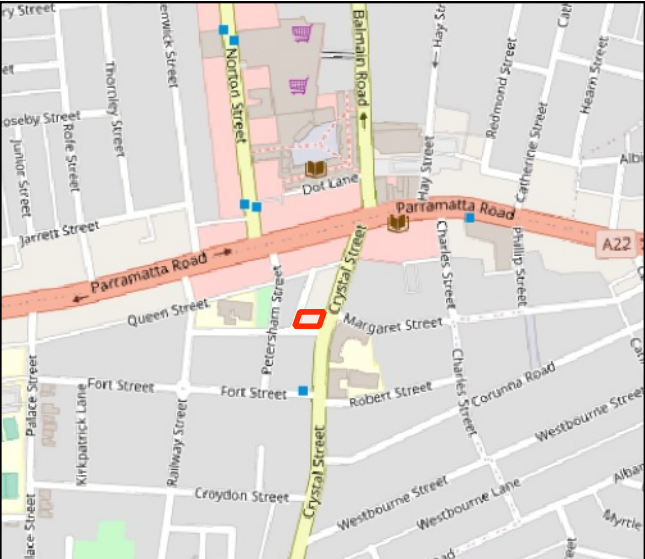
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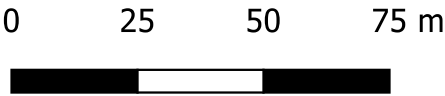


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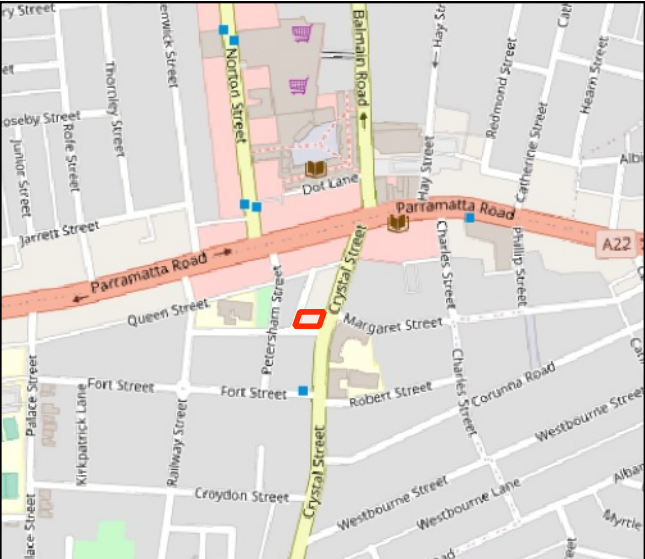
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 Site Boundary





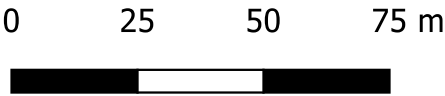




LOCALITY MAP

Notes:  
Basemap sourced from NSW Spatial Services

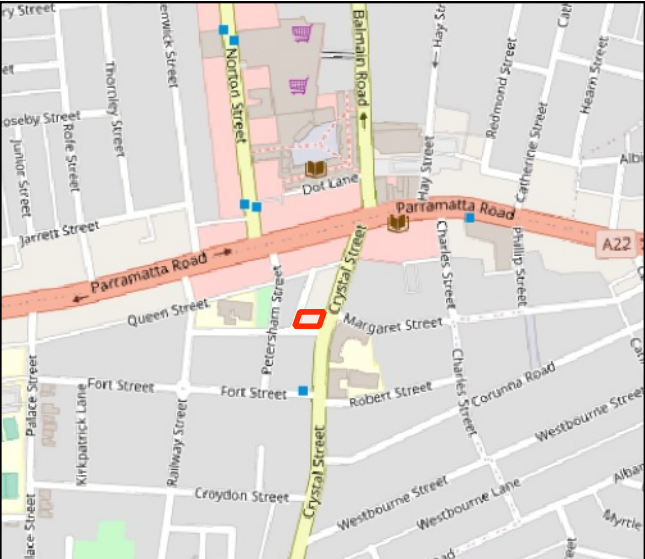
Legend

 Site Boundary



 <b>Douglas Partners</b> Geotechnics   Environment   Groundwater	CLIENT: Inner West Council		TITLE: <b>1971 Historical Aerial Photography</b> <b>Preliminary Site Investigation</b> <b>16-18 Crystal Street Petersham</b>		PROJECT No: 200501.00
	OFFICE: Sydney	DRAWN BY: JJH			DRAWING No: E
	SCALE: 1:1500 @ A3	DATE: 16.02.2021			REVISION: 0





LOCALITY MAP

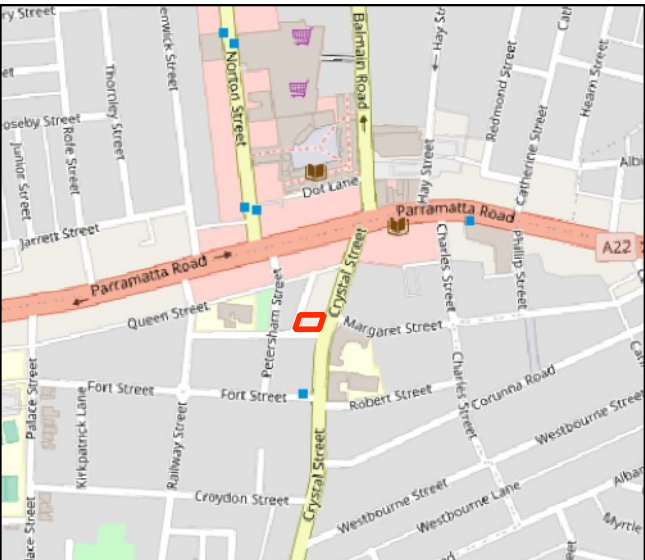
Notes:  
Basemap sourced from NSW Spatial Services

Legend

 Site Boundary







LOCALITY MAP

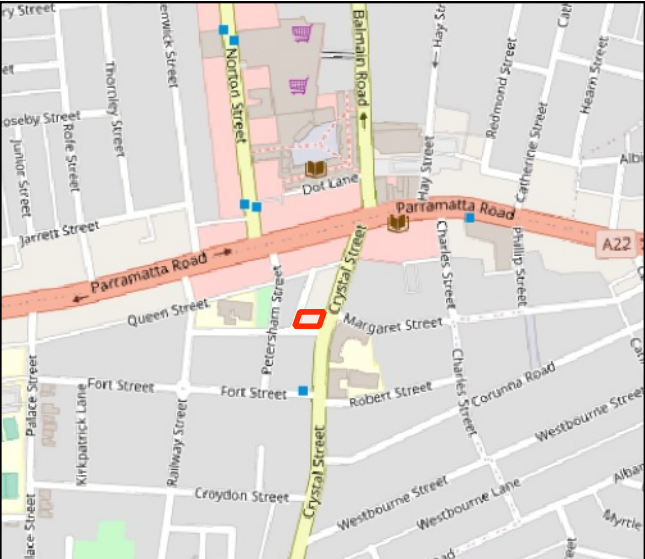
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Legend

 Site Boundary







LOCALITY MAP

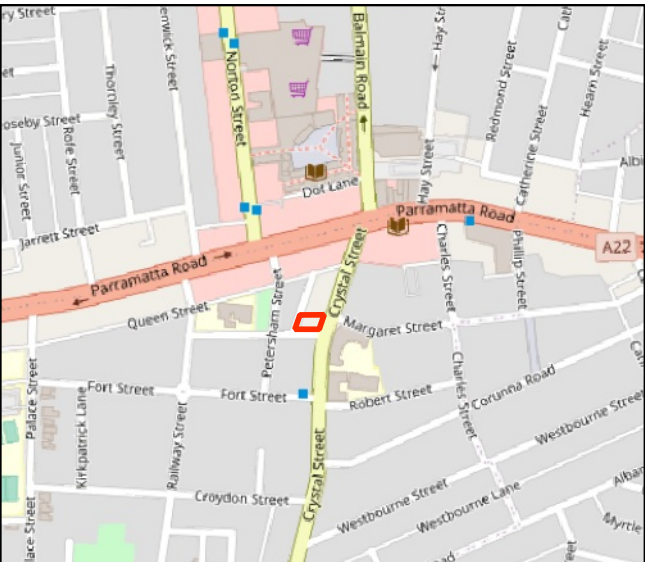
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 Site Boundary







LOCALITY MAP

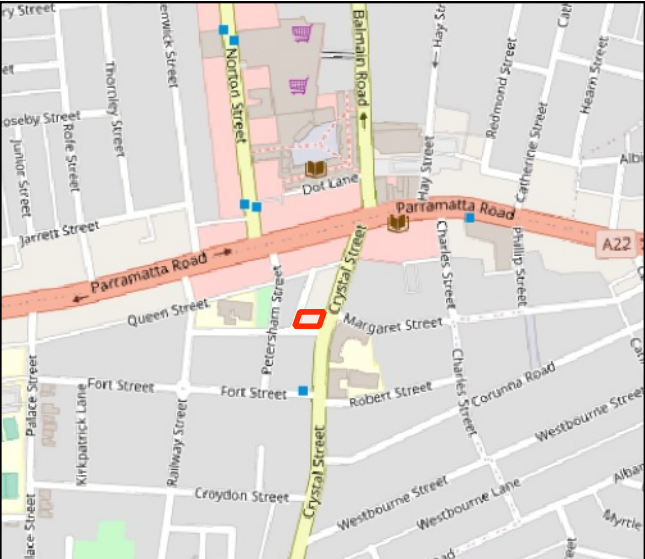
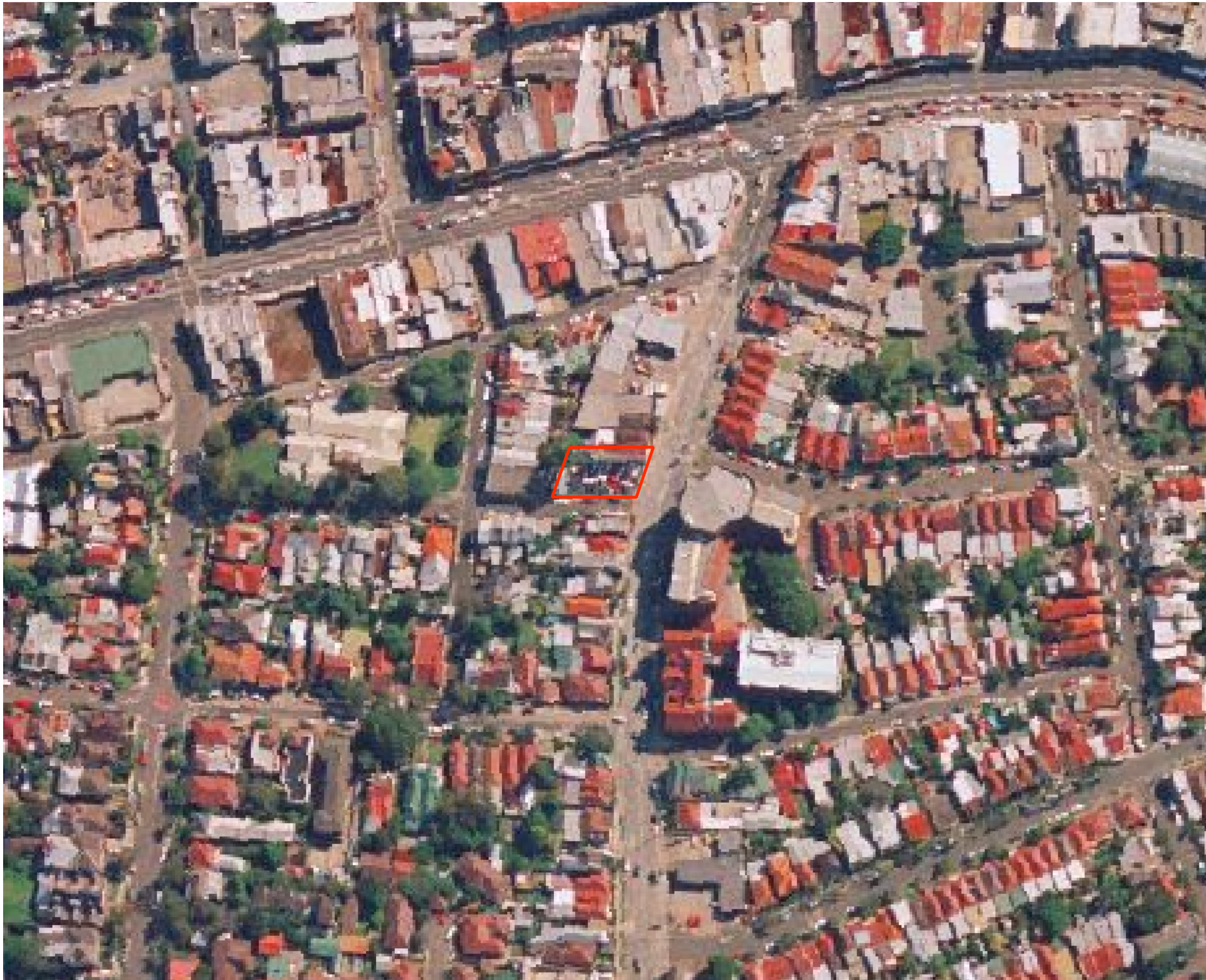
Notes:  
Basemap sourced from NSW Spatial Services

Legend

 Site Boundary







LOCALITY MAP

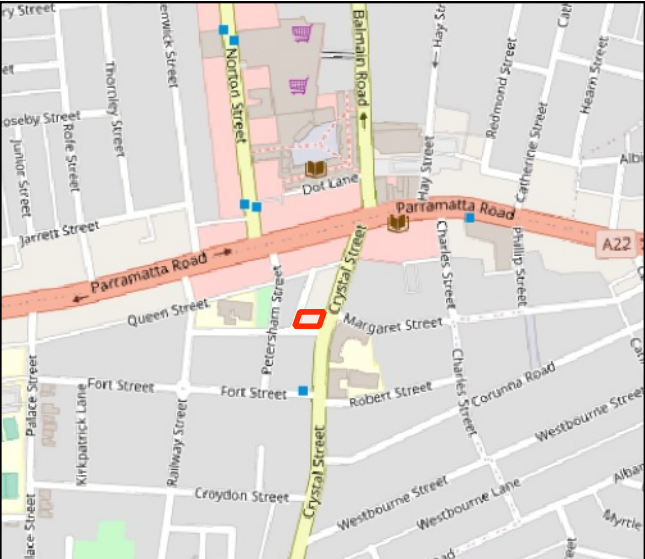
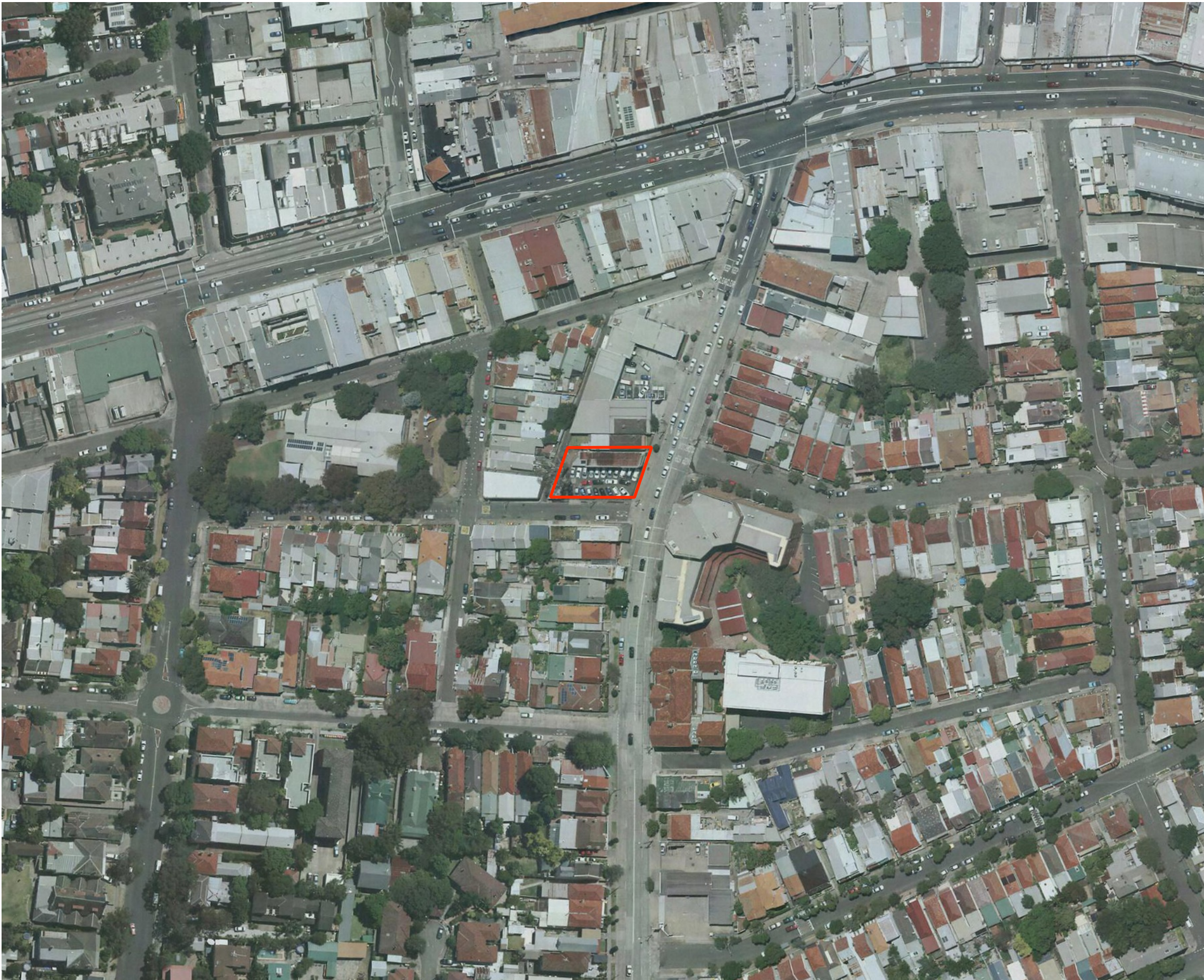
Notes:  
Basemap sourced from NSW Spatial Services

Legend

 Site Boundary







LOCALITY MAP

Notes:  
Basemap sourced from NSW Spatial Services

Legend

 Site Boundary





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## **Appendix E**

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Section 10.7 Planning Certificates

Council Records

# MARRICKVILLE MUNICIPAL COUNCIL

## LOCAL GOVERNMENT (AMENDMENT) ACT, 1951.

### CUMBERLAND COUNTY PLANNING SCHEME ORDINANCE.

CONSENT

Permit No. 534

Date 4th June, 1953.

APPLICANT'S FULL NAME: LEAHY'S MOTORS PTY. LTD.

ADDRESS: 16 Crystal Street, Petersham.

PROPERTY: 16 Crystal Street, Petersham.

#### APPROVAL:

The Marrickville Municipal Council as the responsible authority hereby permits erection and use of office and storeroom for Car Sales business.

CONDITIONS (IF ANY):

*This approval does not relieve the applicant of the obligation to obtain approval of building plans under Part XI of the Local Government Act, 1919.*



(FRANK H. TERRY)

TOWN CLERK.

**From:** Julian Catling  
**Sent:** Tue, 23 Jul 2019 10:28:12 +1000  
**To:** 'NIZNAD@HOTMAIL.COM'  
**Subject:** REQ2019-052156 Access to Information (GIPA) 18 Crystal Street PETERSHAM  
**Attachments:** 18 Crystal Street.zip

Hi Nizar

Thank you for your access to information request.

I have attached DA200500046 & TP346/87 including the plans submitted with the applications and other associated documents (1250.18T/RCM0987TP814). Please note that reference number 1250.16.T/PN:0I does not relate to a development application and as such there are no plans or consents that I can provide you.

Please feel free to contact me if you would like any further information in relation to this request.

Kind regards

DA200500046 AF

23 March, 2005

***DETERMINATION NO 200500046***

Philip Field  
38 Windsor Road  
DULWICH HILL NSW 2203

Dear Sir

**ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 ("THE ACT")  
NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION**

Pursuant to Section 81 of the Act, notice is hereby given of the determination by the Council of **Development Application No 200500046** to carry out refurbishment works and to use the ground floor shop as a lead light studio with retailing of associated products and to erect associated signage relating to property situated at:

**18 CRYSTAL STREET, PETERSHAM**

**Building Code of Australia Building Classification: 6 and 8**

In determining this application, the Council considered all matters listed under Section 79C of the Act that were relevant to the Development Application.

The Development Application was determined on 23 March, 2005 by the granting of **CONSENT** subject to the following conditions:

**GENERAL**

1. The development being carried out substantially in accordance with unnumbered and undated plans and details received by Council on 9 February 2005 and as amended by the following conditions.  
Reason: To confirm the details of the application as submitted by the applicant.
2. The area to be used for the leadlight studio and associated retailing being restricted to the ground floor level of the premises with the remainder of the premises being used exclusively as a single dwelling.  
Reason: To ensure that the use is confined to the ground floor.
3. One (1) off-street car parking space being provided, paved, linemarked and maintained at all times in accordance with the standards contained within Marrickville Development Control Plan No. 19 -Parking Strategy for the usage of the subject shop.  
Reason: To ensure practical off-street car parking is available for the use of the shop.



