

JOINT REGIONAL PLANNING PANEL
Sydney East Region

JRPP No	2011SYE037
DA Number	201100141
Local Government Area	Marrickville
Proposed Development	To carry out the Sesquicentenary Building Project at Newington College involving the refurbishment of existing classrooms, erection of an additional storey to the science west building, demolition of the design and technology building, erection of three new buildings, landscaping improvement works, minor relocation of Buchanan Oval sports pitches and relocation of the cricket practice nets.
Street Address	200-244 Stanmore Road, Stanmore
Applicant/Owner	Newington College
Number of Submissions	Seven (7)
Recommendation	Approval with Conditions
Report by	Ruba Osman, Development Assessment Officer

Assessment Report and Recommendation

Synopsis

Application to carry out the Sesquicentenary Building Project at Newington College involving the refurbishment of existing classrooms, erection of an additional storey to the science west building, demolition of the design and technology building, erection of three new buildings, landscaping improvement works, minor relocation of Buchanan Oval sports pitches and relocation of the cricket practice nets. The application was notified in accordance with Council's notification policy and seven (7) submissions were received. The application is considered suitable for approval subject to the imposition of appropriate conditions.

PART A - PARTICULARS

Location: Newington College is located on the southern side of Stanmore Road between Wemyss Street and College Lane, Stanmore. The proposed alterations and additions are located on the south western side of the school grounds fronting College Lane and Newington Road, Stanmore.

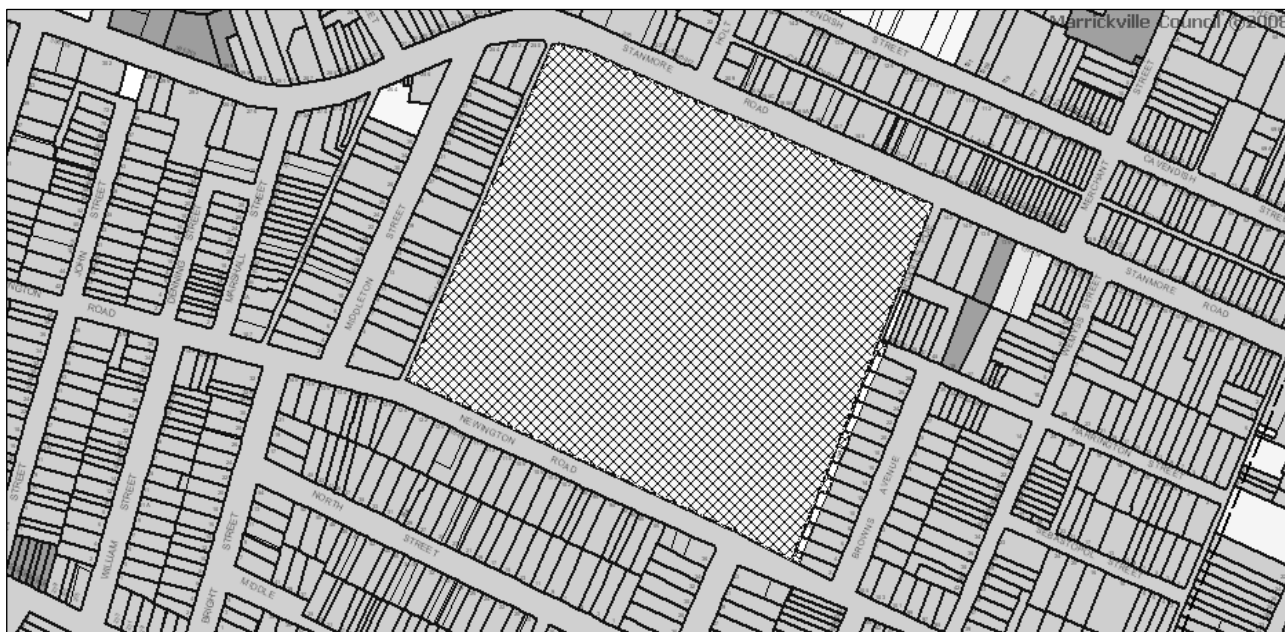


Image 1: Subject Site

D/A No: 201100141

Application Date: 24 March 2011 (additional information and amended plans submitted on 6 May 2011)

Proposal: To carry out the Sesquicentenary Building Project at Newington College involving the refurbishment of existing classrooms, erection of an additional storey to the science west building,

demolition of the design and technology building, erection of three new buildings, landscaping improvement works, minor relocation of Buchanan Oval sports pitches and relocation of the cricket practice nets.

Applicant: Newington College

Estimated Cost: \$25,071,000

Zoning: Special Uses

PART B - THE SITE AND ITS CONTEXT

Improvements: Various buildings and playground ovals used as part of an educational establishment



Image 2: Subject site as viewed from Newington Road, Stanmore – location of proposed infill



Image 3: Buchanan Oval



Image 4: Design and technology building proposed for demolition

Current Use:	Educational establishment
Prior Determinations:	<p>Determination No. 19990132, dated 1 September 2000, approved an application to erect an upper storey addition to the music building within Newington College adjacent to College Lane to provide a music practice room.</p> <p>Determination No. 20000614, dated 4 April 2001, approved an application to replace the seven tennis courts within the grounds of Newington College with six championship courts and two recreational courts and carry out associated works and to erect a pavilion.</p> <p>Determination No. 200300093, dated 5 June 2003, approved an application to carry out alterations to the existing staff common room and female toilets within Newington College.</p> <p>Determination No. 200600243, dated 28 August 2006, approved an application to demolish and carry out refurbishment works to the existing male staff change rooms in Newington College.</p> <p>Determination No. 200600553, dated 3 October 2007, approved an application to reconstruct an entry road and construct a 30 space at grade car park within the grounds of Newington College including some shade structures and to carry out associated works.</p> <p>Determination No. 200900332, dated 1 December 2009, approved an application to carry out alterations and additions to Newington College including additions to create a new classroom and a new circulation corridor between the existing L and N Block Buildings, alterations to allow for the new Design and Technology department within the existing L & N Block buildings, internal refurbishment of existing classrooms, internal modifications to the Founder's Wing, new loading bay fronting College Lane limited to small rigid trucks and the first stage of major accessibility upgrade throughout the campus. That consent was modified on 9 December 2010.</p>
Environment:	Educational establishment surrounded by residential development.

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:**
Nil
- 4. Community Consultation:**
Required: Yes (newspaper advertisement, on-site notice and resident notification)
Submissions: Seven (7)
- 5. Other Requirements:**
ANEF 2029 Affectation: Part 25 -30 ANEF and part 30 -35 ANEF

PART D - ASSESSMENT

1. The Site and Surrounds

The subject site is legally described as Lot 8 in DP 710369, Lots 20, 21, 26, 29 in DP 879003 and Lot 35 in DP 880901 and is more commonly referred to as 244 Stanmore Road, Stanmore, otherwise known as Newington College. The property is located on the southern side of Stanmore Road between Wemyss Street and College Lane, Stanmore. The majority of works proposed in this development application are located on the southern side of the school grounds on the northern side of Newington Road between College Lane and Browns Avenue, Stanmore.

The subject site has an area of approximately 88,390sqm. The site is currently occupied by various buildings and playgrounds/sports fields used for an educational establishment. Surrounding development is largely residential.

2. The Proposal

Approval is sought to carry out the Sesquicentenary Building Project at Newington College involving the refurbishment of existing classrooms, erection of an additional storey to the science west building, demolition of the design and technology building, erection of three new buildings, landscaping improvement works, minor relocation of Buchanan Oval sports pitches and relocation of the cricket practice nets.

Works proposed as part of this development application includes the following:

- Demolition of the existing Design and Technology (D & T) Building;
- Refurbishment of the existing Science and War Memorial buildings (including a new floor level for the Science West Building, a new stair and two lifts to service the existing Science and War Memorial Buildings);

- Construction of a new three storey science block to be known as Pyke Building (including physics, chemistry and biology superlabs);
- Construction of a new four storey building to be known as Rae Building (including a lecture theatre, cafeteria, administration, library, Year 12 common area, and seminar rooms);
- Construction of a new Quadrangle and Lower Square;
- Construction of a single storey building to be known as the Buchanan Bank Sports Building (including a weights room, change/shower facilities and a store room);
- Relocation of cricket practice nets above the Buchanan Bank Sports Building;
- Moving Buchanan Oval sports fields 5–6 metres to the east;
- Construction of a new substation to service new buildings; and
- Works to the driveway and access to the overhead pedestrian bridge (to Stanmore Road).

Existing development on the site has a floor space ratio (FSR) of approximately 0.3:1. The proposed development provides an additional 3,420sqm of gross floor area (GFA) resulting in a total GFA for the site of 30,320sqm and a FSR of approximately 0.34:1.

A copy of the site plan and elevations of the proposed development submitted with the application are reproduced below:

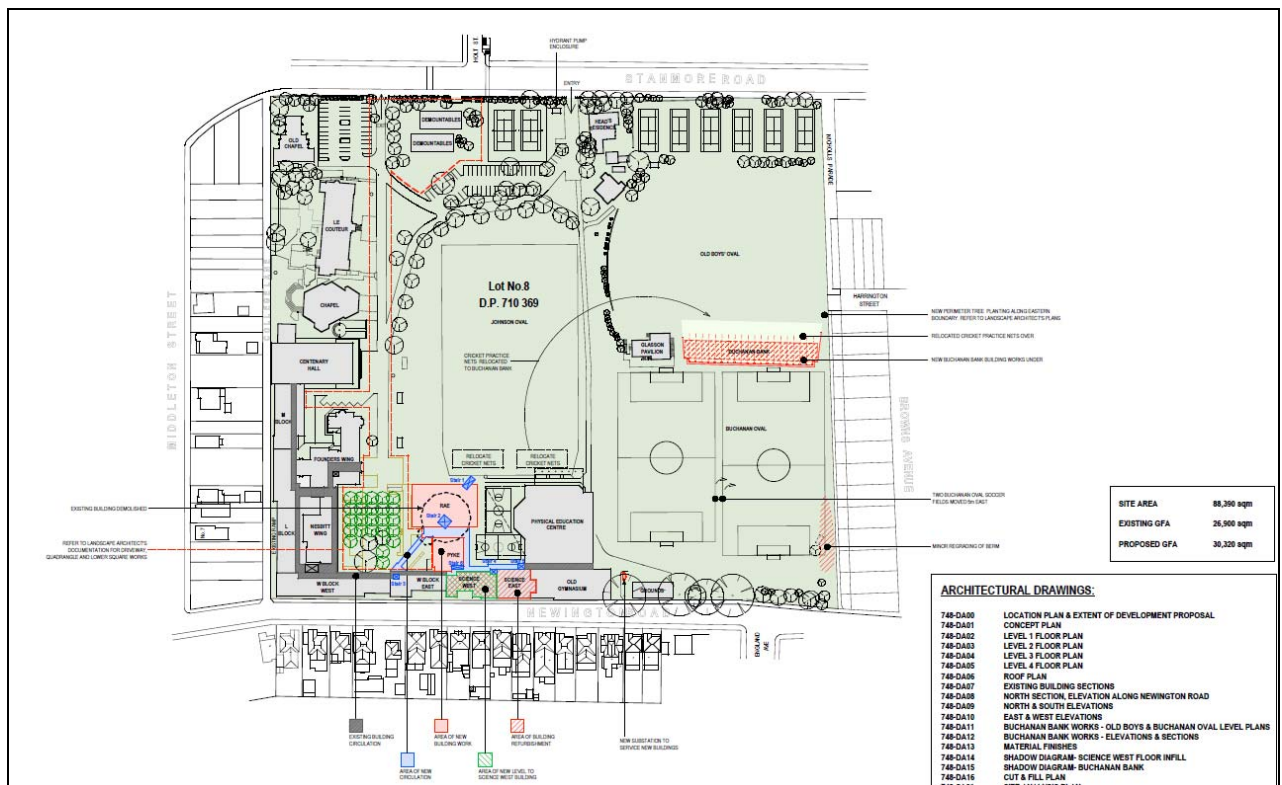


Image 5: Proposed site plan

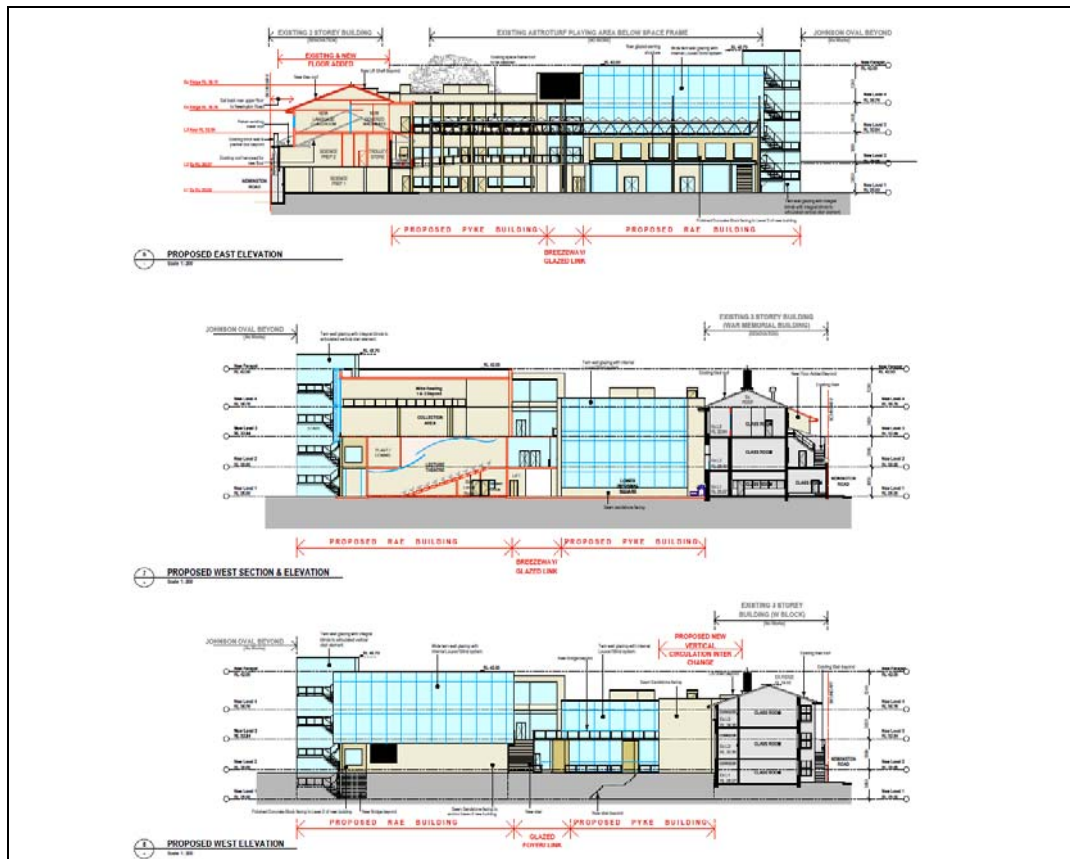


Image 6: Proposed elevations of Rae and Pike buildings

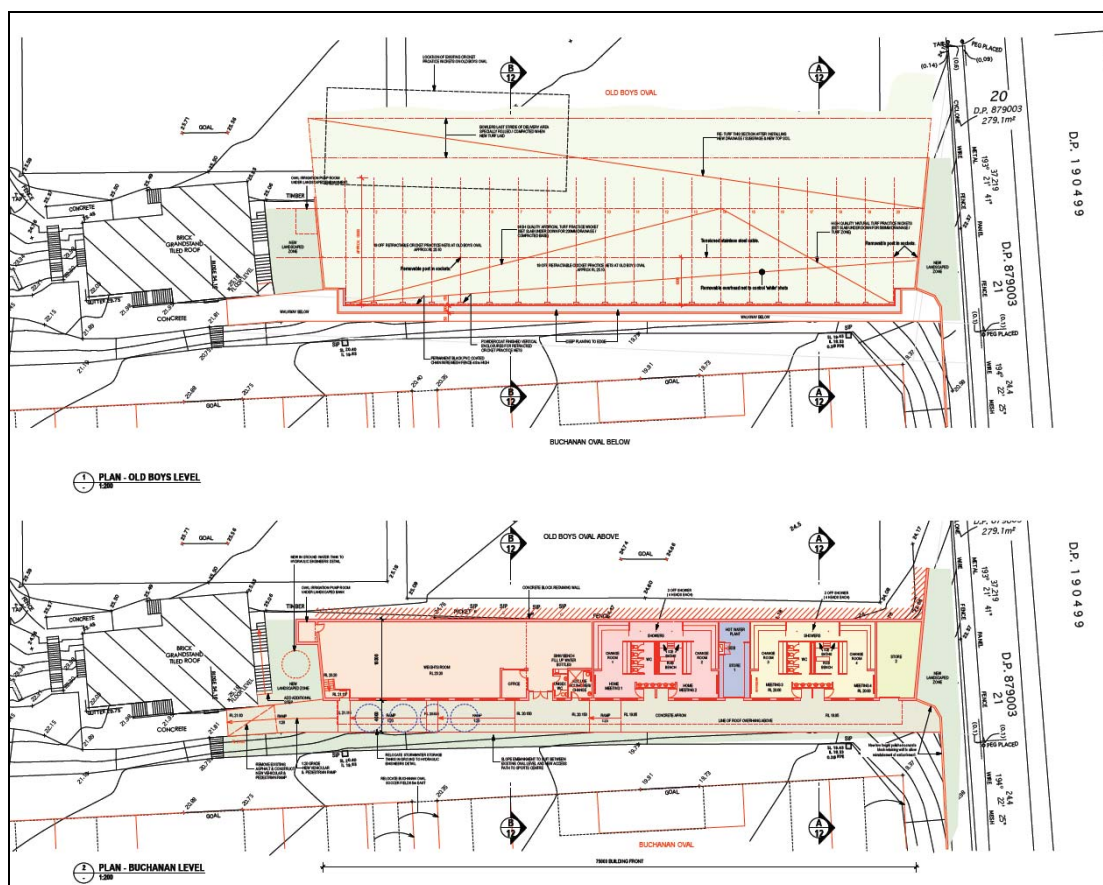


Image 7: Proposed works on Buchanan Oval

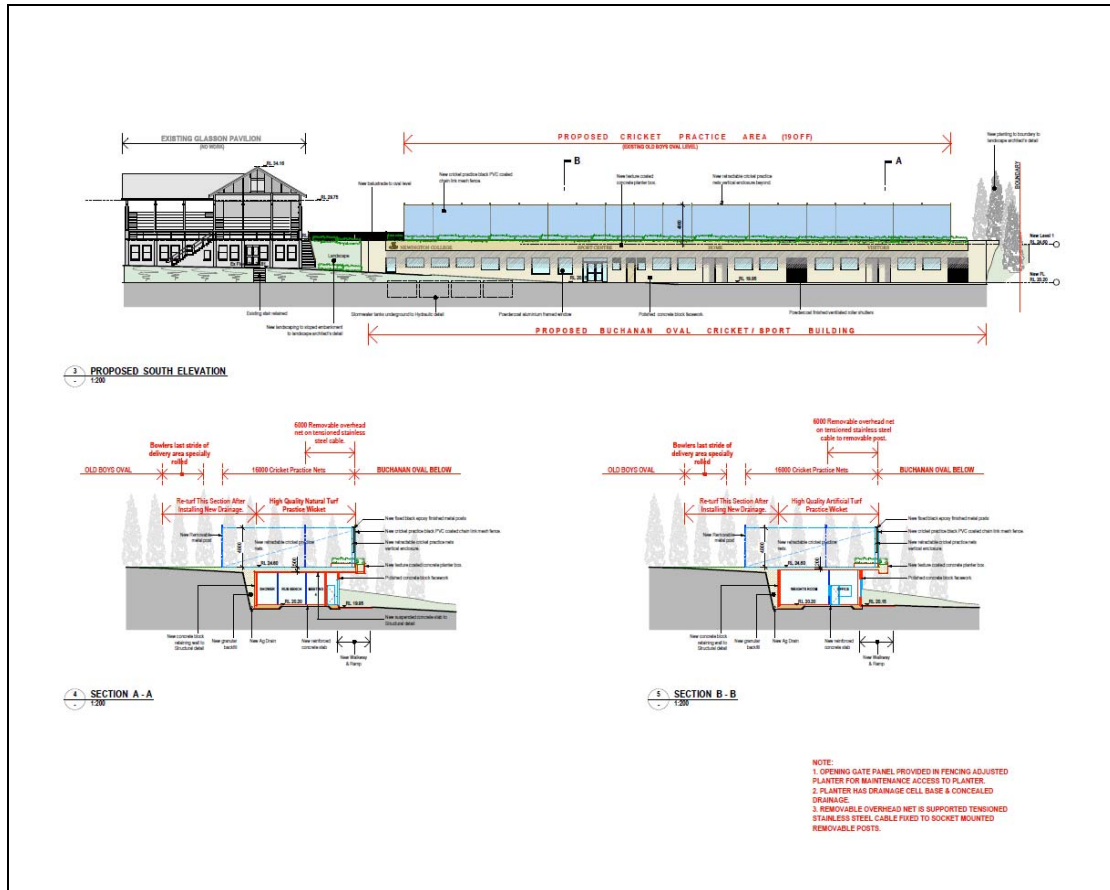


Image 8: Elevations of proposed works to Buchanan Oval

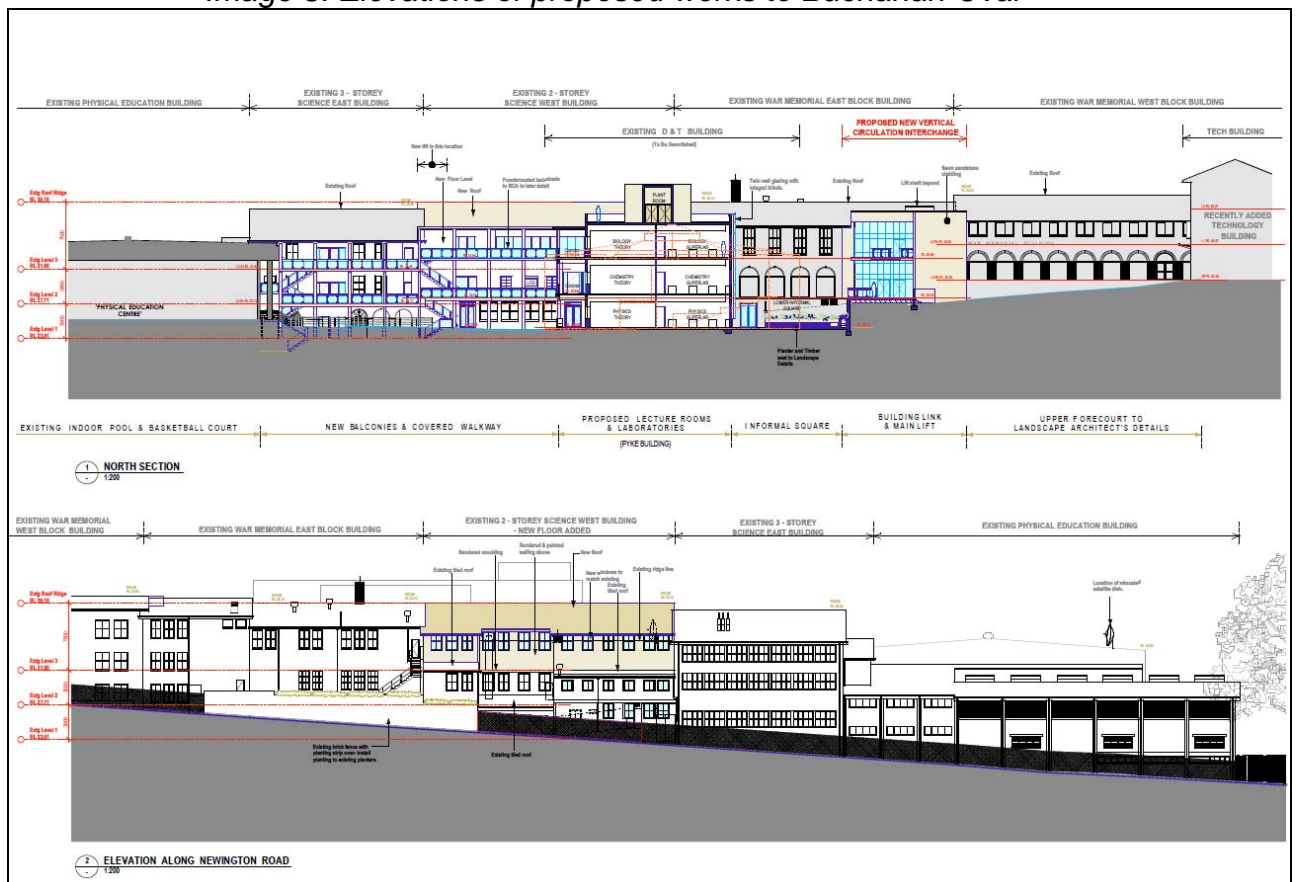


Image 9: Section of proposed works and elevation along Newington Road



Image 10: Montage of proposed building



Image 11: Montage of proposed building

3. State Environmental Planning Policy - (Infrastructure) 2007

The subject site has a frontage to Stanmore Road, a classified road. Under Clause 101 (2) of State Environmental Planning Policy - (Infrastructure) 2007:

- “2) *The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that:*
- (a) where practicable, vehicular access to the land is provided by a road other than the classified road, and*
 - (b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of:*
 - (i) the design of the vehicular access to the land, or*
 - (ii) the emission of smoke or dust from the development, or*
 - (iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and*
 - (c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.”*

The proposed alterations and additions are within school grounds and the proposal does not seek to create any new vehicular entries.

Given the majority of works proposed are located at the rear of the school site the proposed development is not considered to affect *“the safety, efficiency and ongoing operation of the classified road”*.

Whilst the school use is sensitive to traffic noise, the proposed works have been appropriately located away from the classified road, mitigating noise impacts from Stanmore Road.