4. The parking space and turning area thereto being provided in accordance with the design requirements set out within Marrickville Development Control Plan No. 19 - Parking Strategy, and being used exclusively for parking and not for storage or any other purpose.  
Reason: To ensure adequate manoeuvrability to all car parking spaces and that the spaces are used exclusively for parking.
5. Council waiving the requirement of three (3) additional off-street car parking spaces required for the development.  
Reason: No intensification of usage of the premises is proposed.
6. No injury being caused to the amenity of the neighbourhood by the emission of noise, smoke, smell, vibration, gases, vapours, odours, dust, particular matter, or other impurities which are a nuisance or injurious or dangerous or prejudicial to health, the exposure to view of any unsightly matter or otherwise.  
Reason: To ensure the operation of the premises does not affect the amenity of the neighbourhood.
7. The use of the premises shall not give rise to:
  - transmission of unacceptable vibration to any place of different occupancy;
  - a sound pressure level at any affected premises that exceeds the background (LA90) noise level in the absence of the noise under consideration by more than 3dB(A). The source noise level shall be assessed as an LA10,15min and adjusted in accordance with Environment Protection Authority guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations and temporal content; and
8. A separate application being submitted to, and approved by Council, prior to the erection of any advertisements or advertising structures other than the signs approved through this consent.  
Reason: To ensure the compliance of any advertisements or advertising structures with the requirements of Council's Advertising Code.
9. The proposed advertising structures and associated advertisements being properly and safely maintained at all times to Council's satisfaction.  
Reason: To ensure that the proposed advertising structure and advertisement do not have any detrimental effect upon the amenity of the area or endanger the safety of the public.
10. Any proposed lighting of the site being designed, located and shielded to eliminate direct vision from residences in the area and to ensure that no injury is caused to the amenity of the surrounding area by light overspill. Details of any lighting system being submitted to the Council's satisfaction prior to installation.  
Reason: To protect the amenity of the surrounding neighbourhood from the emission of light.
11. No storage of goods or equipment external to any building on the site being permitted.  
Reason: To ensure the premises are kept in a neat and tidy manner.
12. No signs or goods to be displayed for sale or stored on the footpath in front of the premises at any time without the prior approval of Council.  
Reason: To prevent the public footpath from being obstructed.

13. All loading and unloading in connection with the use being carried out in such a manner as not to cause inconvenience to the public.  
Reason: To ensure loading and unloading operations do not interfere with traffic and pedestrian movements in the area.
14. The hours of operation of the leadlight studio being restricted to between the hours of 9:00am and 5:00pm Mondays to Wednesdays and Fridays, 9:00am and 9:00pm Thursdays and 9:00am and 2:00pm on Saturdays with no work being carried out on Sundays and Public Holidays.  
Reason: To confirm the hours of operations as requested by the applicant.
15. The developer liaising with the Sydney Water Corporation, the Energy Australia, AGL and Telstra concerning the provision of water and sewerage, electricity, natural gas and telephones respectively to the property.  
Reason: To ensure that the development is adequately serviced.
16. All trade waste being stored within the site boundaries and contained in such a manner so as not to cause a nuisance.  
Reason: To provide for correct storage of wastes.

### **CONSTRUCTION AND SITE WORKS**

17. All demolition, construction and associated work necessary for the carrying out of the development being restricted to between the hours of 7.00 am to 5.30 pm Mondays to Saturdays, excluding Public Holidays. All trucks and vehicles associated with the construction, including those delivering to or removing material from the site, only having access to the site during the hours referred to in this condition. All construction vehicles bringing materials to and from the site being loaded and unloaded wholly within the property. No waste collection skips, spoil, excavation or demolition material from the site or building materials associated with the construction of the development being deposited on the public road, footpath, public place or Council owned property without Council's approval, having first been obtained. The developer being responsible to ensure that all contractors associated with the development are fully aware of these requirements.  
Reason: To minimise the effect of the development during the construction period on the amenity of the surrounding neighbourhood.
18. The area surrounding the building work being reinstated to Council's satisfaction upon completion of the work.  
Reason: To ensure that the area surrounding the building work is satisfactorily reinstated.
19. A clear unobstructed path of travel of not less than 1000 mm is to be provided to all exits and paths of travel to exits.  
Reason: To provide safe egress in case of fire or other emergency.
20. All required exit doors are to be readily openable without a key from the side that faces a person seeking egress, by a single hand downward action or pushing action on a single device which is located between 900 mm and 1200 mm from the floor in accordance with Clause D2.21 of the Building Code of Australia.  
Reason: To ensure the exits are useable at all times.

## **BEFORE OCCUPATION OF THE BUILDING**

21. You must obtain an Occupation Certificate from your Principal Certifying Authority before you occupy or use the building completed in accordance with this Consent. A copy of the Certificate must be forwarded to Council within seven (7) days of the Certificate being determined.

Reason: To comply with the provisions of the Environmental Planning and Assessment Act.

22. Occupation of the building must not be permitted until such time as:

- (a) the building has been completed in accordance with the development consent;
- (b) the building owner submits to Council a *final fire safety certificate* from a properly qualified person certifying that the *fire safety measures* have been installed in the building and perform to the performance standards listed in the Schedule; and
- (c) an *occupation certificate* has been issued.

## **FIRE SAFETY SCHEDULE**

	<b>FIRE SAFETY MEASURE</b>	<b>STANDARD OF PERFORMANCE &amp; MAINTENANCE</b>
T	Portable fire extinguishers	<ul style="list-style-type: none"><li>• Clause E1.6 of the Building Code of Australia and AS 2444; and</li><li>• AS 1851.1.</li></ul>

Reason: To ensure compliance with the relevant provisions of the Environmental Planning and Assessment Act and Regulations.

23. The owner of the premises, as soon as practicable after the *final fire safety certificate* is issued, must:

- (a) forward a copy of the statement (together with a copy of the current *fire safety schedule*) to the Commissioner of the New South Wales Fire Brigades; and
- (b) display a copy of the *final safety certificate and fire safety schedule*, in a prominent position in the building.

Reason: To ensure compliance with the relevant provisions of the Environmental Planning and Assessment Act and Regulations.

24. The owner of the premises must:

- (a) submit to Council an *annual fire safety statement* every twelve (12) months after the *final fire safety certificate* is issued, for each of the *fire safety measures* listed in the *fire safety schedule*; and
- (b) as soon as practicable after the *annual fire safety statement* is issued, the owner of the building must:
  - (i) forward a copy of the statement (together with a copy of the current *fire safety schedule*) to the Commissioner of the New South Wales Fire Brigades; and
  - (ii) display a copy of the *final safety certificate and fire safety schedule* in a prominent position in the building.

The *annual fire safety statement* must verify that the *fire safety measures* are maintained to a standard no less than that specified in the *fire safety schedule*. Alternatively, in the case of an essential fire safety measures not listed in the *fire safety schedule*, are maintained to a standard not less than that, to which the *fire safety measure* was originally designed and implemented.

Reason: To ensure maintenance of the *essential fire safety measures*.

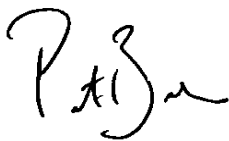
This consent is effective and operates from 23 March, 2005. The consent will lapse unless the proposed development is commenced in accordance with Section 95 of the Act.

Under Section 82A of the Act you may, within twelve (12) months of receipt of this notice, request Council to review this determination.

Under Section 97 of the Act you may, within twelve (12) months of receipt of this notice, appeal to the Land and Environment Court if you are dissatisfied with the Council's determination.

All conditions imposed by the Council must be observed. Breach of a condition is a breach of the Act and may also constitute an offence.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Peter Barber', with a stylized flourish at the end.

Peter Barber  
**Manager Development Assessment**

Enquiries: Mr S Faridy on 9335.2258

Ref: **D1** Trim No. 13592.05

DA200500046 AF

23 March, 2005

Philip Field  
38 Windsor Road  
DULWICH HILL NSW 2203

Dear Sir

**18 CRYSTAL STREET, PETERSHAM**

Council has considered your application to carry out refurbishment works and to use the ground floor shop as a lead light studio with retailing of associated products and to erect associated signage, on the above property and a copy of Council's determination is **attached** for your information.

In dealing with the application, Council resolved inter alia:

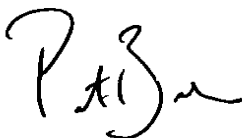
**THAT** the application be advised that:

- (i) The Disability Discrimination Act 1992 (Cth) and the Anti-Discrimination Act 1977 (NSW) impose obligations on persons relating to disability discrimination. This approval does not relieve persons who have obligations under those Acts of the necessity to comply with those Acts.
- (ii) A complete Building Code of Australia assessment of the application has not been carried out.

Your urgent attention to this matter is requested.

If you wish to discuss the matter please contact Mr S Faridy on 9335-2258 from Council's Development and Environmental Services Division.

Yours faithfully



Peter Barber  
**Manager Development Assessment**

**Encl.**

Ref: **D110** Trim No. 13592.05



***DA \* - 18 CRYSTAL STREET, PETERSHAM***  
***For Decision***

File Ref: DA200500046

Trim No. 13579.05

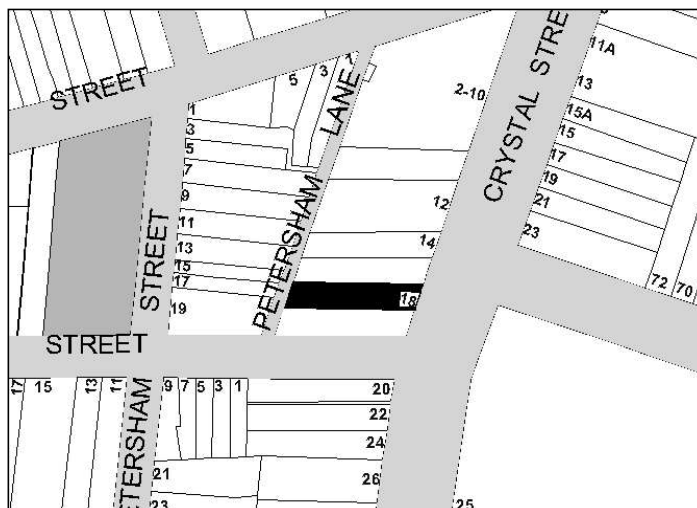
**Director, Development & Environmental Services reports:**

**Synopsis**

Application to carry out refurbishment works and to use the ground floor shop as a leadlight studio with retailing of associated products and to erect associated signage. The proposal was notified in accordance with Council's policies and no submissions were received. The application is considered suitable for approval subject to the imposition of appropriate conditions.

**PART A - PARTICULARS**

**Location:** Western side of Crystal Street between Elswick Street and Queen Street



**D/A No:** 200500046

**Application Date:** 4 February 2005

**Proposal:** To carry out refurbishment works and to use the ground floor shop as a leadlight studio with retailing of associated products and to erect associated signage.

**Cost (est):** \$200

**Applicant:** Philip Field

**Zoning:** General Business

**BCA Classification:** Class 6 and 8

**DA \* - 18 CRYSTAL STREET, PETERSHAM**  
**For Decision**

**PART B - THE SITE AND ITS ENVIRONMENT**

**Improvements:** Two storey mixed development



**Current Use:** Vacant shop at ground floor and residence above.

**Prior Approvals:** Determination No. 11033 dated 22 July 1987 approved an application to carry out alterations and additions to the premises for use as offices in association with the existing motor showroom.

**Environment:** Commercial and residential.

**PART C - REQUIREMENTS**

- 1 Zoning**  
Is use permissible in zoning? Yes
- 2 Development Standards (Mandatory Requirements):**  
None Applicable
- 3 Departures from Council's Codes and Policies:**

<i>Type</i>	<i>Required</i>	<i>Proposed</i>
Parking	4	1
Disabled toilet	Yes	No
Advertising area (max)	3.8sq.m	5sq.m
- 4 Advertising / Notification:**  
Required: Yes (newspaper advertisement, on site notice and resident notification)  
Submissions: None received
- 5 Other Requirements:**  
ANEF 2010 affectation: 25-30 ANEF  
ANEF 2023/24 affectation: 25-35 ANEF

**DA \* - 18 CRYSTAL STREET, PETERSHAM**  
***For Decision***

**PART D - ISSUES**

**1. The Site and Surrounds**

The site is situated on the western side of Crystal Street with rear access from Petersham Lane. Currently existing on the site is a two storey mixed commercial/residential development with a rear yard. Petersham Lane is narrow and has an approximate width of 3m. Surrounding improvements are generally commercial in nature along Crystal Street and residential across the rear lane.

**2. The Proposal**

Approval is sought to carry out refurbishment works and to use the ground floor shop as a leadlight studio with retailing of associated products and to erect associated signage. The proposed signs include 2 x flush wall signs reading "Sugar Loaf Leadlight Studio 9564 xxxx" The proposed hours of operations are between the hours of 9:00am and 5:00pm Mondays to Wednesdays and Fridays, 9:00am and 9:00pm Thursdays and 9:00am and 2:00pm on Saturdays with no work being carried out on Sundays and Public Holidays. An off street parking space is also proposed within the rear yard to be accessed from Petersham Lane.

**3. Marrickville Local Environmental Plan 2001**

*Zoning and Permissibility*

The subject property is zoned General Business under Marrickville Local Environmental Plan 2001. The proposed development is permissible with Council's consent under the zoning provisions applying to the land.

**4. Marrickville Development Control Plan No. 19 - *Parking Strategy* (DCP 19)**

In accordance with DCP 19, 1 car space per 45m<sup>2</sup> of shop area is required. Based on the proposed commercial use at ground floor level measuring approximately 140m<sup>2</sup> and existing residence at the first floor level the premises requires a total of four (4) off street car spaces. The premises currently have no provision for off street parking space. The proposal includes one (1) off street parking space within the rear yard. It appears that the subject premises have been used for commercial purposes without any off street parking. As no intensification of the commercial space is proposed, the shortage of three (3) off street parking spaces is considered acceptable.

**5. Marrickville Development Control Plan No. 31 - *Equity of Access & Mobility* (DCP 31)**

Under the provisions of DCP 31 the proposed commercial development is required to provide appropriate access for all persons through the principal entrance and general access for all persons to appropriate sanitary facilities. The subject shop has its principal entrance through the roller door which is at level with Council's footpath. The information submitted with the application indicates that only one (1) person will be operating from the premises. The proposal does not involve any structural alterations to the existing purpose built commercial building and therefore seeking sanitary facilities for persons with disability is considered unreasonable.

***DA \* - 18 CRYSTAL STREET, PETERSHAM  
For Decision***

**6. Environmental Amenity**

The proposed leadlight studio is situated in a predominately retail/commercial frontage. The proposed use is not considered to raise unreasonable noise or amenity issues for the existing dwellings at first floor level and at No. 14 Crystal Street.

The applicant has indicated an intention to hold training classes in the field of lead lighting. In this regard the statement of environmental effects submitted with the application indicates:

*“It is possible from time to time tuition would be made available in the form of adult education classes. This would enhance the area as more people involved in local activities is good for the community”*

While the above intention appears acceptable it is considered reasonable to seek Council’s approval prior to such activities by way of a condition imposed on any consent granted.

**7. Trading Hours**

The applicant seeks approval to operate the proposed use between the hours of 9:00am and 5:00pm Mondays to Wednesdays and Fridays, 9:00am and 9:00pm Thursdays and 9:00am and 2:00pm on Saturdays with no work being carried out on Sundays and Public Holidays. It is considered that the proposed hours of operations would not adversely impact on the amenity of adjoining residential and commercial activities.

**8. Signage**

The proposal includes a flush wall sign on the shop front measuring 1m x 3m and reading, “*Sugarloaf Leadlight Studio, Restoration Commissions Repairs 02 9569 xxxx mob 0401 xxxxx*” and a second flush wall sign along the northern wall measuring 1m x 2m and reading, “*Sugarloaf Leadlight Studio 02 9569 xxxx mob 0401 xxxxx*”. Council’s Code for the *Control and Erection of Signs and Advertising Structures* restricts the total area of signage in a Business zone to a maximum of 1m<sup>2</sup> per 1.5m of street frontage. The subject site has a frontage of 5.7m which would allow a total signage area of 3.8m<sup>2</sup>. The proposal has a signage area of 5m<sup>2</sup>. The proposed signs are flush wall signs with white lettering on black background and in close proximity of other commercial and retail activities. The proposed signs are considered acceptable.

**8. Advertising/Notification**

The application was advertised, an on site notice was placed on the property and owners/occupiers of the properties in the vicinity of the subject property were notified of the proposed development in accordance with Council’s development notification policy. No submissions were received.

**9. Conclusion**

The heads of consideration under Section 79C of the Environmental Planning and Assessment Act, 1979 of relevance of the application has been taken into consideration and that proposal is considered suitable for approval subject to the imposition of appropriate conditions.

**DA \* - 18 CRYSTAL STREET, PETERSHAM**  
**For Decision**

**PART E - RECOMMENDATION**

- A. THAT** the development application to carry out refurbishment works and to use the ground floor shop as a leadlight studio with retailing of associated products and to erect associated signage be **APPROVED** subject to the following conditions:

**GENERAL**

1. The development being carried out substantially in accordance with unnumbered and undated plans and details received by Council on 9 February 2005 and as amended by the following conditions.  
Reason: To confirm the details of the application as submitted by the applicant.
2. The area to be used for the leadlight studio and associated retailing being restricted to the ground floor level of the premises with the remainder of the premises being used exclusively as a single dwelling.  
Reason: To ensure that the use is confined to the ground floor.
3. One (1) off-street car parking space being provided, paved, linemarked and maintained at all times in accordance with the standards contained within Marrickville Development Control Plan No. 19 -Parking Strategy for the usage of the subject shop.  
Reason: To ensure practical off-street car parking is available for the use of the shop.
4. The parking space and turning area thereto being provided in accordance with the design requirements set out within Marrickville Development Control Plan No. 19 - Parking Strategy, and being used exclusively for parking and not for storage or any other purpose.  
Reason: To ensure adequate manoeuvrability to all car parking spaces and that the spaces are used exclusively for parking.
5. Council waiving the requirement of three (3) additional off-street car parking spaces required for the development.  
Reason: No intensification of usage of the premises is proposed.
6. No injury being caused to the amenity of the neighbourhood by the emission of noise, smoke, smell, vibration, gases, vapours, odours, dust, particular matter, or other impurities which are a nuisance or injurious or dangerous or prejudicial to health, the exposure to view of any unsightly matter or otherwise.  
Reason: To ensure the operation of the premises does not affect the amenity of the neighbourhood.
7. The use of the premises shall not give rise to:
  - transmission of unacceptable vibration to any place of different occupancy;
  - a sound pressure level at any affected premises that exceeds the background (LA90) noise level in the absence of the noise under consideration by more than 3dB(A). The source noise level shall be assessed as an LA10,15min and adjusted in accordance with Environment Protection Authority guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations and temporal content; and



***DA \* - 18 CRYSTAL STREET, PETERSHAM***  
***For Decision***

8. A separate application being submitted to, and approved by Council, prior to the erection of any advertisements or advertising structures other than the signs approved through this consent.  
Reason: To ensure the compliance of any advertisements or advertising structures with the requirements of Council's Advertising Code.
9. The proposed advertising structures and associated advertisements being properly and safely maintained at all times to Council's satisfaction.  
Reason: To ensure that the proposed advertising structure and advertisement do not have any detrimental effect upon the amenity of the area or endanger the safety of the public.
10. Any proposed lighting of the site being designed, located and shielded to eliminate direct vision from residences in the area and to ensure that no injury is caused to the amenity of the surrounding area by light overspill. Details of any lighting system being submitted to the Council's satisfaction prior to installation.  
Reason: To protect the amenity of the surrounding neighbourhood from the emission of light.
11. No storage of goods or equipment external to any building on the site being permitted.  
Reason: To ensure the premises are kept in a neat and tidy manner.
12. No signs or goods to be displayed for sale or stored on the footpath in front of the premises at any time without the prior approval of Council.  
Reason: To prevent the public footpath from being obstructed.
13. All loading and unloading in connection with the use being carried out in such a manner as not to cause inconvenience to the public.  
Reason: To ensure loading and unloading operations do not interfere with traffic and pedestrian movements in the area.
14. The hours of operation of the leadlight studio being restricted to between the hours of 9:00am and 5:00pm Mondays to Wednesdays and Fridays, 9:00am and 9:00pm Thursdays and 9:00am and 2:00pm on Saturdays with no work being carried out on Sundays and Public Holidays.  
Reason: To confirm the hours of operations as requested by the applicant.
15. The developer liaising with the Sydney Water Corporation, the Energy Australia, AGL and Telstra concerning the provision of water and sewerage, electricity, natural gas and telephones respectively to the property.  
Reason: To ensure that the development is adequately serviced.
16. All trade waste being stored within the site boundaries and contained in such a manner so as not to cause a nuisance.  
Reason: To provide for correct storage of wastes.

**DA \* - 18 CRYSTAL STREET, PETERSHAM**  
**For Decision**

**CONSTRUCTION AND SITE WORKS**

17. All demolition, construction and associated work necessary for the carrying out of the development being restricted to between the hours of 7.00 am to 5.30 pm Mondays to Saturdays, excluding Public Holidays. All trucks and vehicles associated with the construction, including those delivering to or removing material from the site, only having access to the site during the hours referred to in this condition. All construction vehicles bringing materials to and from the site being loaded and unloaded wholly within the property. No waste collection skips, spoil, excavation or demolition material from the site or building materials associated with the construction of the development being deposited on the public road, footpath, public place or Council owned property without Council's approval, having first been obtained. The developer being responsible to ensure that all contractors associated with the development are fully aware of these requirements.  
Reason: To minimise the effect of the development during the construction period on the amenity of the surrounding neighbourhood.
18. The area surrounding the building work being reinstated to Council's satisfaction upon completion of the work.  
Reason: To ensure that the area surrounding the building work is satisfactorily reinstated.
19. A clear unobstructed path of travel of not less than 1000 mm is to be provided to all exits and paths of travel to exits.  
Reason: To provide safe egress in case of fire or other emergency.
20. All required exit doors are to be readily openable without a key from the side that faces a person seeking egress, by a single hand downward action or pushing action on a single device which is located between 900 mm and 1200 mm from the floor in accordance with Clause D2.21 of the Building Code of Australia.  
Reason: To ensure the exits are useable at all times.