Given the above, the proposed development is considered reasonable having regard to the provisions of State Environmental Planning Policy - (Infrastructure) 2007.

4. Marrickville Local Environmental Plan 2001 (MLEP 2001)

(i) Zoning (Clause 17)

The property is zoned Special Uses ‘A’ under the provisions of Marrickville Local Environmental Plan 2001 (MLEP 2001).

The use of the subject property would constitute an ‘*educational establishment*’ under the definitions contained within Marrickville Local Environmental Plan 2001. Development for the purpose of an educational establishment requires development consent under Clause 17 of MLEP 2001. MLEP 2001 defines an ‘*educational establishment*’ as:

“a building used as a school, college, technical college, TAFE establishment, academy, lecture hall, gallery or museum, but does not include a building used wholly or principally as an institution or child care centre.”

The proposed development is permissible with Council's consent under the zoning provisions applying to the land.

The proposed development complies with the objectives for the Special Uses 'A' zone under Marrickville Local Environmental Plan 2001.

The Newington College grounds are also identified under Schedule 5 of MLEP 2001 as a heritage item (reference 2.57). An assessment of the proposal's impact on the heritage significance of the site is detailed below.

(ii) Aircraft Noise (Clause 28)

The subject property is located partially within the 25-30 Australian Noise Exposure Forecast (2029) Contour and partially within the 30-35 Australian Noise Exposure Forecast (2023/24) Contour. The proposed development would need to be noise attenuated in accordance with Australian Standard AS2021-2000 - Acoustics - Aircraft noise intrusion-Building Siting and Construction. Conditions to such effect are included in the recommendation (Conditions 35 and 64).

(iii) Heritage (Clauses 47 to 55)

Newington College is listed as a heritage item in MLEP 2001. Within the site, the buildings and landscape have varying levels of heritage significance. The school is also located within the Newington Conservation Area under Marrickville draft Local Environmental Plan 111.

The development application was accompanied by a Historical and Archaeological Assessment report and a Heritage Assessment report.

The application was referred to Council's Heritage and Urban Design Advisor who provided the following comments:

Description

The proposal is located within the grounds of Newington College, a private boy's school associated with the site since 1873. The school features numerous heritage significant buildings including a separately listed Methodist Church (Item 2.58), buildings by eminent architect Thomas Rowe (The Founders Building c.1877), and Stanmore Villa (Gate House). The site is also important for potential archaeological significance, in this case the potentially significant sites relate to Jones' Farm and early school buildings.

Heritage Listings

<i>MLEP 2001</i>	<i>Within an Amendment 1 Area Res A8, and is a Heritage Item 2.57</i>
<i>draft MLEP 2011</i>	<i>Not within Heritage Conservation Area, Heritage Item I264</i>

Proposal

The proposal includes:

Landscaping: *alteration to stone wall on Stanmore Road, driveway and pathway grading*

and paving, tree removal and tree planting, additional seating and tables, strengthening visual and circulation axis' replanting boundary screening, reconstruction of cricket pitches over proposed Sports Building, and creation of a treed square in front of the Nesbit wing to the south of the Founders building.

New & Renovated Buildings:

Rae Building (Library),

Buchanan Bank Sports Building (change-room and storage facilities)

Pyke Building (Science Centre)

Science West is an addition to the existing Science Building and Science East is a refurbishment of the existing building.

Comments

Stone Wall along Stanmore Road

The removal of the indented section of the wall located at the landing of the stairs to/from the overhead road bridge is of negligible heritage impact, and is therefore supported. The lengthy, continuous wall sections either side of the recessed section fronting Stanmore Road remain intact. The creation of a new entry point at this location is a practical necessity, required to separate the large volumes of pedestrian and vehicular movements at peak times, currently funnelling through the same entry and exit points. The removal of the indented section of wall is the most unobtrusive location to make this opening, resulting in the least visual heritage impact. Stone removed from the wall should be utilised in the construction of the stairs behind.

Landscaping *(driveway, pathways, tree planting/removal, seating) between Stanmore Road and the Plaza.*

The proposed paving details (flush ground/path levels), planning, planting, stone and timber seating are all supported. The removal of a tree in front of the Founder's entry and replacement with a smaller one is acceptable to improve the view corridors from the highly significant building: the cultural and practical heart of the site.

Quadrangle

The tree covered Quadrangle is considered aesthetically and practically to be a positive inclusion at the site. Creating a cool and inviting termination of the view corridor from the main entry to the site, whilst screening the less significant built elements currently prominent upon entry to the site. Practically it offers a much needed outdoor seating area for lunch and recess. The creation of this Plaza relies on the excavation of stone foundation walls in front of the Nesbitt wing. These walls are the foundation of the wing originally conceived south of the

existing Founders building. The exposure of these walls improves interpretation of Thomas Rowe's original design, and offers an interesting historic relic within the Quadrangle. The removal of the stairs is considered to have negligible impact on the significance of the unbuilt upon foundations. The stairs could perhaps be utilised in the construction of stairs elsewhere on the site.

Demolition of Design and Technology Building

The two storey concrete frame and brick building, c.1960 is representative of the period. With a faceted circular plan form, it could be described as Organic Structuralist in style. It is certainly architect designed and presents a thoughtfulness in its form and composition, with a particularly fine arrangement and design of concrete columns, beams and window lintels.

The building has however outlived its use.....

It straddles two levels of the site, housing a library on the upper level and sports facilities on the lower. The building is perceived as a blockage to the ground level circulation and generally presents a solid/non interactive shell, neither making use of its commanding landscaped setting for views, nor facilitating circulation at an intensified node on the site between the sports, learning and management facilities. Whilst the building is an intact representative example, the location requires a different building in order for the school to continue operating on its already constrained site. An Archival Record of the building should be a condition of the consent for demolition.

Rae & Pyke Buildings

A substantial function of this combined building is to ease the interconnection and distribution of pedestrian movements to multiple levels and locations, around the site. It enables many disparate levels, functions and places to be well connected, and with the canteen and dining areas on the ground floor it is set to be a dynamic and well used space. Additionally the intention is to offer views out of the buildings to all parts of the site and offer views, bridges and atriums through the building to enhance the sense of overall interconnection at the site whilst removing the load off the heritage buildings to fulfil this function.

It also accommodates an array of activities including library, science labs, solar car racing track, canteen/dining rooms, lecture theatres, toilets and change rooms. Again the provision of these services in a contemporary building allows the heritage buildings to accommodate more compatible uses. The predominant finishes of these buildings include glass and sandstone. Sandstone is generally located at the base of the buildings. Timber louvers will be visible through the glass. The style of the building is therefore contemporary with material reference to the sandstone buildings on the site. The style and form of the building is considered to have negligible heritage impact.

Buchanan Bank Sports Building

The sports building is located in alignment with the existing Glasson Pavilion. The structure is modest, single storey and unobtrusive in the landscape due to the fact that it is nestled into the existing topography. No heritage impact on the Glasson Pavilion or the site.

Alterations and additions to Science Wing

The additions add minimal bulk to these buildings. They introduce a consistent building height across this wing which currently has a depressed height over Science West. The Science buildings have nil heritage significance and the alterations are therefore supported.

Archaeology

The recommendations made in the Archaeologist's report should be conditioned in the consent:

- 1. Prior to commencement of the works, a permit 'exception', under Section 139 of the Heritage Act 1977, should be obtained.*
- 2. Brick wall south of the green triangular island, (bordered by shared ways on two sides, and the promenade to the north) at Archaeological site 2, shall be retained to protect the site of John Jones House*
- 3. During demolition of the existing D&T building and excavation for the Rae and Pyke building, an archaeologist shall monitor the required earthworks and record the findings around Archaeological site 9. The report shall be provided to council prior to occupation certificate. The record shall include the following:*
 - Plans, photographs and written description of findings*
 - A catalogue of found objects including: description, provenance and interpretation.*
 - Stabilisation, cleaning and packaging of all findings.*
 - Placement of findings in a safe and permanent repository.*
 - Backfilling of excavation where appropriate.*
 - Preparation of a final report, including description and interpretation of the excavation, detailed historical research, contribution to research themes, and excavation method.*

Recommendation

The proposal has negligible heritage impact.

The proposal is otherwise supported with the following conditions.....”

As such, the proposed development is considered reasonable having regard to heritage considerations and subject to the imposition of appropriate terms and conditions which have been included in the recommendation.

(iv) Protection of Trees (Clause 56)

Clause 56 of MLEP 2001 concerns the protection of trees under Council's Tree Preservation Order. There are a number of trees on the property covered by Council's Tree Preservation Order.

The application was referred to Council's Tree Management Officer who originally advised of concerns in relation to the removal of a 36 Poplar trees along the eastern boundary of the site. The Development Application indicated that there was already a consent in place for the removal of those trees.

A Tree Preservation Order (TPO) permit for the removal of 80 Poplar trees along the eastern boundary of Newington College was granted on 3 October 2007. The permit was valid for 2 years and as such has since lapsed.

The applicant was subsequently advised that should they wish to include the removal of the Poplars in the DA, an Arborist's Report (AQF Level 5) justifying the tree removals would be required. Alternately they could delete the removal and replacement of those trees from this DA and address this matter under a new TPO application at a later stage.

The applicant submitted amended plans on 6 May 2011 illustrating the retention of the Poplars along the eastern boundary.

The proposal still seeks the removal of a number of trees from the site. The amended application was referred to Council's Tree Management Officer who provided the following assessment:

"There are 26 trees (Trees 1,2,3,4,5,6,9,10,11,12,19 – Tree 19 as identified in the Arborist's Report is actually 16 trees planted in a group) that are to be removed that are considered to be significant within the landscape of the College grounds. The removal of these trees is supported after giving consideration to the following factors:

The high landscape amenity value of these trees is limited to within the college grounds and removal will not impact the wider community.

The trees are located some distances from site boundaries limiting the potential for amended design that can achieve a similar outcome.

The majority of the trees are less than 40 years old and have no link with the heritage items on the site.

The proposal to remove the Poplars along the eastern boundary adjacent Buchanan Oval has been withdrawn and these boundary screen plantings will not be removed as a component of this development.

From a broader perspective it is acknowledged that the removal of these trees should be viewed as a significant canopy loss within the Marrickville Local Government Area and it is important that this loss is replaced as a component of the works.

The realistic potential for replacement of canopy using super advanced trees has impacted the decision to support the proposed removals. Suitable quantities of replacement canopy trees will be conditioned.

It is noted that (Plan # DA00) that a substation is proposed within the Tree Protection Zone (TPZ) of the large Ficus macrophylla (Moreton Bay Fig) on the Newington Road frontage of the site. The location of this substation is not supported within the TPZ of the tree as the associated trenching is likely to damage tree roots. The substation is to be located out of the TPZ of this tree

and any other tree on the site. A suitable location for the substation shall be determined by the Project Arborist.

Landscape Plan –

The plans indicate a minor regrading of the berm located in the southern corner of the site between the Buchanan Oval and the side boundary. Any regrading within the TPZs of the existing Poplar trees is not supported. The TPZs of these trees shall be determined by the Project Arborist.

The Landscape Plans appear to propose some regrading within the TPZ of the existing Poplar trees on the eastern side of the proposed Buchanan building works. Any regrading within the TPZ of the existing Poplar trees is not supported. The TPZ of these trees shall be determined by the Project Arborist.

The tree management plan nominates the following –

Stanmore Road Precinct – There are 4 trees nominated for removal and 11 trees nominated for planting.

Buchanan Oval Precinct – There are 18 trees nominated for removal and 9 trees nominated for planting. The trees to be planted include 2 Ficus rubiginosa (Port Jackson Fig) and 2 Angophora costata (Sydney Red Gum). Whilst the number of tree to be planted is less than the removal quantity, in time these replacement trees will grow to substantial dimensions and the canopy area will be replaced.

Quadrangle Precinct – There are 8 large canopy trees to be removed and several smaller trees. The replacement planting consists of 24 Gleditsia tricanthos (Golden Honey Locust) closely planted in a grid pattern in paving. Whilst the number of trees to be planted exceeds the number of removals it is considered that over time the canopy area will not be adequately replaced. The Honey Locusts are likely to be limited in their development due to suppression and general environmental conditions.

In addition to the above mentioned proposed plantings it is recommended that an additional 4 super advanced large canopy trees such as Lophostemon confertus (Brush Box), Angophora costata (Sydney Red Gum) or Ficus rubiginosa (Port Jackson Fig) be planted in suitable locations within the school grounds.

In addition to the above the Landscape Plans will require the following amendments / additional information –

All canopy trees to be planted shall be a minimum container size at planting of 150 litres. All aspects of the Final Landscape Plan and associated details and specifications that relate to existing trees and or proposed trees shall be endorsed in writing by the Project Arborist prior to the issue of the Construction Certificate. It is recommended that specifications for the soil type (possibly high grade structural soils) and installation within the Quadrangle Precinct (particularly for the Honey Locust planting) shall be developed in liaison with the Project Arborist prior to finalising the plans.