**BEFORE OCCUPATION OF THE BUILDING**

21. You must obtain an Occupation Certificate from your Principal Certifying Authority before you occupy or use the building completed in accordance with this Consent. A copy of the Certificate must be forwarded to Council within seven (7) days of the Certificate being determined.  
Reason: To comply with the provisions of the Environmental Planning and Assessment Act.
22. Occupation of the building must not be permitted until such time as:
- (a) the building has been completed in accordance with the development consent;
  - (b) the building owner submits to Council a *final fire safety certificate* from a properly qualified person certifying that the *fire safety measures* have been installed in the building and perform to the performance standards listed in the Schedule; and
  - (c) an *occupation certificate* has been issued.

**DA \* - 18 CRYSTAL STREET, PETERSHAM**  
**For Decision**

**FIRE SAFETY SCHEDULE**

	<b>FIRE SAFETY MEASURE</b>	<b>STANDARD OF PERFORMANCE &amp; MAINTENANCE</b>
T	Portable fire extinguishers	<ul style="list-style-type: none"><li>• Clause E1.6 of the Building Code of Australia and AS 2444; and</li><li>• AS 1851.1.</li></ul>

Reason: To ensure compliance with the relevant provisions of the Environmental Planning and Assessment Act and Regulations.

23. The owner of the premises, as soon as practicable after the *final fire safety certificate* is issued, must:
- (a) forward a copy of the statement (together with a copy of the current *fire safety schedule*) to the Commissioner of the New South Wales Fire Brigades; and
  - (b) display a copy of the *final safety certificate and fire safety schedule*, in a prominent position in the building.

Reason: To ensure compliance with the relevant provisions of the Environmental Planning and Assessment Act and Regulations.

24. The owner of the premises must:
- (a) submit to Council an *annual fire safety statement* every twelve (12) months after the *final fire safety certificate* is issued, for each of the *fire safety measures* listed in the *fire safety schedule*; and
  - (b) as soon as practicable after the *annual fire safety statement* is issued, the owner of the building must:
    - (i) forward a copy of the statement (together with a copy of the current *fire safety schedule*) to the Commissioner of the New South Wales Fire Brigades; and
    - (ii) display a copy of the *final safety certificate and fire safety schedule* in a prominent position in the building.

The *annual fire safety statement* must verify that the *fire safety measures* are maintained to a standard no less than that specified in the *fire safety schedule*. Alternatively, in the case of an essential fire safety measures not listed in the *fire safety schedule*, are maintained to a standard not less than that, to which the *fire safety measure* was originally designed and implemented.

Reason: To ensure maintenance of the *essential fire safety measures*.

**B. THAT** the application be advised that:

- (i) The Disability Discrimination Act 1992 (Cth) and the Anti-Discrimination Act 1977 (NSW) impose obligations on persons relating to disability discrimination. This approval does not

***DA \* - 18 CRYSTAL STREET, PETERSHAM***  
***For Decision***

relieve persons who have obligations under those Acts of the necessity to comply with those Acts.

- (ii) A complete Building Code of Australia assessment of the application has not been carried out.



**MARRICKVILLE  
COUNCIL**

## DEVELOPMENT APPLICATION

Under Section 78A of the Environmental Planning and  
Assessment Act 1979

ADMINISTRATIVE CENTRE  
2-14 FISHER STREET  
PETERSHAM NSW 2049  
PO BOX 14, PETERSHAM NSW 2049  
DX 3910 ANNANDALE

TELEPHONE: (02) 9335 2222  
FAX NO: (02) 9335 2029  
EMAIL: council@marrickville.nsw.gov.au

FILE NO..... FOLIO NO..... DA NO 200500096

**NOTE:** PLEASE COMPLETE ALL RELEVANT SECTIONS. FAILURE TO DO SO MIGHT RESULT IN THE REJECTION OF YOUR APPLICATION OR SIGNIFICANT DELAYS IN THE DETERMINATION OF YOUR APPLICATION. PLEASE USE **BLOCK LETTERS**.

**APPLICANTS MUST COMPLETE ALL SECTIONS ON THIS PAGE**

**1. ADDRESS OF PROPERTY** (Please use **BLOCK** letters)

NO 18 STREET CRYSTAL ST SUBURB Petersham  
LOT NO 81-82 DP OR SP NO 1010136 (Lot and DP numbers can be found on Council's Rates Notice)  
LAND DIMENSIONS: WIDTH AT FRONTAGE.....(M) DEPTH/LENGTH.....(M)

**2. APPLICANT'S DETAILS** (Please use **BLOCK** letters)

NAME OF APPLICANT Philip Field TELEPHONE NO (HOME) 9569 2299  
ADDRESS 38 Wmson Road (WORK).....  
Darwin Hill POSTCODE 2203 (MOBILE) 0401096246  
NAME Phil Field SIGNATURE [Signature] DATE 2-2-05

**3. DESCRIPTION OF THE PROPOSAL** (Please tick appropriate box(es) and provide a written description)

☒ USE OF LAND/BUILDING  
☐ ERECTION OF A BUILDING  
☒ ERECTION OF A SIGN  
☐ SUBDIVISION OF LAND/BUILDING  
☐ CARRYING OUT OF WORK  
☐ DEMOLITION  
☐ OTHER  
WRITTEN DESCRIPTION OF PROPOSAL  
CURT + HEADLIGHT SHOP  
Sign on front + side of Building

**4. COST OF DEVELOPMENT** (The cost of the work is the contract price, or if there is no contract, the cost as determined by the Council)

ESTIMATED COST OF DEVELOPMENT \$ 200.00

**ALL REGISTERED OWNERS OF THE PROPERTY OR PROPERTIES MUST  
CONSENT TO THE LODGEMENT OF THIS APPLICATION**

**5. CONSENT OF OWNER(S) OF LAND** (Please use **BLOCK** letters)

I/We, the undersigned being the owner/s of the land hereby consent to the submission of this application.  
If a company, state the company name or provide the company seal, and state capacity of the person signing.

NAME CHARLIE SABA SIGNATURE [Signature] DATE 01-02-05  
JALIL ELIAS [Signature] 01-2-05  
CONTACT PHONE NO 0411 605030 ADDRESS .....



**5. CONSENT OF OWNER(S) OF LAND (cont'd)**

DOES YOUR PROPOSAL INVOLVE THE EXTENSION OR ALTERATION OF AN EXISTING PARTY WALL?

- ☐ YES - YOU WILL NEED TO ATTACH THE WRITTEN CONSENT OF THE ADJOINING OWNERS, AS WELL AS PROOF OF THE EXISTENCE OF A CROSS EASEMENT FOR SUPPORT.
- ☒ NO - PROCEED TO SECTION 6

**SECTIONS 6, 7 AND 8 ARE NOT RELEVANT TO ALL APPLICANTS - ONLY COMPLETE IF APPLICABLE**

**6. APPROVALS UNDER S.68 OF THE LOCAL GOVERNMENT ACT, 1993**DOES YOUR APPLICATION SEEK APPROVAL FOR ANY OF THE FOLLOWING? *(Please tick appropriate box(es))***STRUCTURES OR PLACES OF PUBLIC ENTERTAINMENT**

- ☐ INSTALLING A MANUFACTURED HOME, MOVEABLE DWELLING OR ASSOCIATED STRUCTURE ON LAND
- ☐ INSTALLING A TEMPORARY STRUCTURE ON LAND
- ☐ USING A BUILDING OR TEMPORARY STRUCTURE AS A PLACE OF PUBLIC ENTERTAINMENT OR PERMITTING ITS USE AS A PLACE OF PUBLIC ENTERTAINMENT

**WATER SUPPLY, SEWERAGE AND STORMWATER DRAINAGE WORK**

- ☐ CARRYING OUT WATER SUPPLY WORK
- ☐ INSTALLING, ALTERING, DISCONNECTING OR REMOVING A METER CONNECTED TO A SERVICE PIPE
- ☐ CARRYING OUT SEWERAGE WORK
- ☐ CARRYING OUT STORMWATER DRAINAGE WORK
- ☐ CONNECTING A PRIVATE DRAIN OR SEWER WITH A PUBLIC DRAIN OR SEWER UNDER THE CONTROL OF A COUNCIL OR WITH A DRAIN OR SEWER WHICH CONNECTS WITH SUCH A PUBLIC DRAIN OR SEWER

**MANAGEMENT OF WASTE**

- ☐ FOR FEE OR REWARD, TRANSPORTING WASTE OVER OR UNDER A PUBLIC PLACE
- ☐ PLACING WASTE IN A PUBLIC PLACE
- ☐ DISPOSING OF WASTE INTO A SEWER OF THE COUNCIL
- ☐ INSTALLING, CONSTRUCTING OR ALTERING A WASTE TREATMENT DEVICE OR A HUMAN WASTE STORAGE FACILITY OR A DRAIN CONNECTED TO ANY SUCH DEVICE OR FACILITY

**PUBLIC ROADS**

- ☐ SWINGING OR HOISTING GOODS ACROSS OR OVER ANY PART OF A PUBLIC ROAD BY MEANS OF A LIFT, HOIST OR TACKLE PROJECTING OVER THE FOOTWAY

**OTHER ACTIVITIES**

- ☐ OPERATING A PUBLIC CAR PARK
- ☐ OPERATING A CARAVAN PARK OR CAMPING GROUND
- ☐ OPERATING A MANUFACTURED HOME ESTATE
- ☐ INSTALLING A DOMESTIC OIL OR SOLID FUEL HEATING APPLIANCE, OTHER THAN A PORTABLE APPLIANCE
- ☐ INSTALLING OR OPERATING AMUSEMENT DEVICES (WITHIN THE MEANING OF THE CONSTRUCTION SAFETY ACT, 1912)
- ☐ INSTALLING OR OPERATING AMUSEMENT DEVICES PRESCRIBED BY THE REGULATIONS UNDER THE LOCAL GOVERNMENT ACT, 1993, IN PREMISES
- ☐ OPERATING AN UNDERTAKER'S BUSINESS
- ☐ OPERATING A MORTUARY
- ☐ CARRYING OUT AN ACTIVITY PRESCRIBED BY THE REGULATIONS UNDER THE LOCAL GOVERNMENT ACT, 1993, OR AN ACTIVITY OF A CLASS OR DESCRIPTION SO PRESCRIBED



9. DETAILS OF PROPOSED DEVELOPMENT (NEW BUILDING WORK AND/OR USE OF A BUILDING)  
(cont'd) (Please use BLOCK letters)

PROPOSED HOURS OF OPERATION

	FROM	TO		FROM	TO
MONDAY – WEDNESDAY	9	5	SATURDAY	9	2
THURSDAY	9	9	SUNDAY	—	—
FRIDAY	9	5	PUBLIC HOLIDAY	—	—

WHAT WILL BE THE MAXIMUM NUMBER OF EMPLOYEES ASSOCIATED WITH THE USE AT ANY ONE TIME? 1

WHAT WILL BE THE TOTAL NUMBER OF PEOPLE EMPLOYED IN ASSOCIATION WITH THE USE? 1

HOW MANY PROPOSED CAR PARKING SPACES WILL BE ON THE LAND? 2

WHERE IS LOADING AND UNLOADING PROPOSED TO TAKE PLACE? (eg on-site loading area/street/rear lane etc) .....

REAR LANE

WHAT VEHICLES WILL BE ASSOCIATED WITH LOADING AND UNLOADING? (specify type, size and number per day) .....

SMALL 1 TON LTR

WHEN WILL LOADING AND/OR UNLOADING TAKE PLACE? OPENING HOURS TWICE A WEEK

WHEN AND HOW FREQUENTLY WILL REMOVAL OF RUBBISH/WASTES OCCUR? DAYLIGHT HOURS

THERE IS VERY LITTLE WASTE ASSOCIATED. ONCE A MONTH

WHAT MACHINERY WILL BE USED IN ASSOCIATION WITH THE USE? (Please specify type, number, power and capacity of machinery - if insufficient space, please attach a separate list) .....

GRASS LIMERICK, KILN, SMALL COMPRESSOR (VERY NOISY)

WILL THE PROPOSED USE INVOLVE THE USE OR STORAGE OF HAZARDOUS OR DANGEROUS CHEMICALS, SUBSTANCES, MATERIALS ETC? (Please give the exact name of materials, chemicals, quantities and method of storage - if insufficient space, please attach a separate list) .....

NO

DOES YOUR APPLICATION INVOLVE A CHANGE OF USE TO A BUILDING (OTHER THAN A CLASS 1A BUILDING (house)) OR A CLASS 10 BUILDING (eg garage) WHERE NO ALTERATIONS OR ADDITIONS ARE PROPOSED?

☒ YES - see SECTION 5 - FIRE SAFETY MEASURES of the checklist at the end of this form

☐ NO - proceed to next question

DOES YOUR DEVELOPMENT REQUIRE CONSENT UNDER THE WILDERNESS ACT, 1987?

☐ YES - please attach a copy of the consent under the Wilderness Act, 1987

☒ NO - proceed to next question

IF YOUR DEVELOPMENT INVOLVES THE ERECTION OF A BUILDING, WORK OR DEMOLITION, YOU MUST INCLUDE DETAILS OF THE METHOD OF SECURING THE SITE DURING THE COURSE OF CONSTRUCTION OR DEMOLITION. (If insufficient space, please attach a separate list) .....

**10. SIGN(S) AND ADVERTISING STRUCTURE(S)**

PLEASE REFER TO THE **DEVELOPMENT APPLICATION INFORMATION SHEET FOR SIGNS AND ADVERTISING STRUCTURES** TO ASSIST IN THE PREPARATION OF PLANS AND DETAILS REQUIRED BY THE COUNCIL.

YOUR PLANS MUST INDICATE THE LOCATION OF THE PROPOSED SIGN(S) ON THE SITE AND/OR THE BUILDING (IE SITE PLAN AND ELEVATION). THE PLANS MUST BE DIMENSIONED AND INDICATE THE WORDING OR CONTENT FOR THE PROPOSED SIGN(S) AND THE MATERIALS OUT OF WHICH THE SIGN(S) WILL BE CONSTRUCTED.

NUMBER OF EXISTING SIGN(S) ..... 1 .....

NUMBER OF PROPOSED SIGN(S) ..... 2 .....

NUMBER OF SIGN(S) TO BE REMOVED ..... 1 .....

**SIGN TYPES**

ABOVE AWNING	ADVERTISING PANEL	FASCIA	FLUSH WALL
HORIZONTAL PROJECTING WALL	PYLON SIGN	ROOF	TOP HAMPER
UNDER AWNING	VERTICAL PROJECTING	WINDOW	OTHER

**LIGHTING TYPE**

NONE	INTERNALLY ILLUMINATED (NEON BACKLIT)	FLOODLIT
------	---------------------------------------	----------

**PLEASE COMPLETE THE FOLLOWING TABLE FOR THE PROPOSED SIGN(S)**

SIGN	TYPE	SIZE	LIGHTING	WORDING/CONTENT
EG	Fascia	0.5m x 4.45m	None	Joe's Plumbing 1 Smith Street, Marrickville Tel: 9555 5555
1	FLUSH TOWALL	2m x 1m	NONE	SUGARLOAK LEADLIT STUDIO 95692299
2	FLUSH TOWALL	3m x 1m	NONE	SUGARLOAK LEADLIT STUDIO CHANGES COMMISSIONERS REPAIRS + 95692299 RESTORATIONS

**11. SUBDIVISION (TORRENS, STRATA, COMMUNITY TITLE, CONSOLIDATION)**

WHAT TYPE OF SUBDIVISION IS PROPOSED AND HOW MANY LOTS WILL BE CREATED? (Please tick appropriate box)

	NUMBER OF PROPOSED LOTS
<input type="checkbox"/> TORRENS TITLE (land subdivision)	.....
<input type="checkbox"/> STRATA TITLE (eg flats, townhouses)	.....
<input type="checkbox"/> COMMUNITY TITLE	.....
<input type="checkbox"/> CONSOLIDATION	.....

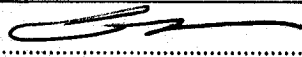
## DOCUMENTS SUBMITTED

PLEASE COMPLETE THE FOLLOWING TABLE BY WRITING THE NUMBER OF DOCUMENTS SUBMITTED WITH YOUR APPLICATION

APPLICATION FORM		ADDITIONAL SETS OF THE APPLICATION FOR INTEGRATED DEVELOPMENT FOR EACH APPROVAL BODY	
FIRE SAFETY SCHEDULE		MODEL	
NOTIFICATION PLANS		PHOTOGRAPHS	
PLANS		SEPARATE OWNER'S CONSENT	
SHADOW DIAGRAMS		SITE SECURING MEASURES	
SEPP NO 1 OBJECTION		STATEMENT OF ENVIRONMENTAL EFFECTS	
PROOF OF EXISTENCE OF A CROSS EASEMENT FOR A PARTY WALL		OTHER INFORMATION(SPECIFY)	

## OFFICER'S NOTES:

## OFFICE USE

CASHIER	DES DIVISION	FEE
DATE PAID 9/2/05	DEVELOPMENT FEE (62)	\$ 220 -
	DA INSPECTION FEE (63)	\$
RECEIPT NO 191892	ADVERTISING FEE (61)	\$ 224 -
	PHOTOCOPYING FEE (64)	\$
AMOUNT PAID \$ 759-6	ARCHIVAL FEE (49)	\$ 30-60
	TOTAL	\$ 759-6
	INTEGRATED DEVELOPMENT \$250/APPROVAL (SEPARATE CHEQUE MADE OUT TO EACH APPROVAL BODY)	
ACCEPTING OFFICER..... 	DATE.....9/2/05	

CASHIER HOURS: 8.30 AM - 4.30 PM



# Development Application Lodgement Checklist - Change of Use Development

Commercial/Retail/Industrial

Marrickville Council

<b>Introduction</b>	<ul style="list-style-type: none"> <li>The following table and checklist will help you prepare and lodge a completed application.</li> <li>Please check that your application contains all the information listed in the table, tick (✓) the column titled "Checklist - Applicant" and include this form with your application to Council.</li> </ul>
<b>Pre-Lodgement</b>	<ul style="list-style-type: none"> <li>Pre-lodgement discussion with staff is recommended.</li> <li>It is preferable that you discuss your proposal with your neighbours prior to design or lodgement.</li> <li>Carefully read this checklist and ensure that all required information and documentation is provided with your application.</li> </ul>
<b>Lodgement</b>	<ul style="list-style-type: none"> <li>All information required by the checklist must be submitted with your development application.</li> <li>Incomplete applications or illegible information will not be accepted by Council.</li> <li>All fees are to be paid at the time of lodgement.</li> </ul>
<b>Property</b>	Address: 16 CRYSTAL ST DEARSAWY Suburb: DEARSAWY Postcode:

DEVELOPMENT APPLICATION	CHECKLIST	
	Applicant	Staff
1. <b>DA Form</b> - Have all the relevant sections on the DA form been properly completed and two (2) copies provided?	✓	✓
2. <b>Owners Consent</b> - Has the written consent of <b>all owners</b> been provided? <i>Note:- If the proposal involves a strata lot have the lot owners &amp; the owners corporation signatures and company seal been provided?</i>	✓	✓
3. <b>Cost of Development</b> - Has an estimated cost of development been provided? <i>(Council staff will check your estimate against the Cordell's Building Cost Guide)</i>	✓	✓
4. <b>Plans</b> - Have four (4) copies of all plans drawn to scale been submitted with the application (including 2 coloured copies for alterations and additions to existing buildings)? <i>Note:- Plans are to be fully dimensioned and include a site plan (1:200), floor plan (1:100), elevations (1:100) and a section through the building (1:50/ 1:100).</i>	✓	✓
5. <b>Notification Plans</b> - Have six (6) A4 size plans showing site plan & elevations of the buildings & additions been provided for notification? <i>Note:- These are sent with notification letters to nearby property owners.</i>	✓	✓
6. <b>Statement of Environmental Effects</b> - Have three (3) copies of a Statement of Environmental Effects been provided?	✓	✓

<b>Office Use Only</b>	Citizen Service Officer to check above and sign: Name: Signature:
------------------------	--

PLANS	Applicant	Staff
<b>7. Site Plan</b> - Do the plans show to scale:-	✓	
▪ The entire site, boundary dimensions and true north point?		
▪ Details of all existing & proposed buildings, including buildings to be demolished?	✓	
▪ Street numbers, location and uses of buildings on adjoining land?	✓	
▪ Details of any right of way (R.O.W.) or easements?	✓	
▪ Car parking and/or garaging, including loading facilities, access and exit points and their dimensions.		✓
▪ <b>Calculations of all existing and proposed gross floor areas?</b>		
▪ Property address, plan number and date of preparation or amendment number and date of amendment (if relevant)?	N/A	
<b>8. Floor Plans</b> - Do the floor plans clearly illustrate:-	NO PROPOSED DEVELOPMENT	
▪ The layout of the proposed development, including all levels in the building?		
▪ Internal walls/ partitions and room names or uses?	✓	✓
▪ Stated dimensions of existing and proposed work?	✓	
▪ All fire safety measures? If the building is existing.		
DOCUMENTATION	Applicant	Staff
<b>9. Hours of Operation</b> - Have the proposed hours of operation been clearly stated?	✓	✓
<b>10. Plant &amp; Machinery</b> - Have details of any plant or machinery to be installed been provided?	✓	✓
<b>11. Goods</b> - Have full details of the type, size and quantity of goods to be manufactured, stored or transported been provided?	✓	✓
<b>12. Space</b> - Have details of the number of offices/units/shops and floor space been provided?	N/A	N/A
<b>13. Heritage</b> - Is the property a heritage item, in the vicinity of a heritage item or within a heritage conservation area under Marrickville LEP 2001? If YES, has a Heritage Assessment Report been provided? <i>Note:- For work within a conservation area, applicants should address the heritage provisions of Clause 48 of Marrickville LEP 2001 in the Statement of Environmental Effects.</i>	✓	✓
<b>14. Material &amp; Finishes</b> - Have the materials and finishes for the proposed development been provided where there are external changes?	NO EXTERNAL CHANGES	✓
<b>15. SEPP 1</b> - Has a SEPP No. 1 objection been provided? This is required where the proposal does not comply with a mandatory control such as FSR, area of office/ showroom space or minimum allotment area under MLEP 2001.		N/A
<b>16. Have detailed calculations been provided, including:-</b>		N/A
▪ Calculation of the site and floor areas and the resultant floor space ratio (existing and/or proposed)?		
▪ Boundary setbacks?		
▪ Number of car parking and loading spaces required/ available?		
ADDITIONAL REQUIREMENTS	Applicant	Staff
<b>17. Signage</b> - Have details of all proposed signage for the development been provided in accordance with the Marrickville Code for the Control and Erection of Signs & Advertising Structures?	✓	✓

ADDITIONAL REQUIREMENTS	Applicant	Staff
<b>18. Site Contamination</b> - Have you submitted an Initial/ Detailed Site Contamination Report? <i>Note:- This is required for sites that were previously or are currently used for any land use contained in Annexure 1 of DCP No. 20 - Contaminated Land Policy and Controls.</i>		N/A
<b>19. DDA</b> - Have you submitted a Disability Discrimination Act (DDA) Statement of Consistency? <i>Note:- This is required to be prepared in accordance with Council's DCP No. 31 - Equity of Access &amp; Mobility.</i>	✓	✓
<b>20. Traffic</b> - Have you submitted a traffic statement? <i>Note:- This is required to be submitted with larger proposals.</i>		N/A

## Your Declaration

Applicants should be aware that if all the required information is not provided, the development application will not be accepted at the Citizen Service Centre.  
Further information will be requested if not initially provided.