DESCRIPTION OF TREES:

Tree numbers are consistent with the numbering used in the submitted Arborist's Report prepared by Naturally Trees and dated 2nd March 2011.

Trees protected under Council's Tree Preservation Order:

Trees proposed for removal –

- Tree 1 – Lophostemon confertus (Brush Box)*
- Tree 3 – Liquidambar styraciflua (Liquidambar)*
- Tree 4 – Eucalyptus scoparia (White Gum)*
- Tree 5 – Corymbia citridora (Lemon Scented Gum)*
- Tree 6 – Eucalyptus nicholii (Narrow Leafed Peppermint Gum)*
- Tree 7 – Acer negundo (Box Elder)*
- Tree 8 – Tibouchina sp (Tibouchina)*
- Tree 9 – Cedrus deodara (Deodar Cedar)*
- Tree 10 – Lophostemon confertus (Brush Box)*
- Tree 11 – Cinnamomum camphora (Camphor Laurel)*
- Tree 12 – Cinnamomum camphora (Camphor Laurel)*
- Tree 14 – Allocasuarina torulosa (She Oak)*
- Tree 17 – Cupressus sp (Cypress)*
- Tree 18 – Araucaria heterophylla (Norfolk Island Pine Tree)*
- Tree 19 – Casuarina cunninghamiana (River She Oak)*
- Tree 20 – Eucalyptus robusta (Swamp Mahogany)*
- Tree 21 – Eucalyptus robusta (Swamp Mahogany)*

The removal of the above mentioned trees is supported (to allow for the nominated development) with the exception of Tree 18 – Araucaria heterophylla (Norfolk Island Pine Tree). Tree 18 is nominated within the submitted Arborist's Report as suitable for retention.

Trees (located adjacent proposed works) to be retained and protected –

- Tree 13 – Lophostemon confertus (Brush Box)*
- Tree 15 – Lophostemon confertus (Brush Box)*
- Tree 16 – Lophostemon confertus (Brush Box)*

All works within the TPZs of these trees is to be undertaken as specified by and under the direct supervision of the Project Arborist. Tree protection will be conditioned.

Not numbered or included in Arborist's Report to be removed -

3 x Elaeocarpus reticulatus (Blueberry Ash) on Stanmore Road frontage near proposed entrance steps.

The removal and replacement of these trees is supported.

Tree to be transplanted -

- Tree 2 – Quercus palustris (Pin Oak)*

The transplanting of tree 2 is supported. The transplanting is to be undertaken as specified by and under the direct supervision of the Project Arborist."

Council's Tree Management Officer has agreed to the removal of subject trees from the site subject to the imposition of appropriate conditions. Those conditions should be imposed on any consent granted.

(v) Waste Management (Clause 58)

Clause 58 of MLEP 2001 requires consideration of waste management for any proposed development. There is considered to be sufficient area within the site to allow for the storage of garbage bins. A Site Waste Management Plan in accordance with Council's requirements was submitted with the application and is considered to be adequate.

(vi) Energy, Water & Stormwater Efficiency (Clause 59)

Clause 59 of MLEP 2001 requires consideration to be given to the energy, water and stormwater efficiency of any proposed development. Conditions are included in the recommendation requiring the provision of energy efficient fixtures in accordance with Council's requirements (Conditions 50, 51 and 65).

(vii) Accessibility (Clause 64)

Clause 64 of MLEP 2001 requires consideration to be given to accessibility before granting development consent. This issue is discussed in more detail later in Section 7 of the report.

5. Draft Marrickville Local Environmental Plan 2011

Draft Marrickville Local Environmental Plan 2011 was placed on public exhibition on 4 November 2010 and accordingly is a matter for consideration in the assessment of the subject development application under Section 79C of the Environmental Planning and Assessment Act 1979.

The following assessment considers the proposed development having regard to the zoning provisions and controls contained in draft MLEP 2010 that are of relevance in the assessment of subject development application:

Zoning: SP2 Educational Establishment
Is development permitted under zoning? Yes

Floor Space Ratio (max):
Permitted: NA
Proposed: NA

Height of Building (max):
Permitted: NA
Proposed: NA

Land Reservation Acquisition:	No
Heritage:	
Draft Heritage Item:	Yes
Draft Heritage Conservation Area:	Yes
In vicinity of draft item or area:	Yes
Flood Planning:	Not affected
Acid Sulfate Soils:	South eastern corner of site- Affected Class 5
Key Sites:	No
Foreshore Building Line:	No
Natural Resource – Biodiversity:	
Habitat Corridor	No
Bandicoot Protection Area	No

As indicated above, the proposed development generally satisfies the zoning provisions and relevant controls as contained in draft MLEP 2011.

An assessment of the proposed development against the zoning provisions and relevant controls as contained in draft MLEP 2011 demonstrates that the development is appropriate for the site as there are no variations from the above-described controls that would warrant the refusal of the subject development application.

5. Planning Assessment - Development Control Plans

Other than the general provisions contained in Marrickville Local Environmental Plan 2001, Marrickville Development Control Plan No. 27 - Waste Management, Marrickville Development Control Plan No. 19 - Parking Strategy and Marrickville Development Control Plan No. 31 – Equity of Access and Mobility, Council does not have any specific planning controls/policies pertaining to the development of schools (such as height and floor space controls etc). In the absence of such a development policy, a merit based assessment has been undertaken.

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

Under the provisions of DCP 19, off street parking spaces for an educational establishment is based on number of students and teaching staff. The information submitted with the application has indicated that the proposal would not alter the existing population of the college. As such there would be no changes to the existing parking demand for the college under the provisions of DCP 19.

7. Marrickville Development Control Plan No. 31 - Equity of Access and Mobility (DCP 31)

Marrickville Development Control Plan No. 31 – Equity of Access and Mobility requires that access be provided *“in accordance with the BCA and AS1428.2”* with *“appropriate access for all persons through the principal entrance of a building”*. DCP 31 also requires appropriate access for all persons to sanitary facilities.

The application improves accessibility by linking the existing buildings on the site via the construction of a new circulation corridor and the provision of three (3) new lifts to service the existing and proposed buildings and a continuous path of travel within the new buildings.

The applicant submitted an accessibility report as part of the development application. The applicant proposes to provide disabled access to all levels within the new buildings through the provision of a lift and appropriate paths of travel in addition to the provision of accessible toilets.

Given the above, the proposed development is considered to satisfy the requirements prescribed under DCP 31.

8. Design considerations

The works proposed for the construction of the Pyke and Rae buildings are located internally within the school grounds and generally do not impact on the Newington Road or College Lane facades and streetscapes and would not be visible from Newington Road.

With regard to the presentation of the Pyke and Rae buildings as viewed from the school grounds, the new structures are contemporary in presentation, so as to not to imitate the architectural style of the adjacent Founder’s building. The design of the proposed buildings is considered appropriate, responding positively to the existing buildings on the site. The facade design is considered to interpret and translate common elements in adjoining buildings, with the materials proposed (such as glazing and sandstone) complementing buildings within the school grounds.

Overhead walkways link the new and existing building elements at each floor level and the siting of the Sesquicentenary Building Complex allows direct external access to all levels of the Pyke Building and all levels, with the exception only of the Library Mezzanine, of the Rae Building.

The main additions that will be visible from a street frontage are to those additions along Newington Road, where the application proposes to refurbish the existing science-west building and extend a section of this building from two storeys to three storeys in height. Currently the majority of buildings fronting Newington Road are three storeys in height, and the additional storey matches the existing development along Newington Road.

The proposed development does not change the current setback to the Newington Road frontage. The height and building envelope will change only in relation to the

addition of the proposed third floor to Science West Building. The height of the majority of buildings fronting Newington Road will be a consistent three storeys.

It is noted that the proposed addition to Science West Building results in a slightly higher ridgeline (RL39.10) than the adjacent Science East Building (RL38.36). However, the new ridgeline of Science West Building is in line with the ridgeline of the adjacent War Memorial East Building (RL39.10).

The proposed Buchanan Bank Sports Building is sited by excavating the embankment between the higher level Old Boys Oval and the lower level Buchanan Oval. In effect, the new building is contained entirely below the existing level of the Old Boys Oval.

The Buchanan Oval Cricket/Sports Building reads as a largely horizontal and linear element which is an extension of the existing oval and presents with minimal visual impact. Comparatively, the sports building is much smaller in scale than the adjacent Glasson Pavilion and will read as part of the existing playing fields.

The proposal also seeks to implement landscaping works throughout the site through the implementation of a new quadrangle area, courtyard area, new paving, seating and benches.

Improving the functionality of spaces within the site through landscaping is positive and is not considered to result in any negative externalities to adjoining residential properties.

Overall, the proposed development is considered satisfactory having regard to streetscape, design and proposed materials.

9. Solar impacts on neighboring properties

Overshadowing

The proposal to add an additional storey to a portion of the science west building does create additional overshadowing impacts.

Whilst there are no specific controls for this type of development and its associated overshadowing impacts, it is considered reasonable to apply the solar access requirements for dwelling houses to this development to ensure that the proposal maintains a reasonable level of solar access to adjoining residential properties.

Marrickville Development Control Plan No. 35 - Urban Housing (DCP 35) requires that:

“Direct solar access to windows of principal living areas and the principal area of open space of adjacent dwellings, must not be reduced:

(a) to less than 2 hours between 9.00am and 3.00pm on 21 June; and

- (b) *where less than 2 hours of sunlight is currently available in March/Sept will be considered in the assessment of the proposal. The sunlight available between 9.00am and 3.00pm on the 21st March/September, is not to be reduced."*

Properties fronting Newington Road:

The proposal to add an additional storey to the two storey component of the Science West building fronting Newington Road does result in increased overshadowing impacts. However, it is noted that the majority of shadows cast by the existing buildings are over Newington Road and a small portion of the front yards of some dwellings fronting Newington Road. Additional shadow impacts created by the proposal are minimal and are unlikely to impact on the principal area of open space for any of the subject dwellings as the overshadowing only affects the front yards of the subject properties, with all of the front rooms of the dwellings receiving more than 2 hours of solar access throughout the day between 9.00am and 3.00pm at the winter solstice in accordance with the requirements of DCP 35. As such, the proposed development is considered reasonable having regard to solar impacts on adjoining properties.

Properties fronting Browns Avenue:

The proposal seeks to erect a single storey building to be known as the Buchanan Bank Sports Building which contains a weights room, change/shower facilities and a store room. The building is essentially constructed into the embankment and as such creates minimal overshadowing impacts to adjoining residential properties. Much of the existing overshadowing cast onto these residential properties fronting Browns Avenue are cast by the existing trees abutting the boundary between the school and the residential properties. No additional shadows impact the residential properties as a result of the proposed development between 9.00am and 12.00 noon at the winter solstice. Furthermore, the additional shadows cast at 3.00pm only impacts the rear of one property on Browns Avenue and affects only one-fifth of the rear yard space. As such, the proposed development is considered reasonable having regard to maintaining solar access to adjoining residential properties.

Overall the proposed development is considered satisfactory having regard to solar impacts on adjoining residential properties.

7. Community Consultation

The application was advertised, an on-site notice was erected and residents/property owners in the vicinity of the subject property were notified of the proposed development in accordance with Council's Policy. Seven (7) submissions were received which raised the following concerns:

- (i) *"Our property is already affected by the lack of light to the front of our house due to the large buildings in existence across the road. We obviously do not object to these as they existed when we purchased the property. However to have an additional floor added across the road will severely restrict the light to the main bedrooms at the front of our house and down the hall which will require increased electricity usage to light the house (106 Newington Road)."*

Comment:

The additional shadowing created by the addition of one floor to the Science West building fronting Newington Road does not affect any part of the dwelling house from 12.00 noon onwards at the winter solstice, and is therefore considered reasonable.

- (ii) *"The proposal....will make it impossible for most of the homes opposite the Newington Road side of the school to ever have access to effective solar access due to shadows cast by the building..."*

Comment:

An analysis of the shadow diagrams submitted with the development application indicates that much of the overshadowing experienced at the front of dwellings fronting Newington Road is existing, and it is unlikely the proposed addition would impact on the viability of dwelling houses harnessing solar power.

- (iii) *"The school is increasing the size of its facilities so as to increase the number of students."*

Comment:

The proposal does not seek to increase the number of students enrolled, it seeks to improve the facilities available to current students.

- (iv) *"Additions along the southern boundary (Newington Road) will only increase the number of poorly designed buildings facing the street..... The proposed development (relating to the infill on Newington Road) undermines the significance of the draft heritage conservation area.....if allowed to proceed according to the current plans, it will create a long uninterrupted wall three storeys high for a considerable distance along our street."*

Comment:

The proposal does not seek to add a new building along Newington Road, it seeks to increase a portion of a building which is currently two storeys in height, to three storeys in height so that it is consistent in height with the adjoining buildings. Whilst it is acknowledged the existing structures along Newington Road are not great examples of exemplary architectural design, one must acknowledge they are existing and the applicant is working within the existing envelope and trying to erect an addition which is to appear as though it is part of the existing streetscape. Overall, the addition to Newington Road is considered to have minimal impact on adjoining development and reads as part of the existing streetscape. Furthermore, the proposed Upper Level infill element is set back from the existing wall alignment to Newington Road and therefore will not result in a "continuous uninterrupted three storey high wall" as suggested. Similarly, the proposal is unlikely to impact on the significance of the draft conservation area as the prominence of the school buildings along Newington Road are existing and the proposed addition is compatible with the existing development.

(v) *“The proposal will devalue surrounding residential properties.”*

Comment:

There is no evidence to suggest that improving facilities within the school grounds would impact on the value of residential properties surrounding the site.

(vi) *“The erection of the building along Newington Road will amplify aircraft noise for residents along Newington Road.”*

Comment:

There is no evidence to demonstrate that improving facilities within the school grounds would amplify or magnify aircraft noise for residential properties surrounding the site as suggested.

(vii) *“The proposed development locates science laboratories too close to residences on Newington Road.”*

Comment:

Science laboratories currently exist within the Newington Road frontage and the number of Science Laboratories to the Newington Road frontage is reduced as part of the proposed development as the new “Super Laboratories” are located internal to the College Campus in the Pyke Building.

Some existing Science Laboratories are retained and substantially refurbished but in their existing location.

(viii) *“Consideration needs to be given to ensure that Stanmore Road remains ‘green and leafy’.”*

Comment:

No tree removals are proposed to the Stanmore Road boundary, however additional landscaping is proposed in this area maintaining its ‘green and leafy’ appearance.

(ix) *“The outlook from my kitchen, living room, balcony and bedroom is directly across the Newington playing fields.....my objection relates primarily to the loss of amenity due to the proposed removal of mature trees that presently separate Buchanan Oval and Old Boys Oval.....The provisions proposed for replacing the existing row of trees (noted above) are inadequate. The resultant area being only able to accommodate small to medium shrubs.”*

Comment:

The application has been reviewed by Council’s Tree Management Officer who has identified that the proposed removal of trees is considered reasonable subject to the imposition of appropriate terms and conditions which also includes the planting of

additional super advanced canopy trees on the site. The location of the trees described above are more than 140 metres away from the Stanmore Road boundary and do not necessarily contribute to the Stanmore Road streetscape. Nonetheless, the proposed planting measures are considered adequate, with impacts of the proposal being internalised within the school grounds and unlikely to impact on the amenity of residences along Stanmore Road as suggested.

(x) *“Construction of the proposed development will exacerbate the limited parking availability on*

Newington Road. A ‘resident only permit parking’ area should replace the existing 1 hour parking restriction on the southern side of Newington Road to ensure there is adequate parking available for residents.”