*I/we declare to the best of my/our knowledge and belief, that the particulars stated on this checklist are correct in every detail and that the information required has been supplied.*

**Applicant's Name(s):**  
(Please Print)

Philip Field

**Applicant's Signature(s):**

*[Signature]*

## Your Privacy

The supply of personal information is legally required and will assist Council officers in assessing your application. Failure to supply the information may result in delays or rejection. The details provided may be made publicly available. At any time you have access to view or correct any information you have supplied. The information you have supplied will be stored at Council's offices.

## Office Use

Additional Comments: (outstanding information, action required before application can be lodged)

### Checked By:

Duty Officer Name:

Sonail Pandey

Date:

04/02/05

Duty Officer's Signature:

*[Signature]*

## Keywords and Information

**Conservation Areas:** are significant for their streetscape character and are of value due to the collective nature of buildings and elements in that area and is shown on the map marked "Marrickville Local Environmental Plan 2001 - Conservation Areas".

**Fire Safety Measures:** Any measure (including any item of equipment, form of construction, or fire safety strategy) that is, or is proposed to be implemented in a building to ensure the safety of persons using the building in the event of fire (e.g. exit signs, fire extinguishers, hydrants, fire dampers).

**Floor Space Ratio (FSR):** The ratio of the total gross floor area of all levels of the building(s) to the area of the site on which the building(s) is, are located.

**Heritage Item:** An individually heritage significant building, work, relic, tree or place and its curtilage or a group of buildings, works, relics or trees which is described in Part 1 of Schedule 5 and shown on the map marked "Marrickville Local Environmental Plan 2001 - Heritage Items".

**Marrickville Local Environmental Plan, 2001 (MLEP):** A plan made by the Minister for Planning under Section 70 of the Environmental Planning and Assessment Act. In general, the MLEP indicates whether proposed developments are permissible with the consent of Council or whether they are prohibited, as well as development standards relating to particular types of development.

**State Environmental Planning Policy No. 1 - Development Standards (SEPP 1):** If a proposal does not comply with a development standard under the MLEP, 2001, an objection can be made to Council. Council must first be convinced that the objection is well founded, in that compliance with the standard is 'unreasonable or unnecessary in the circumstances of the case'. A SEPP 1 Objection is only required where a proposal departs from any development standards contained in Marrickville LEP, 2001.

**Statement of Environmental Effects (S.E.E.):** A S.E.E. provides the opportunity for you to:

- describe the property and its surroundings in detail;
- describe your proposal in detail;
- discuss whether or not your proposal complies with Council's policies and justify any part that does not comply;
- explain how your proposal will affect your neighbours; and
- describe how your proposal will affect and 'fit in' with the local area.

**Marrickville Council Development Fee Calculator**  
Effective 1/07/2004 to 30/06/2005

		Fees:		GST	TOTAL FEES (Inc GST)
ProclaimChargeType	Fee Name	753.60	887 Applies?	0.00	759.60
<b>DEVELOPMENT APPLICATION FEE</b>					
DADwellHse	DA Fee (Building Work - Dwelling House & Ancillary)	Cost of Devlpmnt \$: -	0.00	N	0.00
DAAppFee	DA Fee (Building Work - Not Dwelling House)	Cost of Devlpmnt \$: -	0.00	N	0.00
DACHngsUse	DA Fee (Change Use - No Building Works)	Applies? (Y/N) Y	220.00	N	220.00
DACHngsBld	DA Fee (Change Use - With Building Works)	Cost of Devlpmnt \$: -	0.00	N	0.00
DAAdvSign	DA Fee (Signs)	No. of Signs: 2	285.00	N	285.00
DADesigDev	DA Fee (Designated Development)	Cost of Devlpmnt \$: -	0.00	N	0.00
DASubNewRd	DA Fee (Subdivision, New Road)	Applies? (Y/N) N	0.00	N	0.00
DASubNonRd	DA Fee (Subdivision, NO New Road)	Applies? (Y/N) N	0.00	N	0.00
DASubStrat	DA Fee (Strata Subdivision)	Applies? (Y/N) N	0.00	N	0.00
DAIntegrat	DA Fee (Integrated Development-\$250 approval body, \$110 Council)	No. of Approval Bodies: -	0.00	N	0.00
DAConcurranc	DA Fee (Concurrences-\$250 concurrence authority, \$110 Council)	No. of Concurrences -	0.00	N	0.00
<b>DA REVIEW / MODIFICATION</b>					
DAModNoBldg	Modification S96(2) - Significant; No Bldg Work	Old DA Fee: -	0.00	N	0.00
DAModDwgHse	Modification S96(2) - Significant; Dwg Hse < \$100K	Applies? (Y/N) N	0.00	Y	0.00
DAModMajor	Modification S96(2) - Significant; All Other Types	Cost of Devlpmnt \$: -	0.00	N	0.00
DAModMin	Modification S96(1A) Minimal (Environmental Impact)	Old DA Fee: -	0.00	N	0.00
DAModError	Modification S96(1) Error, Miscalculation, Misdescription	Applies? (Y/N) N	0.00	N	0.00
DAModAdmin	Modification S96(1A) Admin No Site or Notification	Applies? (Y/N) N	0.00	N	0.00
DARevNoBldg	Review Determination No Bldg Work or Demolition	Old DA Fee: -	0.00	N	0.00
DARevDwgHse	Review Determination Dwg Hse Cost < \$100K	Applies? (Y/N) N	0.00	N	0.00
DARevMajor	Review Determination - All Other Types	Cost of Devlpmnt \$: -	0.00	N	0.00
DAExtend	Extend Development Consent Fee	Applies? (Y/N) N	0.00	N	0.00
DAMinAm	Amend DA not Determined-sngl dwing or other minor change	Applies? (Y/N) N	0.00	N	0.00
DAMajAm	Amend DA not Determined-(excl sngl dwing) substantial change	Old DA Fee: -	0.00	N	0.00
DANewAm	Amend DA Not Determined- Major changes,- needs full re-assessment	Old DA Fee: -	0.00	N	0.00
<b>DA INSPECTIONS</b>					
<b>DA, MODIFICATION AND REVIEW NOTIFICATION</b>					
NotifHouse	DA/Modification/Review Notification Fee (House & Ancillary)	Applies? (Y/N) N	0.00	N	0.00
NotifMDRFB	DA/Modification/Review Notification Fee (Major DA's & RFB's)	Applies? (Y/N) N	0.00	N	0.00
NotifOth	DA/Modification/Review Notification Fee (Other DA's)	Applies? (Y/N) Y	224.00	N	224.00
<b>DA ARCHIVAL</b>					
Archival	DA Archival Fee	Applies? (Y/N) Y	30.60	N	30.60
<b>CONSTRUCTION CERTIFICATE</b>					
CCAlone	Construction Cert without DA	Cost of Devlpmnt \$: -	0.00	Y	0.00
CCComHouse	Construction Cert (Comb DA/CC House)	Cost of Devlpmnt \$: -	0.00	Y	0.00
CCComOther	Construction Cert (Comb DA/CC NOT House)	Cost of Devlpmnt \$: -	0.00	Y	0.00
ArchivCert	Certificate Registration Fee	Applies? (Y/N) N	0.00	N	0.00
CCMod	Minor Modification of CC	Applies? (Y/N) N	0.00	Y	0.00
<b>SUBDIVISION CERTIFICATE</b>					
SubdivCert	Subdivision Certificate/Strata Approval Fee	No. of Lots in Plan: -	0.00	Y	0.00
ArchivCert	Certificate Registration Fee	Applies? (Y/N) N	0.00	N	0.00
<b>COMPLYING DEVELOPMENT CERTIFICATE</b>					
CDCCFee	Complying Development Cert Fee (Building Works)	Cost of Devlpmnt \$: -	0.00	Y	0.00
CDCCOther	Complying Development Cert (Other)	Applies? (Y/N) N	0.00	Y	0.00
ArchivCert	Certificate Registration Fee	Applies? (Y/N) N	0.00	N	0.00
<b>MINOR WORKS</b>					
MinorWork	Minor Works Application Fee	Applies? (Y/N) N	0.00	N	0.00
<b>OTHER FEES</b>					
RezoneProc	Rezoning (Processing Fee)	Applies? (Y/N) N	0.00	N	0.00
CompCert	PCA - Compliance Certificate Fee	Applies? (Y/N) N	0.00	Y	0.00
ArchivCert	Certificate Registration Fee	Applies? (Y/N) N	0.00	N	0.00
Photocopy	Photocopy Fee	No. of Copies: -	0.00	N	0.00
LSL	Long Service Levy	Cost of Devlpmnt \$: -	0.00	N	0.00
SignDocs	Signing Legal Documents on Behalf of Council	Applies? (Y/N) N	0.00	Y	0.00

Officer Name: Jeff Norman Customer Name: Philip Field  
Property Address: 16 Crystal Street, Parramatta Date of Quote: 3/2/05

**Disability Discrimination Act  
Statement of Consistency.**

**Re 16 Crystal St Petersham.**

The building in question has been used as a car and motor cycle workshop in the past so the floor level is the same as the foot path and access is no problem .The interior of the building is one level concrete floor, again providing good access for any disabled person. The layout of the shop will be such that only the first 6-8 meters will be open to the public, the work and glass handling area will be closed to the public.

TEL: (02) 560-9333  
FAX: (02) 560-6574

POSTAL ADDRESS  
BOX 14, P.O. PETERSHAM 2049  
DX3910 - ANNANDALE

ALL COMMUNICATIONS TO BE  
ADDRESSED TO THE  
GENERAL MANAGER / TOWN CLERK



*Administrative Centre  
Fisher Street  
Petersham  
2049*

COUNCILS REFERENCE: 1250.16.T/PN:OI

OUR REFERENCE:

11th July, 1990

Mr. L. Abrahams  
C/- 16-18 Crystal Street,  
PETERSHAM NSW 2049

Dear Sir,

Re: 16-18 CRYSTAL STREET, PETERSHAM

You are advised that in order for the subject premises to benefit from existing use rights as a car sales yard and workshop for mechanical and body repairs and duco spraying, the premises must have been so used continuously, without breaks of more than twelve (12) months, since 12th July, 1946.

From the Statutory Declarations of John Winston Leahy, Alice Hall, George Robinson and Albert Hugh Taylor submitted to Council in 1978, and a further Statutory Declaration by Marsha Lakic submitted to Council on 10th July, 1990, it would appear that the use of the subject premises for car sales and workshop for mechanical and body repairs and duco spraying is an existing use within the meaning of S.106 of the Environmental Planning & Assessment Act, 1979.

Your Faithfully,

(D.T. BRUNSDON)  
ACTING GENERAL MANAGER-TOWN CLERK

*lef*

Enquiries: Town Planning Department



180.125.PJA:AR

IMF/mp

14th February 1978.

Messrs. A.H. Taylor Pty.Ltd.,  
448 Parramatta Road,  
PETERSHAM. 2049

Dear Sirs,

re: 16-18 Crystal Street, Petersham

Council is in receipt of your letter of 13th instant together with four Statutory Declarations from John Winston Leahy, Alice Hall, George Robinson and Albert Hugh Taylor.

From the declarations presented, it would appear that existing use rights pertain to the premises for the purpose of a car sales yard and workshop for mechanical and body repairs and duco spraying, under the provisions of the Marrickville Planning Scheme Ordinance.

Yours faithfully,

*B.S. Gardner*

(B.S. Gardner)

TOWN CLERK

Enquiries - Planning Department.

**STATUTORY DECLARATION  
NSW OATHS ACT 1900**

I, CHARLIE SABA AND JACAL ELIAS  
of 16-18 CRYSTAL STREET PETERSHAM  
in the State of NEW SOUTH WALES  
do hereby solemnly declare and affirm that:-

THAT THE PROPERTY 16-18 CRYSTAL STREET  
PETERSHAM HAS NOT BEEN VACANT FOR  
A PERIOD MORE THAN 12 MONTHS FOR  
THE LAST SIX YEARS.

.....  
JUSTICE OF THE PEACE

NOTE: THE BACK OF THIS PAGE MUST ALSO BE SIGNED IN FULL.

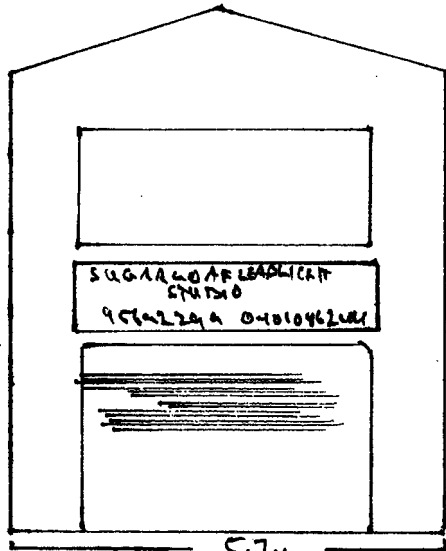
**STATUTORY DECLARATION  
NSW OATHS ACT 1900**

I, JOHN MOOFARREGE  
of CENTURY 21 MARRICKVILLE  
in the State of NEW SOUTH WALES  
do hereby solemnly declare and affirm that:-

THE PROPERTY 16-18 CRYSTAL STREET  
PETERHAM NSW 2049 HAS NOT BEEN VACANT  
FOR A PERIOD MORE THAN 12 MONTHS FOR THE  
LAST 5 YEARS.

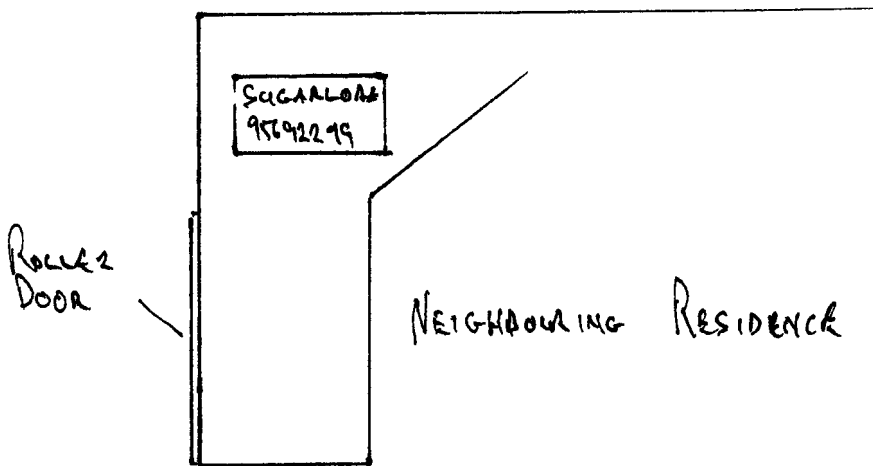
.....  
JUSTICE OF THE PEACE

NOTE: THE BACK OF THIS PAGE MUST ALSO BE SIGNED IN FULL.



Sign facing PARRAMATTA RD 2m x 1m

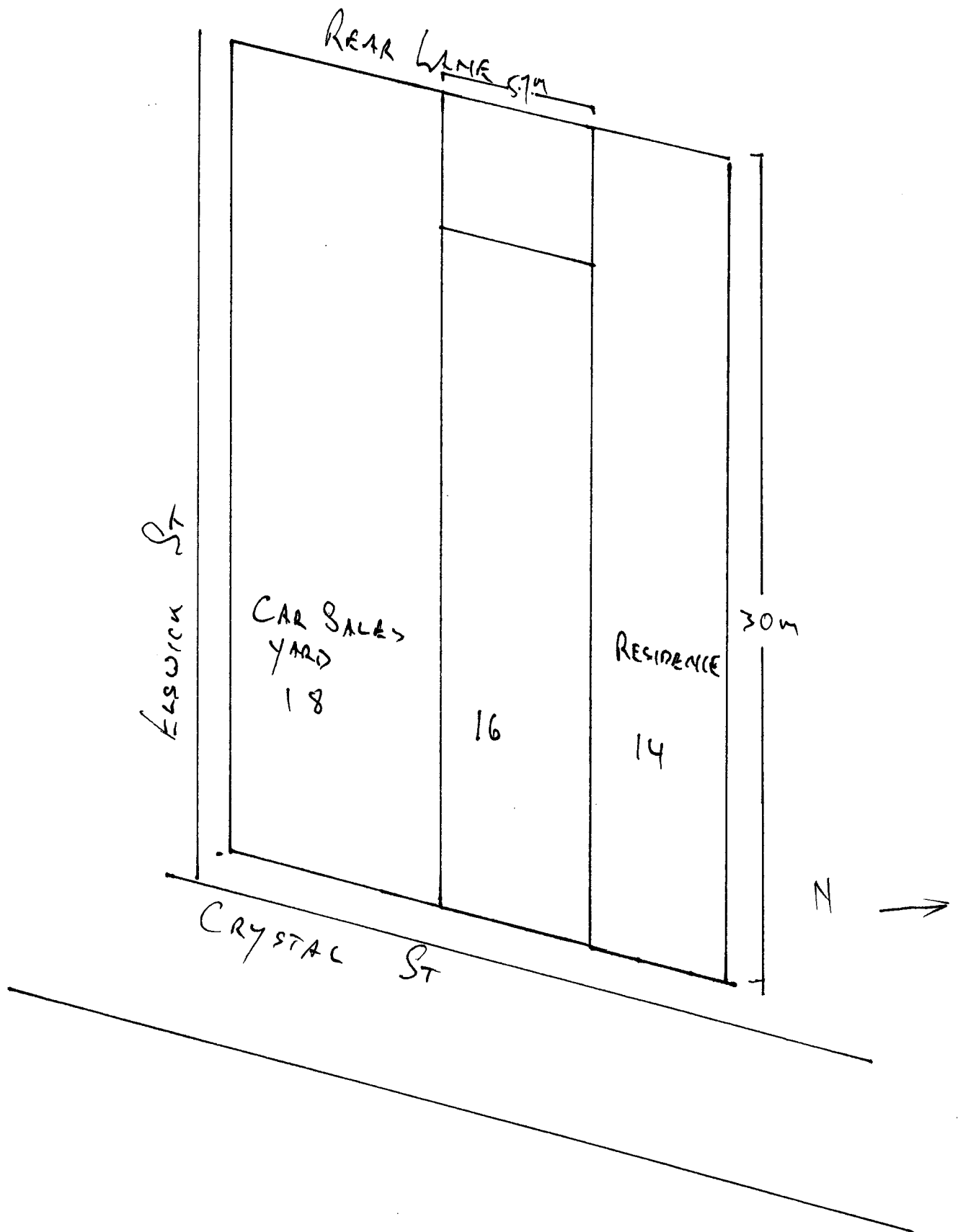
5.7m  
FRONT ELEVATION  
VIEW FROM CRYSTAL ST



VIEW LOOKING UP CRYSTAL ST FROM PARRAMATTA RD

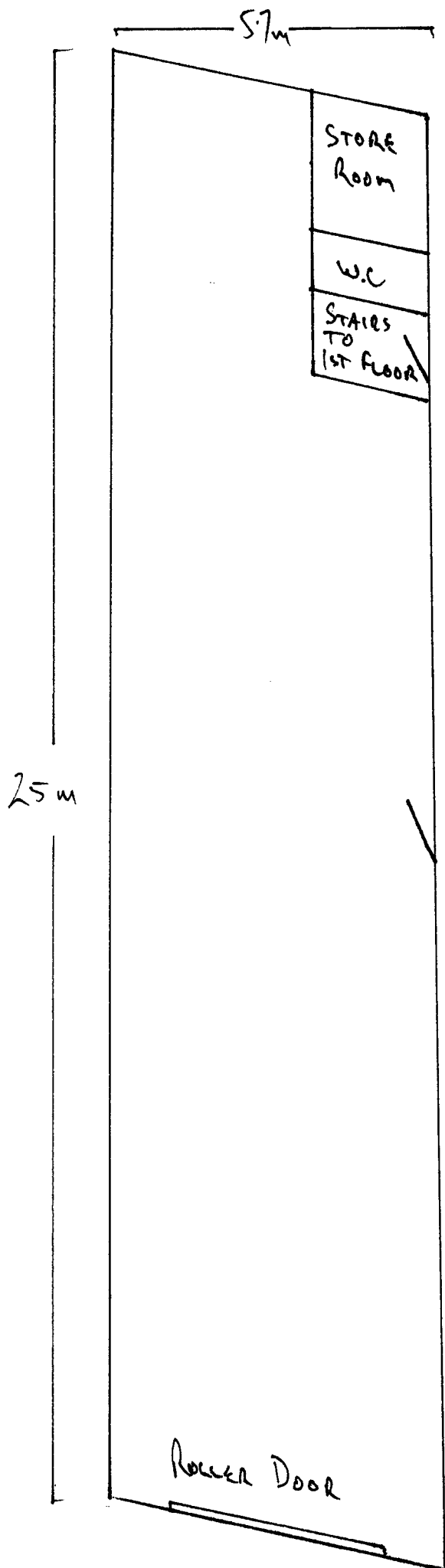
ELEVATIONS SHOWING SIGNAGE FOR 16 CRYSTAL ST PETERSHAM  
SCALE 1:100





SITE PLAN OF 16 CRYSTAL ST PETERSHAM

SCALE 1:200



FLOOR PLAN OF  
16 CRYSTAL ST  
PETER SHAM  
SCALE 1:100

N →

### Statement of Environmental Effects

The proposal for change of use for 16 Crystal St Petersham which has until recently has been used as car detailing shop, And before that as a motor cycle repair workshop. It is proposed to locate Sugarloaf Leadlight Studio in these premises. The Studio has been running for nearly 20 years specializing in the making, conservation and restoration of leadlight and stained glass. I wish to continue this side of my business and expand into retailing of materials and tools used in the hobby process.

### Goods to be stored

#### Glass

Glass stored will be mostly 1.2x.600 sheets as this is the size of most of the art glass available in Australia .some 3mm clear glass kept will be 1.8x1.2 sheets but this will be small quantities possibly up to 5sheets at any time.

#### Lead

Lead used in leadlight comes in what is called comes they are 1metre long and range in width from 4mm up to 25mm, it is stored in boxes weighing 15kg. It is not harmful in this state and gives off no fumes or particles.

#### Sundries items

Linseed oil putty  
Whiting powder  
Plaster of paris.

### Machinery

To make a leadlight one only a hand tools and although some machinery will be used on the premises it will be very rarely.

#### Air Compressor:

Used to blow compressed air in order to remove dust and grime. The compressor is only an 8 cfm unit and is not very loud.

#### Glass finisher:

Used to polish glass, no louder than a domestic vacuum cleaner .Unlikely to be used for more than 10 minutes at a time, 2 Or 3 times a week.

Kiln: Used to stain glass .Silent, heats glass to700degrees Celsius in order to stain the surface of the glass .There are no fumes or any harmful gasses produced in this process.

### Deliveries

As all materials used need to be man handled no fork lift or other lifting implements are employed .There is a lane to the rear of the property and all deliveries can be made via the rear of the property so no traffic problems will be caused in crystal street .It is anticipated there would only be deliveries twice a week and these would be during trading hours Monday to Friday 9-5

### Customers

As the premises has been used for vehicle repair the entrance is level with the foot path on Crystal St therefore disabled access is not a problem Most materials purchased by people is of a size able to be carried easily, if on some occasion a purchase is made that requires more handling the customer will be able to pick up from the rear lane.

### Waste

Nearly all the waste produced in a leadlight studio is recyclable, lead off cuts go to the scrap metal merchants glass of cuts not of suitable size to keep get sold to hobby users .Paper use for design is recycled. No liquid waste is produced so nothing goes down the drain.

Therefore it is expected that the non reclaimable waste would not exceed a domestic sized bin per week.

### Impact on the local community

Lead lights is a form of architectural decoration used through the ages and possibly the Victorian and federation periods in Sydney were the most popular times .Petersham and the surrounding suburbs had more lead lights than probably most others .The resurgence of the inner west has resulted in many old home s being restored and leaded windows and doors are a main feature of these homes so the service being offered will benefit the local community .It is possible from time to time tuition would be made available in the form of adult education classes ,This would enhance the area as more people involved in local activities is good for the community .

The hours I would like to open are normal shop hours, 9-5 with the exception of Thursday 9-9 and Saturday 9-2, Sunday closed.

As the premises has in the past been used for vehicle repair I am sure locals would welcome the change to a much more neighbor friendly business being run from this address.

### Signage

As with all businesses signs are almost mandatory and two signs are intended, one on the front façade above the door and one on the side of the building closest to parramatta road. Neither of the signs would be light at any time .The sign on the front would be 3.000 meter x 1.000 meter and would be made o flat sheet metal fixed flush to the wall. The sign on the side would be 2.000 meter x 1.000 meter made of flat sheet metal fixed flush to the wall .the main sign would read *Sugarloaf Leadlight Studio, Restoration Commissions Repairs 02.95692299 mob 0401086246*. The sign on the side would read *Sugarloaf leadlight studio 02.95692299 mob0401086246*. Thes signs would be black with white lettering.



### *Building*

There is no building work to be done .The front of the building which is currently painted a murky yellow will be painted slate grey with dark grey trims in keeping with the fashion of the area.

### *In Conclusion*

I feel; that allowing my business to operate from this address would be generally up lifting to the area and in keeping with the character of the neighborhood.

It is also probably appropriate to note at this point that there is another leadlight shop carrying out the same services we intended to operating from 466 Parramatta Rd which is zoned the same as 16 Crystal St, I mention this only to point out the appropriateness and compatible nature of the a leadlight studio within the district .

**Heritage**

If the building is in a heritage area there are no building works to be carried out on this building.

ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979

MARRICKVILLE

PLANNING SCHEME ORDINANCE, AS AMENDED

NOTICE TO APPLICANT OF DETERMINATION OF DEVELOPMENT APPLICATION

File: 1250.18T/RCM0987TP814  
T.P. NO. 346/87  
Ref: Item 30, T.P. 9/87  
(TPCORRO,18)

No. 11033.

Date: 22nd July, 1987.

APPLICANT'S FULL NAME: Brett William Freestone

ADDRESS: 40 Barker Road  
STRATHFIELD NSW 2135

Marrickville Municipal Council hereby consents to Development Application No. 346/87 subject to the conditions specified below.

PROPERTY: 18 CRYSTAL STREET, PETERSHAM (NEWINGTON WARD)

DESCRIPTION OF DEVELOPMENT:

Application to carry out alterations and additions to the premises at 18 Crystal Street, Petersham, for use as an office in association with the existing motor showroom.

CONDITIONS:

1. The development being carried out substantially in accordance with the plans and details submitted to Council on 26th June, 1987 with the application for development approval and as amended by the following conditions.  
Reason: To confirm the details of the application as submitted by the applicant.
2. Council applying Clause 21 of its Off-Street Parking Code to waive the requirement of ten (10) off-street car parking spaces required for the development unable to be provided on site.  
Reason: No intensification of usage of the premises is proposed.
3. No injury being caused to the amenity of the neighbourhood by the emission of noise, smoke, smell, gases, particulate matter, the exposure to view of any unsightly matter or otherwise.  
Reason: To protect the amenity of the locality.
4. A separate application being submitted to, and approved by, Council prior to the erection of any advertisements or advertising structures.  
Reason: To ensure the compliance of any advertisements or advertising structures with the requirements of Council's Advertising Code and Ordinance 55.
5. No external storage of goods or equipment being permitted.  
Reason: To ensure the premises are kept in a neat and tidy manner.
6. All loading and unloading in connection with the use being carried out wholly within the property.  
Reason: To prevent use and obstruction of the adjacent public

FILE COPY

thoroughfare.

7. All vehicles associated with the use being accommodated wholly within the property and not being parked on the adjoining roads or footpaths.  
Reason: To ensure that the use does not interfere with traffic and pedestrian movements in the area.
8. Not more than two (2) persons being employed in respect of the use without the prior approval of Council.  
Reason: To confirm the details of employees as submitted with the application.
9. The hours of operation being restricted to between the hours of 9.00 a.m. to 5.30 p.m. Mondays to Sundays. Council reserves the right to re-assess these hours of operation at any time in the future if, in its opinion, activities associated with the use of the premises during such hours are causing a nuisance or loss of amenity to the locality.  
Reason: To ensure that the operation of the premises does not interfere with the amenity of the locality.
10. No machinery being installed on the premises without the prior approval of Council.  
Reason: To advise the applicant of the necessity to obtain Council approval prior to the installation of any machinery.
11. No mechanical repairs, panel beating or spray painting or tow truck operations being carried out on the premises.  
Reason: To ensure the premises are used only as a motor showroom.
12. A building application being submitted to Council in the prescribed manner, including plans and specifications, complying with the provisions of Ordinance 70.  
Reason: To advise the applicant of the necessity of submitting a building application, and of Council's requirements in that regard, for the proposed development.
13. Compliance with the requirements included in paragraphs (1) (q) (r) (u) and (z) of the Standard Town Planning Conditions, annexed hereto, all of which paragraphs shall be deemed to be included in, and form part of, the conditions attached to this Consent.  
Reason: As per the reasons specified on the annexure.
14. Compliance with the requirements included in paragraphs 1(f), 2(a) (b), 3(a) and (b) of the Standard Engineering Conditions, annexed hereto, all of which paragraphs shall be deemed to be included in, and form part of, the conditions attached to this Consent.  
Reason: As per the reasons specified on the annexure.

An approval does not relieve the applicant of the obligation to obtain approval of building plans under Part XI of the Local Government Act, 1919.

Any appeal against the conditional approval as set out above should be made to the Registrar, The Land & Environment Court of N.S.W., Levels 6 & 7, American Express Towers, 388 George Street, Sydney, within twelve (12) months of the date of this Consent.

Encls.

Enquiries; Planning Department.

(B. S. GARDNER)  
TOWN CLERK-GENERAL MANAGER

FILE COPY

CP 11033

Municipality of Marrickville

ITEM NO: 30 COMMITTEE: T.P. COUNCIL MEETING: 9/87 DATE: 21.7.87.

30. 1250.18T/RCM0987TP814

T.P. NO. 346/87

BRETT WILLIAM FREESTONE

18 CRYSTAL STREET, PETERSHAM (NEWINGTON WARD)

Application to carry out alterations and additions to the premises at 18 Crystal Street, Petersham, for use as an office in association with the existing motor showroom.

Planning Scheme? Marrickville L.E.P. No. 33.

Zoning? Business General

Type of Construction in Existing Building? Store room, double brick, tin roof. Present Office, timber with tin roof.

Present Use of Building or Land? Car Sales Yard

Propose to Use Whole/Part of Building or Land? Whole

Use of Land/Building on 12.7.46? Car Sales Yard

No. of Persons Working at site of Proposal:

Previous Use: Males: 2 Females: - Total: 2

Working Hours:

Weekdays: From: 9.00 a.m. To: 5.30 p.m.

Saturdays: From: 9.00 a.m. To: 5.30 p.m.

Sundays: From: 9.00 a.m. To: 5.30 p.m.

Have any Lease Agreements been entered into with respect to premises, prior to lodgement of this application? Yes

If lease entered into, does lease automatically terminate if this application is disapproved? No

Date Application Received: 25th June, 1987

Premises Inspected By L. Nash & Inspector Z.A. Czyniewski.

Chief Town Planner reports:

The site has dimensions of 13.31m x 31.47m and is used as a motor showroom. Approval was granted by Development Consent No. 1859 dated 7th July, 1958, for the erection of an office for the car sales yard on the property.

Approval is sought for the renovation and alteration of a storeroom used in conjunction with a car sales yard. An existing timber office is proposed to be removed.

Section 90 of the Environmental Planning & Assessment Act, 1979, requires Council to consider the following matters:-

Provisions of the Marrickville Planning Scheme

(a) Zoning

The property is zoned Business General under the Marrickville Planning Scheme. Motor Showrooms are not a permitted use within that zoning under the Scheme however, as consent has previously been issued prior to the coming into being of the Scheme the continued operation of the premises is permitted under the existing use rights provisions of the Environmental Planning & Assessment Act, 1979. Council may consider the current application within the terms of the existing use provisions.

(b) Mandatory Requirements

None applicable with respect to this application as the proposed development does not result in any increase in floor space.

FORWARDED TO: FOR: DATE:

THIS EXTRACT TO BE RETURNED TO RECORDS WHEN ACTION COMPLETED:



EM NO: 30 COMMITTEE: T.P.

COUNCIL MEETING: 9/87 DATE: 21.7.87.

Siting & Design

The existing office building is located near the Crystal Street boundary of the property. It is proposed to relocate the office area at the western end of the property bounded by Elswick Street and Petersham Lane. The building is currently used as a store room and by the addition of a partition will be converted into two (2) offices spaces. No increase in office area is proposed.

Traffic & Parking

Council has not previously required any off-street parking in association with the use of the premises. As the proposal will result in a reduction in floor space and the continuation of two (2) employees on site, no additional car parking is required in association with the development.

Environment

The premises adjoin a panelbeating workshop on one boundary and residential development to the rear of the site. The applicant requests hours of operation from 9.00 a.m. to 5.30 p.m. seven (7) days per week. As the principle use of the premises is for car sales it would not be expected that the operation during those hours would cause any loss of amenity to the surrounding area. However, Council may wish to reserve the right to re-assess the hours of operation should any complaints be received about loss of amenity to the area.

Concurrence/Consultation

None required with respect to this application.

Municipal Engineer & Chief Health Surveyor reports:

There is concurrence with the recommendation and appropriate conditions have been included.

RECOMMENDATION:

THAT the application to carry out alterations and additions to the premises 18 Crystal Street, Petersham, for use in association with the existing motor showroom be APPROVED subject to the following conditions:-

1. The development being carried out substantially in accordance with the plans and details submitted to Council on 26th June, 1987 with the application for development approval and as amended by the following conditions.

Reason: To confirm the details of the application as submitted by the applicant.

2. Council applying Clause 21 of its Off-Street Parking Code to waive the requirement of ten (10) off-street car parking spaces required for the development unable to be provided on site.

Reason: No intensification of usage of the premises is proposed.

3. No injury being caused to the amenity of the neighbourhood by the emission of noise, smoke, smell, gases, particulate matter, the exposure to view of any unsightly matter or otherwise.

Reason: To protect the amenity of the locality.

4. A separate application being submitted to, and approved by, Council prior to the erection of any advertisements or

RED TO:

FOR:

DATE:

THIS EXTRACT TO BE RETURNED TO RECORDS WHEN ACTION COMPLETED:

BY NO: 30 COMMITTEE: T.P.

COUNCIL MEETING: 9/87 DATE: 21-7-87.

advertising structures.

Reason: To ensure the compliance of any advertisements or advertising structures with the requirements of Council's Advertising Code and Ordinance 55.

5. No external storage of goods or equipment being permitted.

Reason: To ensure the premises are kept in a neat and tidy manner.

6. All loading and unloading in connection with the use being carried out wholly within the property.

Reason: To prevent use and obstruction of the adjacent public thoroughfare.

7. All vehicles associated with the use being accommodated wholly within the property and not being parked on the adjoining roads or footpaths.

Reason: To ensure that the use does not interfere with traffic and pedestrian movements in the area.

8. Not more than two (2) persons being employed in respect of the use without the prior approval of Council.

Reason: To confirm the details of employees as submitted with the application.

9. The hours of operation being restricted to between the hours of 9.00 a.m. to 5.30 p.m. Mondays to Sundays. Council reserves the right to re-assess these hours of operation at any time in the future if, in its opinion, activities associated with the use of the premises during such hours are causing a nuisance or loss of amenity to the locality.

Reason: To ensure that the operation of the premises does not interfere with the amenity of the locality.

10. No machinery being installed on the premises without the prior approval of Council.

Reason: To advise the applicant of the necessity to obtain Council approval prior to the installation of any machinery.

11. No mechanical repairs, panel beating or spray painting or tow truck operations being carried out on the premises.

Reason: To ensure the premises are used only as a motor showroom.

12. A building application being submitted to Council in the prescribed manner, including plans and specifications, complying with the provisions of Ordinance 70.

Reason: To advise the applicant of the necessity of submitting a building application, and of Council's requirements in that regard, for the proposed development.

13. Compliance with the requirements included in paragraphs (l) (q) (r) (u) and (z) of the Standard Town Planning Conditions, annexed hereto, all of which paragraphs shall be deemed to be included in, and form part of, the conditions attached to this Consent.

RED TO:

FOR:

DATE:

THIS EXTRACT TO BE RETURNED TO RECORDS WHEN ACTION COMPLETED:

PM NO: 30 COMMITTEE: T.P.

COUNCIL MEETING: 9/87

DATE: 21.7.87.

- Reason: As per the reasons specified on the annexure.
14. Compliance with the requirements included in paragraphs 1(f), 2(a) (b), 3(a) and (b) of the Standard Engineering Conditions, annexed hereto, all of which paragraphs shall be deemed to be included in, and form part of, the conditions attached to this Consent.

Reason: As per the reasons specified on the annexure.

**ADOPTED**

PREPARED TO:

*See*

FOR:

DATE: 22/7/87.

THIS EXTRACT TO BE RETURNED TO RECORDS WHEN ACTION COMPLETED:

*Municipality of Marrickville*

1250.18T/RCM0987TP814  
 T.P. NO. 346/87  
 Brett William Freestone  
 40 Barker Road  
 STRATHFIELD NSW 2135

Dt. 30 Apr 9/87.

Sir,

18 CRYSTAL STREET, PETERSHAM (NEWINGTON WARD)

Application to carry out alterations and additions to the premises at 18 Crystal Street, Petersham, for use as an office in association with the existing motor showroom.

Planning Scheme? Marrickville L.E.P. No. 33.

Zoning? Business General

Type of Construction in Existing Building? Store room, double brick, tin roof. Present Office, timber with tin roof.

Present Use of Building or Land? Car Sales Yard

Propose to Use Whole/Part of Building or Land? Whole

Use of Land/Building on 12.7.46? Car Sales Yard

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Previous Use: Males: 2 Females: - Total: 2

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If lease entered into, does lease automatically terminate if this application is disapproved? No

Date Application Received: 25th June, 1987

Premises Inspected By L. Nash & Inspector Z.A. Czyniewski.

Chief Town Planner reports:

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Approval is sought for the renovation and alteration of a storeroom used in conjunction with a car sales yard. An existing timber office is proposed to be removed.

Section 90 of the Environmental Planning & Assessment Act, 1979, requires Council to consider the following matters:-

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(a) Zoning

The property is zoned Business General under the Marrickville Planning Scheme. Motor Showrooms are not a permitted use within that zoning under the Scheme however, as consent has previously been issued prior to the coming into being of the Scheme the continued operation of the premises is permitted under the existing use rights provisions of the Environmental Planning & Assessment Act, 1979. Council may consider the current application within the terms of the existing use provisions.

(b) Mandatory Requirements

None applicable with respect to this application as the proposed development does not result in any increase in floor space.

Siting & Design

The existing office building is located near the Crystal Street boundary of the property. It is proposed to relocate the office area at the western end of the property bounded by Elswick Street and Petersham Lane. The building is currently used as a store room and by the addition of a partition will be converted into two (2) office spaces. No increase in office area is proposed.

1, 2, 3,

## *Municipality of Marrickville*

### Traffic & Parking

Council has not previously required any off-street parking in association with the use of the premises. As the proposal will result in a reduction in floor space and the continuation of two (2) employees on site, no additional car parking is required in association with the development.

### Environment

The premises adjoin a panelbeating workshop on one boundary and residential development to the rear of the site. The applicant requests hours of operation from 9.00 a.m. to 5.30 p.m. seven (7) days per week. As the principle use of the premises is for car sales it would not be expected that the operation during those hours would cause any loss of amenity to the surrounding area. However, Council may wish to reserve the right to re-assess the hours of operation should any complaints be received about loss of amenity to the area.

### Concurrence/Consultation

None required with respect to this application.

### Municipal Engineer & Chief Health Surveyor reports:

There is concurrence with the recommendation and appropriate conditions have been included.

### RECOMMENDATION:

THAT the application to carry out alterations and additions to the premises 18 Crystal Street, Petersham, for use in association with the existing motor showroom be APPROVED subject to the following conditions:-

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3. No injury being caused to the amenity of the neighbourhood by the emission of noise, smoke, smell, gases, particulate matter, the exposure to view of any unsightly matter or otherwise.

Reason: To protect the amenity of the locality.

4. A separate application being submitted to, and approved by, Council prior to the erection of any advertisements or advertising structures.

Reason: To ensure the compliance of any advertisements or advertising structures with the requirements of Council's Advertising Code and Ordinance 55.

5. No external storage of goods or equipment being permitted.

Reason: To ensure the premises are kept in a neat and tidy manner.

6. All loading and unloading in connection with the use being carried out wholly within the property.

Reason: To prevent use and obstruction of the adjacent public thoroughfare.

7. All vehicles associated with the use being accommodated wholly within the property and not being parked on the adjoining roads or footpaths.

Reason: To ensure that the use does not interfere with traffic and pedestrian movements in the area.

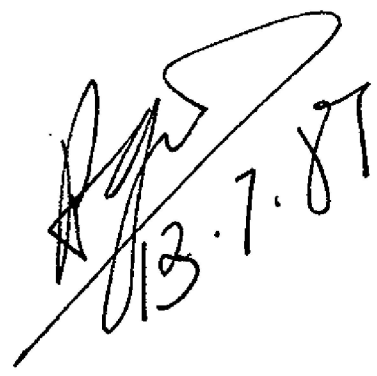
8. Not more than two (2) persons being employed in respect of the use without the prior approval of Council.

Reason: To confirm the details of employees as submitted with the application.



*Municipality of Marrickville*

9. The hours of operation being restricted to between the hours of 9.00 a.m. to 5.30 p.m. Mondays to Sundays. Council reserves the right to re-assess these hours of operation at any time in the future if, in its opinion, activities associated with the use of the premises during such hours are causing a nuisance or loss of amenity to the locality.  
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12. A building application being submitted to Council in the prescribed manner, including plans and specifications, complying with the provisions of Ordinance 70.  
Reason: To advise the applicant of the necessity of submitting a building application, and of Council's requirements in that regard, for the proposed development.
13. Compliance with the requirements included in paragraphs (l) (q) (r) (u) and (z) of the Standard Town Planning Conditions, annexed hereto, all of which paragraphs shall be deemed to be included in, and form part of, the conditions attached to this Consent.  
Reason: As per the reasons specified on the annexure.
14. Compliance with the requirements included in paragraphs 1(f), 2(a) (b), 3(a) and (b) of the Standard Engineering Conditions, annexed hereto, all of which paragraphs shall be deemed to be included in, and form part of, the conditions attached to this Consent.  
Reason: As per the reasons specified on the annexure.

  
13.7.87

T.P. No: 346/87

Reg No.	Folio
FILE NO. 1250.18.T	
REF. TO	
DATE 30.6.87	

Town Planning Committee

NAME OF APPLICANT: Brett Williams Freestone

STREET 18 Crystal St, Petts Harport

Report by Municipal Health Surveyor & Principal Building Inspector:

RECOMMENDATION:

*Approval Recommended  
Signed by J A Gyncewski  
AEB conditions*

*① Submission of building plans in  
accordance with Ord 70  
Reason To Ensure compliance with Building  
Regulations*

*217.87*

Signed: *H. Shilton*

**T.P. No: 346/87**

MUNICIPALITY OF MARRICKVILLE

CORRESPONDENCE No. 1250.18.T

TOWN PLANNING No.

SUBDIVISION No.

DEVELOPMENT APPLICATION REFERRED TO CHIEF BUILDING INSPECTOR FOR  
INVESTIGATION AND REPORT AND PROMPT RETURN TO TOWN PLANNING DEPARTMENT

Date: 30.6.87

1. TOWN PLANNING PRELIMINARY REPORT

Address of proposed development 18 Crystal St, Petersham

Ward Newington

Nature of proposed development Renovations

2. BUILDING INSPECTOR'S REPORT

*Car sales yard. - VII to V*

*Types 5 construction*

(i) Code Departures - (Quote Clause Number)

*Subject to plans and specification in accordance  
with ord no being submitted. ~~with~~*

(ii) Act and Ordinance Departures - (Quote Clause Number)

(iii) Stormwater Drainage -

(iv) Other Comments (Pure Food Act and Regulations etc.)

Signed: *M. Kelly*

Date: 1/7/87

District Health & Building Inspector

T.P. No: 346/87

CORRESPONDENCE No. 1250.18.T

TOWN PLANNING No.  
SUBDIVISION No.

Development application being referred to Municipal Engineer for investigation and report and subsequent return to Town Planning Department.

1. Referred to Engineering Department on 30-6-87  
 Site of proposed development 18 Crystal St, Petersham  
 Ward Newington Type of development Renovations

Engineer's Inspection Report

Date: 2-7-87

2. Size and condition of vehicular crossing \_\_\_\_\_
3. Type and condition of adjacent -
- |      |          |                                |
|------|----------|--------------------------------|
|      | At front | {Footpath _____<br>{Kerb _____ |
| R.M. | At rear  | {Footpath _____<br>{Kerb _____ |
|      | At side  | {Footpath _____<br>{Kerb _____ |
- No Inspection*

Give details of all existing damage to Council's footpaths (adjacent) and roadways \_\_\_\_\_

4. Access requirements including elimination of redundant crossings  
1f
5. Drainage requirements 2a, 2b
6. Any other engineering requirements 3a, 3b
7. Report on Site Beautification requirements \_\_\_\_\_ Date: \_\_\_\_\_

W F Stewart  
 (SIGNED) W F Stewart Chief Engineer

Date: 3/7/87



# MARRICKVILLE MUNICIPAL COUNCIL

T.P. No: 346/87

## APPLICATION TO CARRY OUT DEVELOPMENT UNDER THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979

TO BE COMPLETED IN TRIPLICATE AND FORWARDED TO:  
THE TOWN CLERK,  
PETERSHAM ADMINISTRATIVE CENTRE,  
FISHER STREET,  
PETERSHAM. 2049

MUNICIPALITY OF  
MARRICKVILLE  
007011 23 JUN 87

**1.0 INSTRUCTIONS:**

1.1 This form with a sketch plan must be completed in TRIPLICATE giving sufficient details drawn in the space provided or attached as a separate plan. If the application is required to be referred to other statutory bodies, additional copies of the plan will need to be supplied.

**2.0 FEES:**

2.1 If no building works are proposed, a fee of \$50 is to be lodged with the application.

2.2 In the case of a proposed development involving the erection of a building or the carrying out of a work – be the amount calculated in accordance with Column 2 of the undermentioned Table based upon the estimated cost of development shown oposite thereto in column 1 of the Table:

TABLE

COLUMN 1	COLUMN 2
Estimated cost of development	Maximum amount of fee
(i) Not exceeding \$100,000	\$50 plus \$3.00 for each \$1,000
(ii) Exceeding \$100,000 but not exceeding \$500,000	\$350 plus \$1.50 for each \$1,000 above \$100,000
(iii) Exceeding \$500,000 but not exceeding \$1,000,000	\$950 plus \$1.00 for each \$1,000 above \$500,000
(iv) Exceeding \$1,000,000 but not exceeding \$10,000,000	\$1,450 plus 75c for each \$1,000 above \$1,000,000
(v) Exceeding \$10,000,000 but not exceeding \$43,600,000	\$8,200 plus 50c for each \$1,000 above \$10,000,000
(vi) Exceeding \$43,600,000	\$25,000

2.3 In the case of a proposed development involving the subdivision of land be \$50 plus \$15 for each lot to be created by the subdivision.

2.4 Special fee for increase in density (flats)

\$1,750 per flat  
\$ 300 per bed in boarding house  
\$1,750 for additional flat created

2.5 Application for substantial alterations to the facade of or the erection of, a new industrial building, shall be lodged with an additional Town Planning Fee for STREET PLANTING to be carried out and maintained by Council together with a BOND to ensure that the landscaping works on the SITE required by Council are satisfactorily completed by the applicant.

2.6 Where the application is required to be advertised by Council, the cost involved therewith must be borne by the applicant and includes such matters as residential flat buildings, home industries, places of public worship, changes of zoning as well as Interim Development Orders resulting therefrom and any development considered to be out of character with the existing development of the locality.

2.7 In the case of a request for Council's reconsideration of a previous decision on a development application, a fee being one-fourth of the fee paid on the original application must accompany such request.

2.8 In the event of disapproval a refund must be sought in writing within six months. No refund of any fee will be granted on applications approved by Council and only partial refund of fees will be granted in other cases.

CORRESPONDENCE COMPLETED

Landscaping. . . . . \$5.00 Per metre frontage

DATE. . . . . plus \$30 per metre Bond

INITIALS/V 24/7

In each case an additional fee of \$300 is required to be submitted to council before any advertising procedure is commenced.

**PLEASE NOTE:**

ALL QUESTIONS TO BE ANSWERED FULLY AND TO AVOID UNNECESSARY DELAY, CONSULTATION WITH THE TOWN PLANNING STAFF IS RECOMMENDED BEFORE LODGING THIS APPLICATION. AS APPLICANT YOU HAVE THE RIGHT OF APPEAL IF THIS APPLICATION IS NOT DEALT WITH WITHIN FORTY (40) DAYS OF ACCEPTANCE BY COUNCIL.

**FOR OFFICE USE ONLY**

Reg. No. .... Folio.....  
File No. 1250.187 Date.....26 JUN 1987  
Development Application Fee.....\$601.00  
Additional Town Planning Fee.....  
Advertising Fee.....Bond.....  
Total Fees Required.....\$601.00  
Date.....25-6-87 Receipt No. 13284 Amount Paid 50.00  
June, 1986

(i)

3.0 FULL NAME OF APPLICANT BRETT WILLIAM FREESTONE  
ADDRESS 40 BARKER RD STRATHFIELD  
POST CODE 2135 TELEPHONE Nos. 767611 (Bus.) 5602986 (H)  
ARE YOU THE OWNER OF THE LAND CONCERNED? NO IF NOT  
YOU MUST ATTACH WRITTEN EVIDENCE THAT YOU HAVE BEEN APPOINTED THE OWNER'S REPRESENTATIVE FOR THE PURPOSE OF MAKING THIS APPLICATION. (See Page iii)

4.0 DESCRIPTION OF THE LAND TO WHICH THE DEVELOPMENT APPLICATION RELATES:  
18 CRYSTAL ST PETERSHAM  
(Number and Street) (Suburb)

X Dimensions of Land: Frontage.....Depth.....

5.0 FULL DESCRIPTION OF THE PROPOSED DEVELOPMENT: You must state in this space exactly what you propose to do and give sufficient detail to leave no doubt in the Council's mind as to what development you are applying to commence and/or carry on. (See 14.0 on page iv for further instructions).

Removal of present timber office and renovation of store room at rear of property for use as new office.

5.1 ESTIMATED COST OF PROPOSED BUILDING WORKS (if any) \$ nil

6.0 PARTICULARS OF THE PROPOSED DEVELOPMENT:

6.1 Type of construction in existing buildings? "STORE ROOM" Double Brick tin roof.  
(materials in walls, roof, floors, etc)  
"Present Office" Timber with tin roof.

X 6.2 Total floor area of existing buildings.....  
(In square metres)

6.3 Total floor area of proposed buildings..... no new buildings  
(In square metres)  
(If more than one building, give separate description of each and state whether commercial, industrial, domestic or otherwise. Attach list if space insufficient).

n/a.

6.4 What is the present use of buildings or land? Car Sales Yard.

6.5 If vacant, for how long has it been so? in use

6.6 Do you propose to use the whole or only part of the building or land? whole

6.7 If part only, define that part. n/a.

6.8 Use of remaining part? n/a.

6.9 What was use of land/buildings on 12th July 1946? Car Sales Yard.

6.10 Number of car parking spaces existing? ..... Proposed? .....

6.11 Details of off street loading area? .....

6.12 Number of persons working at site of proposed development:

Previous use: Males.....2.....Females.....Total.....2

Proposed use: Males.....Females.....Total.....

6.13 Working hours: Weekdays: From.....9 am.....To.....5.30 pm  
Saturdays: From.....9 am.....To.....5.30 pm  
Sundays: From.....9 am.....To.....5.30 pm  
Holidays: From.....To.....

7.0 Name and address of Estate Agent involved with the letting of the premises, the subject of this development application:

X Name.....

Address.....

7.1 Have any lease arrangements been entered into with respect to the premises prior to lodgment of this application? Yes

7.2 If a lease has been entered into, does lease automatically terminate if this application is disapproved? No

(ii)

8.0 Particulars of machinery now installed on site of proposed development? ..... nil .....  
.....  
.....

8.1 Particulars of machinery to be installed? ..... nil .....  
.....  
.....  
(Size, kilowatt rating, etc., to be indicated)

9.0 **ENVIRONMENTAL IMPACT OF PROPOSED DEVELOPMENT:**

9.1 The application is accompanied by – \* An Environmental Impact Statement

\*Strike out whichever is inapplicable  
and, if unsure discuss with Town  
Planning Staff.

\* Information as to the impact of the proposal.

9.2 An Environmental Impact Statement must accompany the application where the proposed development is “designated development”.

9.3 Where the proposed development is not designated development, information –

9.3.1 demonstrating that consideration has been given to the environmental impact of the development; and

9.3.2 setting out any steps to be taken to mitigate any likely adverse environmental impact,  
must accompany the application.

10.0 **DECLARATION BY APPLICANT/S:**

I BRETT FREESTONE ..... of 40 BARKER RD STRATHFIELD .....  
hereby apply for development consent to carry out the development described above

Date 19-6-87 .....

Signature of applicant or person signing on behalf of applicant.

11.0 **DECLARATION BY OWNER/S:**

LILLIE HORRAN/S ..... of 15 ALLENBY PK. RD .....  
ALLAMBIE HEIGHTS ..... Phone No. 9381248 .....

being the owner of the land to which this application relates, hereby consent to the making of the application.

(An application is rendered invalid if the consent of ALL owners as recorded by Council is not made by the person lodging the application. Where not signed by all owners state capacity in which application is signed.)

Date 23/6/87 ..... Signature of owner/s. [Signature] .....

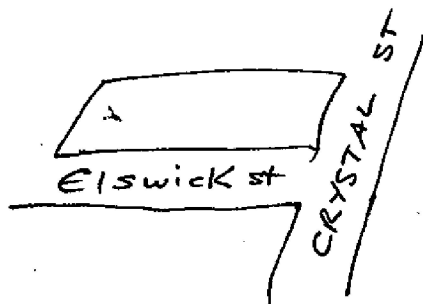
12.0 **REGULATION 41 OF THE ACT, PROVIDES THAT:—**

A person shall not make an application under Part IV of the Act, knowing—

12.1 that it is false in any material particular; or

12.2 that it contains information that is materially misleading in the form or context in which it appears.

13.0 **LOCALITY SKETCH** (Show nearest cross street)

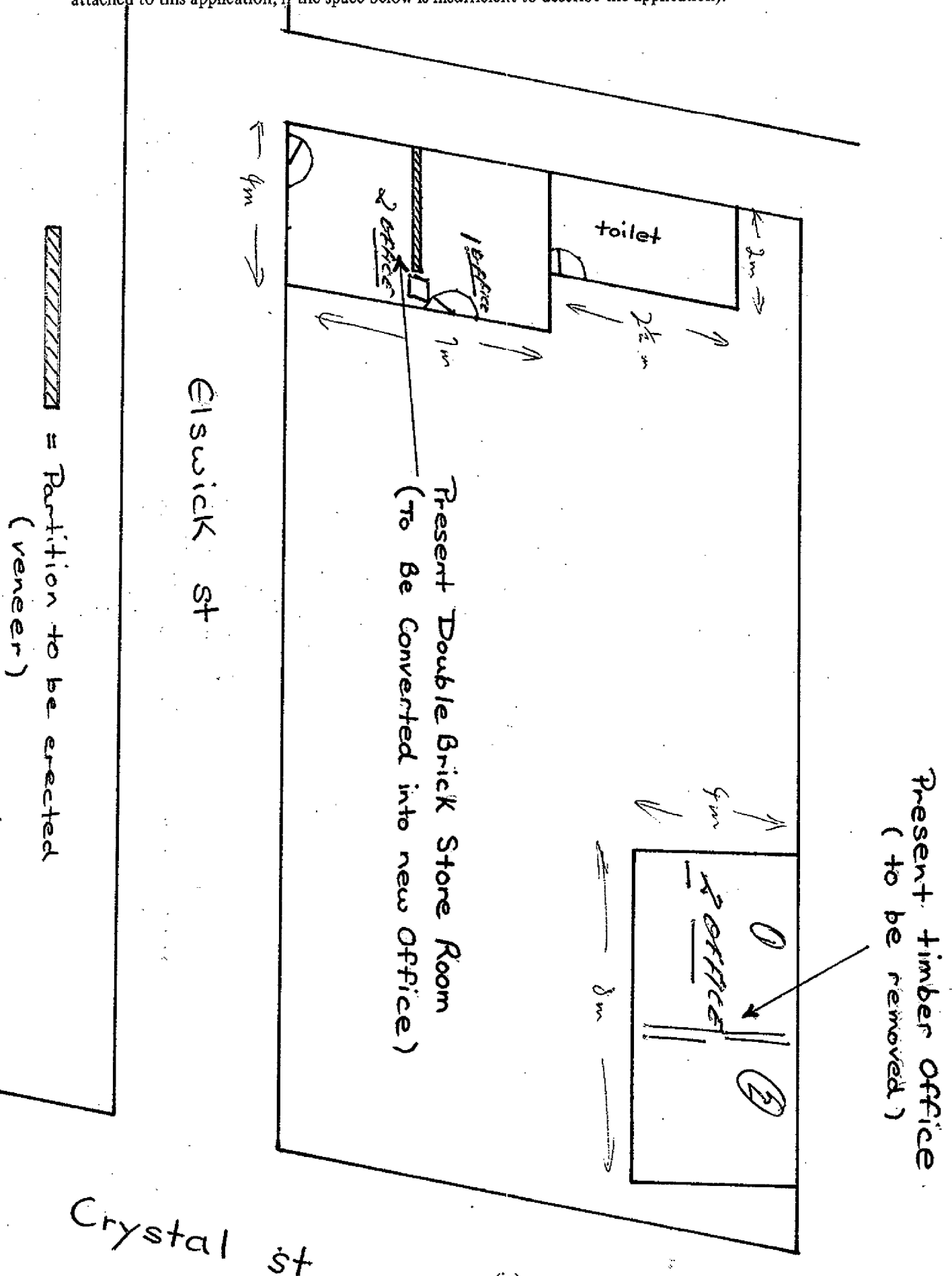


#### 14.0 SKETCHES OF PREMISES

14.1 Sketch plans to show the walls of any building on land adjoining, the approximate position and the distance of such walls from the common boundaries, and the present use of such buildings, together with:—

- 14.1.1 Space to be made available on site for off street car parking for the proposed development.
- 14.1.2 Loading and unloading space to be made available within the curtilage of the premises.
- 14.1.3 A dimensioned floor plan of each storey of the building, showing wall thickness and openings.
- 14.1.4 The proposed use of each section of the premises being nominated.
- 14.1.5 Block plan

14.2 It should be noted that any consent issued may require the amendment of any plans lodged with the development application so as to comply with the provisions of any Acts, Ordinances and Council Codes (separate plans should be attached to this application, if the space below is insufficient to describe the application).



(iv)



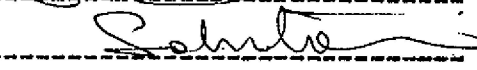
Date : 14th May, 1985

Addressed to: George Bassil & Associates  
1st Floor - 298 Bay Street  
Brighton-le-Sands

Re. Premises: 18 CRYSTAL STREET  
PETERSHAM

The following collected from MARRICKVILLE MUNICIPAL COUNCIL, PETERSHAM :

Letter / ~~Consent~~ / ~~Consolidation~~ / ~~Subdivision~~ / ~~Strata~~ / + copies  
(Strike out whichever is not applicable)

Signed : Capacity : 



## PLANNING CERTIFICATE

UNDER SECTION 10.7 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

**Cert. No.:** PCT/2021/3697

**Fee:** \$133.00

**Application Date:** 14 February 2021

**Issued Date:** 14 February 2021

**Applicant's Reference:** PRCUTS4

Applicant	Owner (as recorded by Council)
Name: Katie Miles Address: Staff 7-15 Wetherill St LEICHHARDT NSW 2040 Email: katie.miles@innerwest.nsw.gov.au Phone: InsertMobilePhoneHer	Name: Mr C Saba & Mr J Elias

Subject property address	Legal description
Street address: 18 Crystal Street PETERSHAM NSW 2049	Lot 81 DP 1010136 Lot 82 DP 1010136

Information provided pursuant to Section 10.7(2) of the EP&A Act
In accordance with the requirements of section 10.7(2) of the <i>Environmental Planning and Assessment Act 1979</i> , the following prescribed matters relate to the land at the date of this certificate.

## 1. Names of relevant planning instruments and DCPs

In accordance with Section 1 (1) & (2) of Schedule 4 of the *Environmental Planning and Assessments Regulations 2000*, the following is a list of State Environmental Planning Policies (SEPPs) & proposed SEPPs that may apply to the carrying out of development on the land:

- State Environmental Planning Policy No.19 – Bushland in Urban Areas
- State Environmental Planning Policy No. 21 – Caravan Parks
- State Environmental Planning Policy No. 33 – Hazardous and Offensive Development
- State Environmental Planning Policy No. 55 – Remediation of Land
- State Environmental Planning Policy No. 64 – Advertising and Signage
- State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development
- State Environmental Planning Policy No. 70 – Affordable Housing (Revised Schemes)
- State Environmental Planning Policy (Affordable Rental Housing) 2009
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007
- State Environmental Planning Policy (State and Regional Development) 2011
- State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007
- State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017
- State Environmental Planning Policy (Primary Production and Rural Development) 2019
- State Environmental Planning Policy (COVID-19 Response) 2020
- Sydney Regional Environment Plan (Sydney Harbour Catchment) 2005
- Draft State Environmental Planning Policy (Environment) 2017
- Draft State Environmental Planning Policy (Remediation of Land) 2017
- Draft State Environmental Planning Policy (Short-term Rental Accommodation) 2019
- Draft Housing Diversity State Environmental Planning Policy 2020

Note: As part of improvements to simplify the State's planning system, as of 1 July 2009, regional environmental plans (REPs) are no longer part of the hierarchy of environmental planning instruments in NSW. All existing REPs are now deemed State environmental planning policies (SEPPs). Any enquiries regarding these State Planning Policies should be directed to the Department of Planning and Environment. Find contact details on the Department's website at <http://www.planning.nsw.gov.au>

In accordance with Section 1 (1) of Schedule 4 of the *Environmental Planning and Assessments Regulations 2000*, the following Local Environmental Plan applies to the land:

- Marrickville Local Environmental Plan 2011

In accordance with Section 1 (2) of Schedule 4 of the *Environmental Planning and Assessments Regulations 2000*, the following proposed Local Environmental Plan(s) applies to the land. The following proposed Local Environmental Plan has been the subject of community consultation or has been placed on public exhibition:

- Draft Inner West Local Environment Plan 2020

In accordance with Section 1 (3) of Schedule 4 of the *Environmental Planning and Assessments Regulations 2000*, The following Development Control Plan applies to the land:

- Marrickville Development Control Plan 2011

## **2. Zoning and land use under relevant environmental planning instruments referred to in clause 1 (other than a SEPP or proposed SEPP)**

### **Marrickville Local Environmental Plan 2011**

#### **Zone B2 Local Centre**

##### **1 Objectives of zone**

- To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.
- To encourage employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To provide housing attached to permissible non-residential uses which is of a type and scale commensurate with the accessibility and function of the centre or area.
- To provide for spaces, at street level, which are of a size and configuration suitable for land uses which generate active street-fronts.
- To constrain parking and reduce car use.

##### **2 Permitted without consent**

Home occupations

##### **3 Permitted with consent**

Boarding houses; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hostels; Information and education facilities; Medical centres; Oyster aquaculture; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Service stations; Shop top housing; Tank-based aquaculture; Tourist and visitor accommodation; Any other development not specified in item 2 or 4

##### **4 Prohibited**

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Pond-based aquaculture Port facilities; Recreation facilities (major); Residential accommodation; Rural industries; Sewerage systems; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities

### **Draft Inner West Local Environmental Plan 2020**

#### **Proposed Zone B2 Local Centre**

##### **1 Objectives of zone**

- To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.
- To encourage employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To reinforce and enhance the role, function and identity of local centres as the primary commercial and retail centres in Inner West and provide for residential development that supports, and does not detract from, that function.
- To strengthen the viability and vitality of the Ashfield town centre as the primary centre for investment, employment, cultural and civic activity.
- To promote building use and design that creates open and lively facades and invites people to interact at a street level.
- To generally conserve and enhance the unique sense of place of local centres by ensuring that new development displays architectural and urban design quality and integrates with the desired character and cultural heritage of these places.

##### **2 Permitted without consent**

Home occupations



## 2. Zoning and land use under relevant environmental planning instruments referred to in clause 1 (other than a SEPP or proposed SEPP)

### 3 Permitted with consent

Boarding houses; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Electricity generating works; Entertainment facilities; Environmental protection works; Function centres; Hostels; Industrial retail outlets; Information and education facility; Light Industries; Medical centres; Oyster aquaculture; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Seniors housing; Self storage units; Service stations; Shop top housing; Signage; Tank-based aquaculture; Tourist and visitor accommodation; Any other development not specified in item 2 or 4

### 4 Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Pond-based aquaculture; Port facilities; Recreation facilities (major); Residential accommodation; Rural industries; Sewage treatment plants; Sex services premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Warehouse or distribution centres; Waste disposal facilities; Waste or resource transfer stations; Water treatment facilities; Wholesale supplies

Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land, and if so, the minimum land dimensions so fixed: **NO**

Whether the land includes or comprises critical habitat: **NO**

Whether the land is in a conservation area (however described): **NO**

Whether an item of environmental heritage (however described) is situated on the land: **NO**

## 2A. Zoning and land use under State Environmental Planning Policy (Sydney Region Growth Centres) 2006

The land **IS NOT** land to which *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* applies.

Note: In accordance with 2A of Schedule 4 of the *Environmental Planning and Assessment Regulation 2000*, *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* **DOES NOT** apply to any land in the Inner West Council.

<b>3. Complying Development - State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</b>
<b>Housing Code</b> <b>NO.</b> Complying Development may not be carried out on this land because of the provisions of clause 1.19 of the <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> that land is excluded land being land that is: <ul style="list-style-type: none"><li>Land that is in the 25 ANEF contour or a higher ANEF contour, unless the development is only for: the erection of ancillary development, attached development or detached development, or; the alteration of, or an addition to, ancillary development, attached development or detached development</li></ul>
<b>Inland Code</b> <b>NO</b> , the Inland Code does not apply to land within the Inner West Local Government Area.
<b>Low Rise Medium Density Housing Code</b> <b>NO.</b> Complying Development may not be carried out on this land because of the provisions of clause 1.19 of the <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> that land is excluded land being land that is: <ul style="list-style-type: none"><li>Land that is in the 25 ANEF contour or a higher ANEF contour, unless the development is only for: - The erection of ancillary development, attached development or detached development, or - The alteration of, or an addition to, ancillary development, attached development or detached development.</li></ul>
<b>Rural Housing Code</b> <b>NO</b> , the Rural Housing Code does not apply to land within the Inner West Local Government Area.
<b>Greenfield Housing Code</b> <b>NO</b> , the Greenfield Housing Code does not apply to land within the Inner West Local Government Area.
<b>Commercial and Industrial (New Buildings and Additions) Code</b> <b>YES.</b> Complying Development under <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> may be carried out on this land subject to an assessment of compliance with the requirements of the SEPP.
<b>Housing Alterations Code</b> <b>YES.</b> Complying Development under <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> may be carried out on this land subject to an assessment of compliance with the requirements of the SEPP.
<b>General Development Code</b> <b>YES.</b> Complying Development under <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> may be carried out on this land subject to an assessment of compliance with the requirements of the SEPP.
<b>Commercial and Industrial Alterations Code</b> <b>YES.</b> Complying Development under <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> may be carried out on this land subject to an assessment of compliance with the requirements of the SEPP.
<b>Container Recycling Code</b> <b>YES.</b> Complying Development under <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> may be carried out on this land subject to an assessment of compliance with the requirements of the SEPP.

**Subdivisions Code**

**YES.**

Complying Development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* may be carried out on this land subject to an assessment of compliance with the requirements of the SEPP.

**Demolition Code**

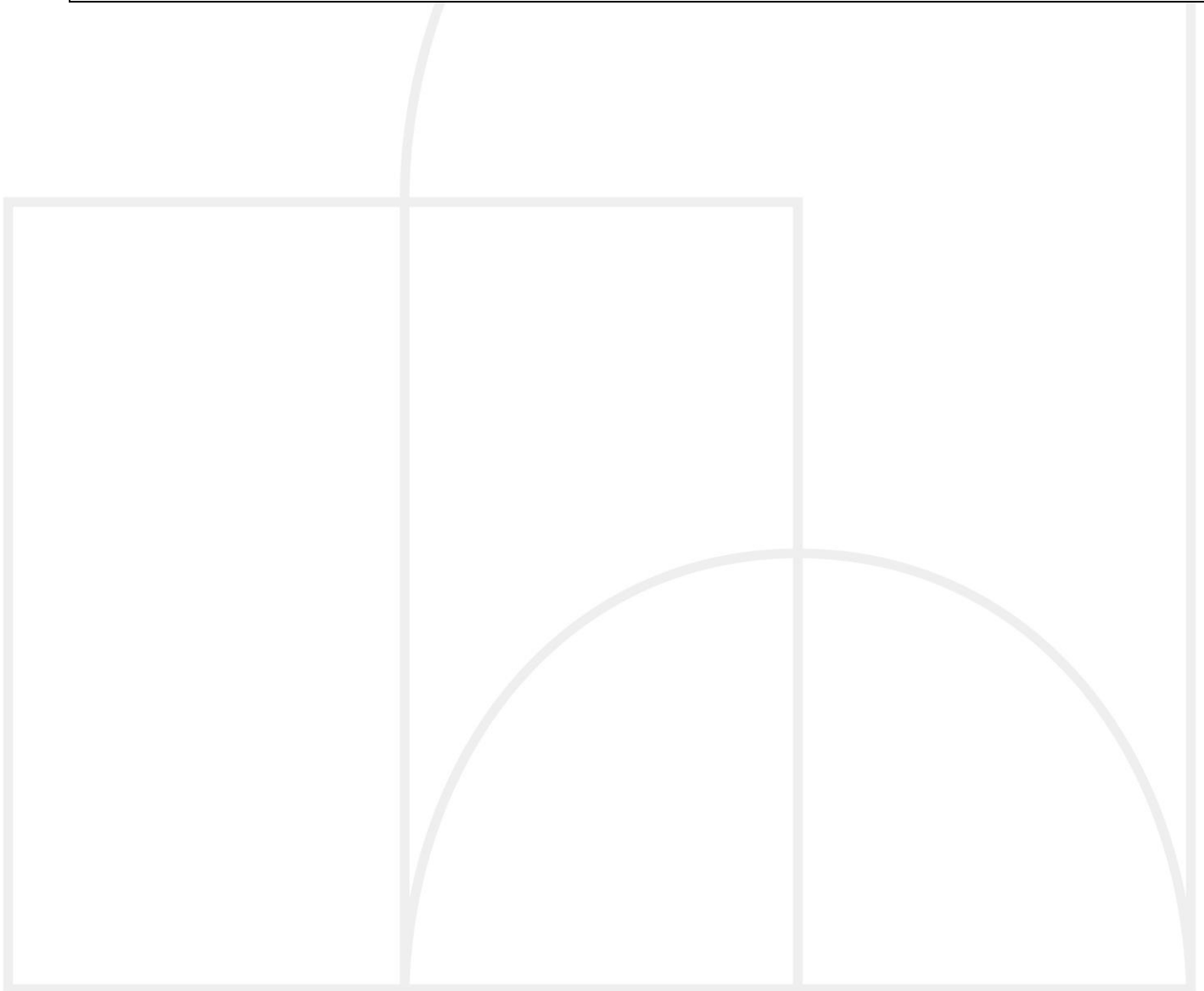
**YES.**

Complying Development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* may be carried out on this land subject to an assessment of compliance with the requirements of the SEPP.

**Fire Safety Code**

**YES.**

Complying Development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* may be carried out on this land subject to an assessment of compliance with the requirements of the SEPP.



#### 4B Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

Whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the *Local Government Act 1993* for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

The land **IS NOT** subject to any annual charges under Section 496B of the *Local Government Act 1993*.

**Note.** "Existing coastal protection works" are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the *Local Government Act 1993*.

#### 5. Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of the *Coal Mine Compensation Act 2017*: **NO**

#### 6. Road widening and road realignment

Whether or not the land is affected by any road widening or road realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993, or
- (b) any environmental planning instrument, or
- (c) any resolution of the council.

The land **IS NOT** affected by a road widening or road realignment.

#### 7. Council and other public authority policies on hazard risk restrictions

- (a) Whether or not the land is affected by a policy adopted by the Council that restricts the development of the land because of the likelihood of:

Land Slip	<b>NO</b>
Bushfire	<b>NO</b>
Tidal Inundation	<b>NO</b>
Subsidence	<b>NO</b>
Acid Sulphate Soils	<b>NO</b>
Any Other Risk (Other than Flooding)	<b>YES.</b> Council has adopted a policy which may restrict the development of the land if the potential for the risk of land contamination exists. This policy is the Marrickville Development Control Plan 2011 refer to Part 2.24: Contamination Land. Persons relying on this certificate should refer to this Development Control Plan to satisfy themselves that the land is suitable for the intended use.

- (b) Whether or not the land is affected by a policy adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the Council that restricts the development of the land because of the likelihood of:

Land Slip	<b>NO</b>
Bushfire	<b>NO</b>
Tidal Inundation	<b>NO</b>
Subsidence	<b>NO</b>
Acid Sulphate Soils	<b>NO</b>
Any Other Risk (Other than Flooding)	<b>NO</b>



## 7A. Flood related development controls information

(1) Whether or not development on the land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls:

**NO.**

(2) Whether or not development on the land or part of the land for any other purpose is subject to flood related development controls:

**NO.**

(3) Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

## 8. Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in Item 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the Act:

The land **IS NOT** reserved, in part or whole, for acquisition by a public authority, as referred to in section 3.15 of the *Environmental Planning and Assessment Act 1979*.

## 9. Contributions plans

The name of each contributions plan applying to the land:

- Marrickville Section 94/94A Contributions Plan 2014

Note: The former Section 94 and 94A Development Contributions Plans are now known as Section 7.11 and Section 7.12 Local Infrastructure Contribution Plans under the *Environmental Planning and Assessment Act 1979*.

## 9A. Biodiversity certified land

If the land is biodiversity certified land (within the meaning of Part 8 of the *Biodiversity Conservation Act 2016*) a statement to that effect.

The land **IS NOT** biodiversity certified land as defined under Part 8 of the *Biodiversity Conservation Act 2016*.

Note: Biodiversity certified land includes land certified under Part 7AA of the *Threatened Species Conservation Act 1995* that is taken to be certified under Part 8 of the *Biodiversity Conservation Act 2016*.

## 10. Biodiversity stewardship sites

If the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the *Biodiversity Conservation Act 2016*, a statement to that effect (but only if the council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage).

The land **IS NOT** biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the *Biodiversity Conservation Act 2016*.

Note: Biodiversity stewardship agreements include biobanking agreements under Part 7A of the *Threatened Species Conservation Act 1995* that are taken to be biodiversity stewardship agreements under Part 5 of the *Biodiversity Conservation Act 2016*.

## 10A. Native vegetation clearing set asides

If the land contains a set aside area under section 60ZC of the *Local Land Services Act 2013*, a statement to that effect (but only if the council has been notified of the existence of the set aside area by Local Land Services or it is registered in the public register under that section).

There are **NO** set asides areas on the land under section 60ZC of the *Local Land Services Act 2013*.

### 11. Bush fire prone land

If any of the land is bush fire prone land (as defined in section 4.14 of the Act), a statement that all or, as the case may be, some of the land is bush fire prone land.

The land **IS NOT** bush fire prone land as defined under the *Environmental Planning and Assessment Act, 1979*.

### 12. Property vegetation plans

If the land is land to which a property vegetation plan under the *Native Vegetation Act 2003* applies, a statement to that effect (but only if the council has been notified of the existence of the plan by the person or body that approved the plan under that Act).

The land **DOES NOT** have an applicable property vegetation plan under the *Native Vegetation Act 2003*.

### 13. Orders under Tree (Disputes Between Neighbours) Act 2006

Whether an order has been made under the *Trees (Disputes Between Neighbours) Act 2006* to carry out work in relation to a tree on the land (but only if the Council has been notified of the order):

An order **HAS NOT** been made under the *Trees (Disputes Between Neighbours) Act 2006*.

### 14. Directions under Part 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

There **IS NOT** a direction by the Minister in force under section 75P (2) (c1) of the *Environmental Planning and Assessment Act 1979* that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect.

Note: Developments may no longer be lodged under Part 3A of the Act and must now be processed via the State Significant pathways of Part 4.7 for State Significant Development and Part 5.2 for State Significant Infrastructure.

### 15. Site compatibility certificates and conditions for seniors housing

*State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* **DOES** apply to this land.

There **IS NOT** a current site compatibility (of which the Council is aware), issued under clause 25 of *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* in respect of proposed development on the land.

### 16. Site compatibility certificates for infrastructure, schools or TAFE establishments

There **IS NOT** a valid site compatibility certificate (of which Council is aware) issued under clause 19 of *State Environmental Planning Policy (Infrastructure) 2007* in respect of proposed development on the land.

There **IS NOT** a valid site compatibility certificate (of which Council is aware) issued under clause 15 of *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017* in respect of proposed development on the land.

### 17. Site compatibility certificates for affordable rental housing

There **IS NOT** a valid site compatibility certificate (of which the Council is aware), issued under clause 37 of *State Environmental Planning Policy (Affordable Rental Housing) 2009* in respect of proposed development on the land.

### 18. Paper subdivision information

(1) There **IS NOT** any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot.

(2) There **IS NOT** any subdivision order that applies to the land.

(3) Words and expressions used in this clause have the same meaning as they have in Part 16C of the *Environmental Planning and Assessment Regulation 2000*.

## 19. Site verification certificates

A statement of whether there is a current site verification certificate, of which council is aware, in respect of the land and, if there is a certificate, the statement is to include:

- a) the matter certified by the certificate, and

**Note:** A site verification certificate sets out the Director-General's opinion as to whether the land concerned is or is not biophysical strategic agricultural land or critical industry cluster land – see Division 3 of Part 4AA of the *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*.

- a) the date on which the certificate ceases to be current (if any), and  
b) that a copy may be obtained from the head office of the Department

There **IS NOT** a current site verification certificate, of which the Council is aware, in respect of the land.

## 20. Loose-fill asbestos insulation

If the land includes any residential premises (within the meaning of Division 1A of Part 8 of the *Home Building Act 1989*) that are listed on the register that is required to be maintained under that Division, a statement to that effect.

Council **IS NOT** aware of whether the land includes residential premises listed on the register maintained under Division 1A of Part 8 of the *Home Building Act 1989*.

## 21. Affected building notices and building product rectification orders

- (1) A statement of whether there is any affected building notice of which the council is aware that is in force in respect of the land.

**NO**

- (2) A statement of:

- a. Whether there is any building rectification order of which the council is aware that is in force in respect of the land and has not been fully complied with:

**NO**

- b. Whether any notice of intention to make a building product rectification order of which the council is aware has been given in respect of the land and is outstanding:

**NO**

- (3) In this clause:

**Affected building notice** has the same meaning as in part 4 of the *Building Products (Safety) Act 2017*.

**Building product rectification order** has the same meaning as in the *Building Products (Safety) Act 2017*.

**Note.** the following matters are prescribed by section 59 (2) of the *Contaminated Land Management Act 1997* as additional matters to be specified in a planning certificate:

- (a) that the land to which the certificate relates is significantly contaminated land within the meaning of that Act – if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,

**NO**

- (b) that the land to which the certificate relates is subject to a management order within the meaning of the Act – if it is subject to such an order at the date when the certificate issued,

**NO**

- (c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of the Act – if it is the subject of such an approved proposal at the date when the certificate is issued,

**NO**

- (d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of the Act – if it is subject to such an order at the date when the certificate is issued,

**NO**

- (e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of the Act - if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

**NO**

**THE FOLLOWING INFORMATION IS PROVIDED PURSUANT TO SECTION 10.7(5) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979.**

**Boarding House**

This property is **NOT** registered with Council as a boarding house. Nevertheless the provisions of *State Environmental Planning Policy (Affordable Rental Housing) 2009* may apply.

**State Environmental Planning Policy (Concurrences) 2018**

In February 2019, the NSW State Government introduced *State Environmental Planning Policy (Concurrences) 2018* that allows the Secretary of the Department of Planning, Industry and Environment (the Planning Secretary) to act on behalf of an approval body that requires concurrence under the following environmental planning instruments: *State Environmental Planning Policy (Infrastructure) 2007*, *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) (2017)*, and *State Environmental Planning Policy (Sydney Region Growth Centres) (2006)*.

For more information go to: <https://www.legislation.nsw.gov.au/#/view/EPI/2018/764>

**Draft Inner West Development Control Plan 2020**

The Draft Inner West Development Control Plan 2020 is being exhibited concurrently with the Draft Inner West Local Environmental Plan 2020 and applies to land.

**Additional Information**

**AUSTRALIAN NOISE EXPOSURE FORECAST (A.N.E.F.)**

- The subject land is in the 25 ANEF contour or a higher ANEF contour.

Refer to Australian Noise Exposure Forecast (ANEF) Map available on Sydney Airport's website (<http://www.sydneyairport.com.au>).

For more information please contact:

**Airservices Australia**

Noise Enquiry Lines

The national number rings at the nearest local noise enquiry office.

**National Noise Enquiry Line: 1800 802 584**

Head Office Address:

Alan Woods Building  
25 Constitution Avenue  
Canberra ACT 2601

Postal Address:

GPO Box 367  
Canberra ACT 2601

Phone: 02 6268 4111 or 1300 301 120

Fax: 02 6268 5683

ANEF information can be found under the Airservices Australia web site: <http://www.airservicesaustralia.com>



### Information regarding outstanding notices and orders

For information regarding outstanding notices and orders a Certificate for outstanding notices or intention and/or an Order under section 735A of the *Local Government Act 1993* may be applied for at any of the Inner West Council's Service Centres in Ashfield, Leichhardt or Petersham.

### General Message on matters not able to be included in this Certificate

The s10.7 Certificate provides information relating to the land itself. Persons should make their own enquiries into external matters which may affect the enjoyment of the land such as development consents on adjacent land, Park Plans of Management etc.

### General Information

The absence of any reference to a matter affecting the land shall not imply that the land is not affected by that matter not referred to in this certificate.

Information provided under section 10.7(2) is in accordance with the matters prescribed under schedule 4 of the Environmental Planning and Assessment Regulation 2000 and is provided only to the extent that the Council has been notified by relevant departments or public authorities.

When advice in accordance with section 10.7(5) is requested, the Council is under no obligation to furnish any advice. If advice is provided Council draws your attention to section 10.7(6) and section 2 of schedule 6 of the *Environmental Planning and Assessment Act 1979* which have the effect that Council shall not incur any liability in respect of advice provided in good faith pursuant to section 10.7(5), including the furnishing of advice in respect of contaminated land.

Any enquiries regarding State Environmental Planning Policies should be directed to NSW Department of Planning, Industry and Environment.

Please contact Council's Strategic Planning section for further information about this Planning Certificate.



**HARJEET ATWAL**  
**SENIOR MANAGER PLANNING**



## PLANNING CERTIFICATE

UNDER SECTION 10.7 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

**Cert. No.:** PCT/2021/3699

**Fee:** \$133.00

**Application Date:** 14 February 2021

**Issued Date:** 14 February 2021

**Applicant's Reference:** PRCUTS5

Applicant	Owner (as recorded by Council)
Name: Katie Miles Address: Staff 7-15 Wetherill St LEICHHARDT NSW 2040 Email: katie.miles@innerwest.nsw.gov.au Phone: InsertMobilePhoneHer	Name: Mr C Saba & Mr J Elias

Subject property address	Legal description
Street address: 16 Crystal Street PETERSHAM NSW 2049	Lot 7 DP 1008761

Information provided pursuant to Section 10.7(2) of the EP&A Act
In accordance with the requirements of section 10.7(2) of the <i>Environmental Planning and Assessment Act 1979</i> , the following prescribed matters relate to the land at the date of this certificate.

## 1. Names of relevant planning instruments and DCPs

In accordance with Section 1 (1) & (2) of Schedule 4 of the *Environmental Planning and Assessments Regulations 2000*, the following is a list of State Environmental Planning Policies (SEPPs) & proposed SEPPs that may apply to the carrying out of development on the land:

- State Environmental Planning Policy No.19 – Bushland in Urban Areas
- State Environmental Planning Policy No. 21 – Caravan Parks
- State Environmental Planning Policy No. 33 – Hazardous and Offensive Development
- State Environmental Planning Policy No. 55 – Remediation of Land
- State Environmental Planning Policy No. 64 – Advertising and Signage
- State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development
- State Environmental Planning Policy No. 70 – Affordable Housing (Revised Schemes)
- State Environmental Planning Policy (Affordable Rental Housing) 2009
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007
- State Environmental Planning Policy (State and Regional Development) 2011
- State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007
- State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017
- State Environmental Planning Policy (Primary Production and Rural Development) 2019
- State Environmental Planning Policy (COVID-19 Response) 2020
- Sydney Regional Environment Plan (Sydney Harbour Catchment) 2005
- Draft State Environmental Planning Policy (Environment) 2017
- Draft State Environmental Planning Policy (Remediation of Land) 2017
- Draft State Environmental Planning Policy (Short-term Rental Accommodation) 2019
- Draft Housing Diversity State Environmental Planning Policy 2020

Note: As part of improvements to simplify the State's planning system, as of 1 July 2009, regional environmental plans (REPs) are no longer part of the hierarchy of environmental planning instruments in NSW. All existing REPs are now deemed State environmental planning policies (SEPPs). Any enquiries regarding these State Planning Policies should be directed to the Department of Planning and Environment. Find contact details on the Department's website at <http://www.planning.nsw.gov.au>

In accordance with Section 1 (1) of Schedule 4 of the *Environmental Planning and Assessments Regulations 2000*, the following Local Environmental Plan applies to the land:

- Marrickville Local Environmental Plan 2011

In accordance with Section 1 (2) of Schedule 4 of the *Environmental Planning and Assessments Regulations 2000*, the following proposed Local Environmental Plan(s) applies to the land. The following proposed Local Environmental Plan has been the subject of community consultation or has been placed on public exhibition:

- Draft Inner West Local Environment Plan 2020

In accordance with Section 1 (3) of Schedule 4 of the *Environmental Planning and Assessments Regulations 2000*, The following Development Control Plan applies to the land:

- Marrickville Development Control Plan 2011

## **2. Zoning and land use under relevant environmental planning instruments referred to in clause 1 (other than a SEPP or proposed SEPP)**

### **Marrickville Local Environmental Plan 2011**

#### **Zone B2 Local Centre**

##### **1 Objectives of zone**

- To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.
- To encourage employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To provide housing attached to permissible non-residential uses which is of a type and scale commensurate with the accessibility and function of the centre or area.
- To provide for spaces, at street level, which are of a size and configuration suitable for land uses which generate active street-fronts.
- To constrain parking and reduce car use.

##### **2 Permitted without consent**

Home occupations

##### **3 Permitted with consent**

Boarding houses; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hostels; Information and education facilities; Medical centres; Oyster aquaculture; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Service stations; Shop top housing; Tank-based aquaculture; Tourist and visitor accommodation; Any other development not specified in item 2 or 4

##### **4 Prohibited**

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Pond-based aquaculture Port facilities; Recreation facilities (major); Residential accommodation; Rural industries; Sewerage systems; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities

### **Draft Inner West Local Environmental Plan 2020**

#### **Proposed Zone B2 Local Centre**

##### **1 Objectives of zone**

- To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.
- To encourage employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To reinforce and enhance the role, function and identity of local centres as the primary commercial and retail centres in Inner West and provide for residential development that supports, and does not detract from, that function.
- To strengthen the viability and vitality of the Ashfield town centre as the primary centre for investment, employment, cultural and civic activity.
- To promote building use and design that creates open and lively facades and invites people to interact at a street level.
- To generally conserve and enhance the unique sense of place of local centres by ensuring that new development displays architectural and urban design quality and integrates with the desired character and cultural heritage of these places.

##### **2 Permitted without consent**

Home occupations



## 2. Zoning and land use under relevant environmental planning instruments referred to in clause 1 (other than a SEPP or proposed SEPP)

### 3 Permitted with consent

Boarding houses; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Electricity generating works; Entertainment facilities; Environmental protection works; Function centres; Hostels; Industrial retail outlets; Information and education facility; Light Industries; Medical centres; Oyster aquaculture; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Seniors housing; Self storage units; Service stations; Shop top housing; Signage; Tank-based aquaculture; Tourist and visitor accommodation; Any other development not specified in item 2 or 4

### 4 Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Pond-based aquaculture; Port facilities; Recreation facilities (major); Residential accommodation; Rural industries; Sewage treatment plants; Sex services premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Warehouse or distribution centres; Waste disposal facilities; Waste or resource transfer stations; Water treatment facilities; Wholesale supplies

Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land, and if so, the minimum land dimensions so fixed: **NO**

Whether the land includes or comprises critical habitat: **NO**

Whether the land is in a conservation area (however described): **NO**

Whether an item of environmental heritage (however described) is situated on the land: **NO**

## 2A. Zoning and land use under State Environmental Planning Policy (Sydney Region Growth Centres) 2006

The land **IS NOT** land to which *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* applies.

Note: In accordance with 2A of Schedule 4 of the *Environmental Planning and Assessment Regulation 2000*, *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* **DOES NOT** apply to any land in the Inner West Council.

<b>3. Complying Development - State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</b>
<p><b>Housing Code</b></p> <p><b>NO.</b></p> <p>Complying Development may not be carried out on this land because of the provisions of clause 1.19 of the <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> that land is excluded land being land that is:</p> <ul style="list-style-type: none"><li>Land that is in the 25 ANEF contour or a higher ANEF contour, unless the development is only for: the erection of ancillary development, attached development or detached development, or; the alteration of, or an addition to, ancillary development, attached development or detached development.</li></ul>
<p><b>Inland Code</b></p> <p><b>NO</b>, the Inland Code does not apply to land within the Inner West Local Government Area.</p>
<p><b>Low Rise Medium Density Housing Code</b></p> <p><b>NO.</b></p> <p>Complying Development may not be carried out on this land because of the provisions of clause 1.19 of the <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> that land is excluded land being land that is:</p> <ul style="list-style-type: none"><li>Land that is in the 25 ANEF contour or a higher ANEF contour, unless the development is only for: the erection of ancillary development, attached development or detached development, or; the alteration of, or an addition to, ancillary development, attached development or detached development.</li></ul>
<p><b>Rural Housing Code</b></p> <p><b>NO</b>, the Rural Housing Code does not apply to land within the Inner West Local Government Area.</p>
<p><b>Greenfield Housing Code</b></p> <p><b>NO</b>, the Greenfield Housing Code does not apply to land within the Inner West Local Government Area.</p>
<p><b>Commercial and Industrial (New Buildings and Additions) Code</b></p> <p><b>YES.</b></p> <p>Complying Development under <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> may be carried out on this land subject to an assessment of compliance with the requirements of the SEPP.</p>
<p><b>Housing Alterations Code</b></p> <p><b>YES.</b></p> <p>Complying Development under <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> may be carried out on this land subject to an assessment of compliance with the requirements of the SEPP.</p>
<p><b>General Development Code</b></p> <p><b>YES.</b></p> <p>Complying Development under <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> may be carried out on this land subject to an assessment of compliance with the requirements of the SEPP.</p>
<p><b>Commercial and Industrial Alterations Code</b></p> <p><b>YES.</b></p> <p>Complying Development under <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> may be carried out on this land subject to an assessment of compliance with the requirements of the SEPP.</p>
<p><b>Container Recycling Code</b></p> <p><b>YES.</b></p> <p>Complying Development under <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> may be carried out on this land subject to an assessment of compliance with the requirements of the SEPP.</p>

**Subdivisions Code**

**YES.**

Complying Development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* may be carried out on this land subject to an assessment of compliance with the requirements of the SEPP.

**Demolition Code**

**YES.**

Complying Development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* may be carried out on this land subject to an assessment of compliance with the requirements of the SEPP.

**Fire Safety Code**

**YES.**

Complying Development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* may be carried out on this land subject to an assessment of compliance with the requirements of the SEPP.



#### 4B Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

Whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the *Local Government Act 1993* for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

The land **IS NOT** subject to any annual charges under Section 496B of the *Local Government Act 1993*.

**Note.** "Existing coastal protection works" are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the *Local Government Act 1993*.

#### 5. Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of the *Coal Mine Compensation Act 2017*: **NO**

#### 6. Road widening and road realignment

Whether or not the land is affected by any road widening or road realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993, or
- (b) any environmental planning instrument, or
- (c) any resolution of the council.

The land **IS NOT** affected by a road widening or road realignment.

#### 7. Council and other public authority policies on hazard risk restrictions

- (a) Whether or not the land is affected by a policy adopted by the Council that restricts the development of the land because of the likelihood of:

Land Slip	<b>NO</b>
Bushfire	<b>NO</b>
Tidal Inundation	<b>NO</b>
Subsidence	<b>NO</b>
Acid Sulphate Soils	<b>NO</b>
Any Other Risk (Other than Flooding)	<b>YES.</b> Council has adopted a policy which may restrict the development of the land if the potential for the risk of land contamination exists. This policy is the Marrickville Development Control Plan 2011 refer to Part 2.24: Contamination Land. Persons relying on this certificate should refer to this Development Control Plan to satisfy themselves that the land is suitable for the intended use.

- (b) Whether or not the land is affected by a policy adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the Council that restricts the development of the land because of the likelihood of:

Land Slip	<b>NO</b>
Bushfire	<b>NO</b>
Tidal Inundation	<b>NO</b>
Subsidence	<b>NO</b>
Acid Sulphate Soils	<b>NO</b>
Any Other Risk (Other than Flooding)	<b>NO</b>



## 7A. Flood related development controls information

(1) Whether or not development on the land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls:

**NO.**

(2) Whether or not development on the land or part of the land for any other purpose is subject to flood related development controls:

**NO.**

(3) Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

## 8. Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in Item 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the Act:

The land **IS NOT** reserved, in part or whole, for acquisition by a public authority, as referred to in section 3.15 of the *Environmental Planning and Assessment Act 1979*.

## 9. Contributions plans

The name of each contributions plan applying to the land:

- Marrickville Section 94/94A Contributions Plan 2014

Note: The former Section 94 and 94A Development Contributions Plans are now known as Section 7.11 and Section 7.12 Local Infrastructure Contribution Plans under the *Environmental Planning and Assessment Act 1979*.

## 9A. Biodiversity certified land

If the land is biodiversity certified land (within the meaning of Part 8 of the *Biodiversity Conservation Act 2016*) a statement to that effect.

The land **IS NOT** biodiversity certified land as defined under Part 8 of the *Biodiversity Conservation Act 2016*.

Note: Biodiversity certified land includes land certified under Part 7AA of the *Threatened Species Conservation Act 1995* that is taken to be certified under Part 8 of the *Biodiversity Conservation Act 2016*.

## 10. Biodiversity stewardship sites

If the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the *Biodiversity Conservation Act 2016*, a statement to that effect (but only if the council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage).

The land **IS NOT** biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the *Biodiversity Conservation Act 2016*.

Note: Biodiversity stewardship agreements include biobanking agreements under Part 7A of the *Threatened Species Conservation Act 1995* that are taken to be biodiversity stewardship agreements under Part 5 of the *Biodiversity Conservation Act 2016*.

## 10A. Native vegetation clearing set asides

If the land contains a set aside area under section 60ZC of the *Local Land Services Act 2013*, a statement to that effect (but only if the council has been notified of the existence of the set aside area by Local Land Services or it is registered in the public register under that section).

There are **NO** set asides areas on the land under section 60ZC of the *Local Land Services Act 2013*.

### 11. Bush fire prone land

If any of the land is bush fire prone land (as defined in section 4.14 of the Act), a statement that all or, as the case may be, some of the land is bush fire prone land.

The land **IS NOT** bush fire prone land as defined under the *Environmental Planning and Assessment Act, 1979*.

### 12. Property vegetation plans

If the land is land to which a property vegetation plan under the *Native Vegetation Act 2003* applies, a statement to that effect (but only if the council has been notified of the existence of the plan by the person or body that approved the plan under that Act).

The land **DOES NOT** have an applicable property vegetation plan under the *Native Vegetation Act 2003*.

### 13. Orders under Tree (Disputes Between Neighbours) Act 2006

Whether an order has been made under the *Trees (Disputes Between Neighbours) Act 2006* to carry out work in relation to a tree on the land (but only if the Council has been notified of the order):

An order **HAS NOT** been made under the *Trees (Disputes Between Neighbours) Act 2006*.

### 14. Directions under Part 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

There **IS NOT** a direction by the Minister in force under section 75P (2) (c1) of the *Environmental Planning and Assessment Act 1979* that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect.

Note: Developments may no longer be lodged under Part 3A of the Act and must now be processed via the State Significant pathways of Part 4.7 for State Significant Development and Part 5.2 for State Significant Infrastructure.

### 15. Site compatibility certificates and conditions for seniors housing

*State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* **DOES** apply to this land.

There **IS NOT** a current site compatibility (of which the Council is aware), issued under clause 25 of *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* in respect of proposed development on the land.

### 16. Site compatibility certificates for infrastructure, schools or TAFE establishments

There **IS NOT** a valid site compatibility certificate (of which Council is aware) issued under clause 19 of *State Environmental Planning Policy (Infrastructure) 2007* in respect of proposed development on the land.

There **IS NOT** a valid site compatibility certificate (of which Council is aware) issued under clause 15 of *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017* in respect of proposed development on the land.

### 17. Site compatibility certificates for affordable rental housing

There **IS NOT** a valid site compatibility certificate (of which the Council is aware), issued under clause 37 of *State Environmental Planning Policy (Affordable Rental Housing) 2009* in respect of proposed development on the land.

## 18. Paper subdivision information

- (1) There **IS NOT** any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot.
- (2) There **IS NOT** any subdivision order that applies to the land.
- (3) Words and expressions used in this clause have the same meaning as they have in Part 16C of the *Environmental Planning and Assessment Regulation 2000*.

## 19. Site verification certificates

A statement of whether there is a current site verification certificate, of which council is aware, in respect of the land and, if there is a certificate, the statement is to include:

- a) the matter certified by the certificate, and

**Note:** A site verification certificate sets out the Director-General's opinion as to whether the land concerned is or is not biophysical strategic agricultural land or critical industry cluster land – see Division 3 of Part 4AA of the *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*.

- a) the date on which the certificate ceases to be current (if any), and
- b) that a copy may be obtained from the head office of the Department

There **IS NOT** a current site verification certificate, of which the Council is aware, in respect of the land.

## 20. Loose-fill asbestos insulation

If the land includes any residential premises (within the meaning of Division 1A of Part 8 of the *Home Building Act 1989*) that are listed on the register that is required to be maintained under that Division, a statement to that effect.

Council **IS NOT** aware of whether the land includes residential premises listed on the register maintained under Division 1A of Part 8 of the *Home Building Act 1989*.

## 21. Affected building notices and building product rectification orders

- (1) A statement of whether there is any affected building notice of which the council is aware that is in force in respect of the land.

**NO**

- (2) A statement of:

- a. Whether there is any building rectification order of which the council is aware that is in force in respect of the land and has not been fully complied with:

**NO**

- b. Whether any notice of intention to make a building product rectification order of which the council is aware has been given in respect of the land and is outstanding:

**NO**

- (3) In this clause:

**Affected building notice** has the same meaning as in part 4 of the *Building Products (Safety) Act 2017*.

**Building product rectification order** has the same meaning as in the *Building Products (Safety) Act 2017*.

**Note.** the following matters are prescribed by section 59 (2) of the *Contaminated Land Management Act 1997* as additional matters to be specified in a planning certificate:

(a) that the land to which the certificate relates is significantly contaminated land within the meaning of that Act – if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,

**NO**

(b) that the land to which the certificate relates is subject to a management order within the meaning of the Act – if it is subject to such an order at the date when the certificate issued,

**NO**

(c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of the Act – if it is the subject of such an approved proposal at the date when the certificate is issued,

**NO**

(d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of the Act – if it is subject to such an order at the date when the certificate is issued,

**NO**

(e) that the that the land to which the certificate relates is the subject of a site audit statement within the meaning of the Act - if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

**NO**



**THE FOLLOWING INFORMATION IS PROVIDED PURSUANT TO SECTION 10.7(5) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979.**

**Boarding House**

This property is **NOT** registered with Council as a boarding house. Nevertheless the provisions of *State Environmental Planning Policy (Affordable Rental Housing) 2009* may apply.

**State Environmental Planning Policy (Concurrences) 2018**

In February 2019, the NSW State Government introduced *State Environmental Planning Policy (Concurrences) 2018* that allows the Secretary of the Department of Planning, Industry and Environment (the Planning Secretary) to act on behalf of an approval body that requires concurrence under the following environmental planning instruments: *State Environmental Planning Policy (Infrastructure) 2007*, *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) (2017)*, and *State Environmental Planning Policy (Sydney Region Growth Centres) (2006)*.

For more information go to: <https://www.legislation.nsw.gov.au/#/view/EPI/2018/764>

**Draft Inner West Development Control Plan 2020**

The Draft Inner West Development Control Plan 2020 is being exhibited concurrently with the Draft Inner West Local Environmental Plan 2020 and applies to land.

**Additional Information**

**AUSTRALIAN NOISE EXPOSURE FORECAST (A.N.E.F.)**

- The subject land is in the 25 ANEF contour or a higher ANEF contour.

Refer to Australian Noise Exposure Forecast (ANEF) Map available on Sydney Airport's website (<http://www.sydneyairport.com.au>).

For more information please contact:

**Airservices Australia**

Noise Enquiry Lines

The national number rings at the nearest local noise enquiry office.

**National Noise Enquiry Line: 1800 802 584**

Head Office Address:

Alan Woods Building  
25 Constitution Avenue  
Canberra ACT 2601

Postal Address:

GPO Box 367  
Canberra ACT 2601

Phone: 02 6268 4111 or 1300 301 120

Fax: 02 6268 5683

ANEF information can be found under the Airservices Australia web site: <http://www.airservicesaustralia.com>

### Information regarding outstanding notices and orders

For information regarding outstanding notices and orders a Certificate for outstanding notices or intention and/or an Order under section 735A of the *Local Government Act 1993* may be applied for at any of the Inner West Council's Service Centres in Ashfield, Leichhardt or Petersham.

### General Message on matters not able to be included in this Certificate

The s10.7 Certificate provides information relating to the land itself. Persons should make their own enquiries into external matters which may affect the enjoyment of the land such as development consents on adjacent land, Park Plans of Management etc.

### General Information

The absence of any reference to a matter affecting the land shall not imply that the land is not affected by that matter not referred to in this certificate.

Information provided under section 10.7(2) is in accordance with the matters prescribed under schedule 4 of the Environmental Planning and Assessment Regulation 2000 and is provided only to the extent that the Council has been notified by relevant departments or public authorities.

When advice in accordance with section 10.7(5) is requested, the Council is under no obligation to furnish any advice. If advice is provided Council draws your attention to section 10.7(6) and section 2 of schedule 6 of the *Environmental Planning and Assessment Act 1979* which have the effect that Council shall not incur any liability in respect of advice provided in good faith pursuant to section 10.7(5), including the furnishing of advice in respect of contaminated land.

Any enquiries regarding State Environmental Planning Policies should be directed to NSW Department of Planning, Industry and Environment.

Please contact Council's Strategic Planning section for further information about this Planning Certificate.



**HARJEET ATWAL**  
**SENIOR MANAGER PLANNING**

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## Appendix F

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### Site Photographs



Photo 1: Crystal Car & Truck motor vehicle rental shop at 18 Crystal Street (photograph taken facing east)



Photo 2: Crystal Car & Truck motor vehicle rental shop at 18 Crystal Street (photograph taken facing west)


 <b>Douglas Partners</b> Geotechnics   Environment   Groundwater	<b>Site Photographs</b>		PROJECT:	200501.00
	<b>Preliminary Site Investigation (Contamination)</b>		PLATE No:	1
	<b>16-18 Crystal Street, Petersham</b>		REV:	0
	CLIENT	Inner West Council	DATE	18/02/2021





Photo 3: Crystal Car & Truck motor vehicle rental shop office and wooden shed in west part of lot



Photo 4: Vacant commercial building at 16 Crystal Street (photograph taken facing north)


 <b>Douglas Partners</b> Geotechnics   Environment   Groundwater	<b>Site Photographs</b>		PROJECT:	200501.00
	<b>Preliminary Site Investigation (Contamination)</b>		PLATE No:	2
	<b>16-18 Crystal Street, Petersham</b>		REV:	0
	CLIENT	Inner West Council	DATE	18/02/2021





Photo 5: South side of vacant commercial building at 16 Crystal Street



Photo 6: Residential buildings, TAFE, and Crystal Street east of site


	<b>Site Photographs</b>		PROJECT:	200501.00
	<b>Preliminary Site Investigation (Contamination)</b>		PLATE No:	3
	<b>16-18 Crystal Street, Petersham</b>		REV:	0
	CLIENT	Inner West Council	DATE	18/02/2021






Photo 7: Back alley along west site boundary



Photo 8: Elswick street, commercial building and residential buildings north of site

 <b>Douglas Partners</b> Geotechnics   Environment   Groundwater	<b>Site Photographs</b>		PROJECT:	200501.00
	<b>Preliminary Site Investigation (Contamination)</b>		PLATE No:	4
	<b>16-18 Crystal Street, Petersham</b>		REV:	0
	CLIENT	Inner West Council	DATE	18/02/2021

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## Appendix G

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Risk Matrix



## Appendix G

### Risk Rating Matrix

The overall risk rating for the site has been determined by using the approach outlined in Tables G1 and G2 below. The risk matrix is based on:

- Probability of occurrence of each potential area of environmental concern (AEC), and / or contamination resulting from the potential AEC, based on the desktop site history and characterisation review, and
- Consequences of the AEC and / or contamination resulting from the AEC, which have been estimated on the basis of the contaminant type(s), likely impacted media, contaminant migration potential and prior project experience for similar sites. For the purpose of the risk rating, the contamination affects on human health and ecology have not been considered.

The risk rating is calculated using the formula: Risk Rating = Probability x Consequence. The final risk rating for the site has then been given by the maximum risk rating of all AECs. If contamination has already occurred, the risk rating is considered high irrespective of probability and consequence.

**Table G1: Qualitative Probabilities and Consequences**

Item	Description	Value
<b>Probability</b>	AEC / contamination unlikely to occur	1
	AEC / contamination may occur	2
	AEC / contamination likely to occur	3
	AEC / contamination will occur	4
<b>Consequence</b>	Minimal impact not felt at source	1
	Impact limited to soil, and localised	2
	Widespread soil impact	3
	Impacts on multiple media (soil, groundwater, and soil vapour) but limited to site boundary	4
	Impacts on multiple media (soil, groundwater, and soil vapour) beyond the site boundary	5

**Table G2: Risk Matrix**

		Consequence				
		1	2	3	4	5
<b>Probability</b>	1	1	2	3	4	5
	2	2	4	6	8	10
	3	3	6	9	12	15
	4	4	8	12	16	20
Risk 1-6=		Low				
Risk 7-12=		Medium				
Risk 13-20=		High				

**Douglas Partners Pty Ltd**