Comment:

Newington Road is a public road and on-street parking cannot be allocated solely for the use of residents. The one hour parking limit deters contractors working on the construction of Newington College from parking in these spaces, and as such, the necessity to make this area a ‘resident only permit parking’ area is considered unnecessary.

(xi) *“We strongly object to any part of Newington Road being used in conjunction with the proposed construction. This relates to:*

- a) site fencing to be on Newington College Grounds not Newington Road’*
- b) building materials and related equipment to be stored and used from the college grounds.*
- c) all work related vehicles... being managed by the school for the duration of the job leaving Newington Road free of these vehicles. Newington Road is already a high traffic area and this would be exacerbated by extra traffic.”*

Comment:

- a) The erection of fencing/hoarding on public land requires Council approval and is subject to separate approval from Council’s Infrastructure Services Division and the impacts of such hoardings, should the applicant apply for this, would be assessed on its merits.
- b) With regard to the proposed location of building materials during construction, a condition is included in the recommendation (Condition 21) requiring that a Soil and Water Management Plan be prepared in accordance with Landcom Soils and Construction, Volume 1, Managing Urban Stormwater and submitted to and accepted by the Principal Certifying Authority. The subject plan is to indicate where the builder’s materials and waste are to be stored and how access to the site will be provided.

Furthermore, the placing of any materials on Council’s footpath or roadway is prohibited, without the consent of Council and requires separate approval from Council’s Infrastructure Services Division.

- c) Whilst a construction management plan/traffic management plan could recommend that subcontractors park within the school grounds, parking availability on the site is limited and kerbside parking located along Newington Road cannot be precluded as it is a public road. It is noted the preliminary construction management plan submitted with the development application identifies a number of parking spaces available on school grounds, 33 Middleton Street and at the former Concordia Club site on Stanmore Road are available for contractors to park in.

(xii) *"We object to any new student entry ways, both vehicle and foot traffic as Newington Road already suffers from heavy foot traffic relating directly to the school."*

Comment:

There are no new student pedestrian entries proposed on Newington Road as part of this development application.

(xiii) *"We request that normal working hours be adhered to throughout the duration of construction."*

Comment:

A standard condition is included in the recommendation (Condition 43) requiring that all excavation, demolition, construction, and deliveries to the site necessary for the carrying out of the development, is restricted to between the hours of 7.00am to 5.30pm Mondays to Saturdays, excluding Public Holidays.

It is noted that requiring construction during 'normal' business hours (such as 9.00pm to 5.00pm) would be quite onerous and restrictive requiring the construction phase of the development to be longer further impacting on the amenity of adjoining residents.

(xiv) *"It is our request that Council insist that heavy traffic relating to the development be directed along College Lane or through the school's front entrance facing Stanmore Road. We requesta traffic management plan that addresses these concerns..... The use of Newington Road for construction traffic will pose an unacceptable and increased risk top the community....Stanmore Road is a far safer option for construction traffic and heavy vehicles....."*

Comment:

A condition is included in the recommendation (Condition 31) requiring the provision of a detailed Traffic Management Plan to cater for construction traffic and addressing proposed truck parking areas, construction zones, crane usage, and truck routes to ensure that construction traffic does not unduly interfere with vehicular or pedestrian traffic, or the amenity of the area. It is noted that this condition identifies that all construction traffic unless approved by Council shall be from Stanmore Road.

(xv) *"We request that all building works requiring the use of a crane be conducted from within the grounds of the college and not from Newington Road.....a*

close neighbor tells me his house was damaged when a crane was being positioned..."

Comment:

The applicant has provided the following advice regarding the location of cranes in response to the above:

"There is no proposal for cranes to be located on the Newington Road frontage and loading of delivered materials to site would be by on site crane not directly from Newington Road."

A condition is included in the recommendation (Condition 28) requiring that the person acting on this consent shall apply as required for all necessary permits including crane permits, road opening permits, hoarding permits, footpath occupation permits and/or any other approvals under Section 68 (Approvals) of the Local Government Act, 1993 or Section 138 of the Roads Act, 1993.

(xvi) *"During previous construction work... neighbours report that there are building workers arriving very very early in the morning..... Another source of noise and congestion was the delivery of materials and the arrival of large plant equipment deliveries tended to occur in the dark hours of the morning....."*

Comment:

As noted previously a condition is included in the recommendation (Condition 43) requiring that all excavation, demolition, construction, and deliveries to the site necessary for the carrying out of the development, is restricted to between the hours of 7.00am to 5.30pm Mondays to Saturdays, excluding Public Holidays to reduce amenity impacts on nearby residences. The person acting on this consent is required to adhere to the conditions of consent as prescribed.

(xvii) *Light spill*

Comment:

One submission raised concerns about light spill and requested that any approval granted ensures that the amount of lighting is minimised *"to maintain the peace and ambience of the residential area, and to not add more light pollution to the area."*

It is considered that a condition should be imposed on any consent granted requiring 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.

8. Conclusion

The heads of consideration under Section 79C of the Environmental Planning and Assessment Act, 1979, as are of relevance to the application, have been taken into consideration in the assessment of this application. The application is considered suitable for approval subject to the imposition of appropriate conditions.

PART E - RECOMMENDATION

- A. THAT** the development application to carry out the Sesquicentenary Building Project at Newington College involving the refurbishment of existing classrooms, erection of an additional storey to the science west building, demolition of the design and technology building, erection of three new buildings, landscaping improvement works, minor relocation of Buchanan Oval sports pitches and relocation of the cricket practice nets be **APPROVED** subject to the following conditions:

GENERAL

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

Plan No. and Issue	Plan/ Certificate Type	Date Issued	Prepared by	Date Submitted
DA02-A	Level 1	21/3/11	Budden Nangle Michael & Hudson	24/3/11
DA03-A	Level 2	21/3/11	Budden Nangle Michael & Hudson	24/3/11
DA04-A	Level 3	21/3/11	Budden Nangle Michael & Hudson	24/3/11
DA05-A	Level 4	21/3/11	Budden Nangle Michael & Hudson	24/3/11
DA06 - A	Roof Plan	21/3/11	Budden Nangle Michael & Hudson	24/3/11
DA08-A	North section, elevation along Newington Road	21/3/11	Budden Nangle Michael & Hudson	24/3/11
DA09-A	North and south elevations	21/3/11	Budden Nangle Michael & Hudson	24/3/11
DA10-A	East and west elevation	21/3/11	Budden Nangle Michael & Hudson	24/3/11
DA11-A	Buchanan banks works	21/3/11	Budden Nangle Michael & Hudson	24/3/11
DA12-A	Buchanan bank elevation and sections	21/3/11	Budden Nangle Michael & Hudson	24/3/11
DA13-A	Schedule of finishes	21/3/11	Budden Nangle Michael & Hudson	24/3/11
	Historical and Archaeological Assessment	2/11	Edward Higginbotham and Associates Pty Ltd	24/3/11

with the application for development consent and as amended by the following conditions.

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

2. 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.

3. All mature trees not requiring removal to permit the erection of the development being retained.

Reason: To preserve existing mature trees on the property.

4. 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.

5. The brick wall south of the green triangular island, (bordered by shared ways on two sides, and the promenade to the north) at Archaeological site 2, shall be retained to protect the site of John Jones House.

Reason: To protect potential archaeology of John Jones House and outbuildings c. 1840.

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, including any plant and equipment, not giving rise to:

- a) transmission of unacceptable vibration to any place of different occupancy;
- b) a sound pressure level at any affected premises that exceeds the background (LA90) noise level in the absence of the noise under consideration by more than 3dB(A). The source noise level shall be assessed as an LAeq,15min and adjusted in accordance with Environment Protection Authority guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations and temporal content as described in the NSW Environment Protection Authority's Environmental Noise Control Manual and Industrial Noise Policy 2000 and The Protection of the Environment Operations Act 1997 (NSW).

NOTE: Marrickville Council has adopted a 3dB(A) goal in order to prevent background noise creep and the 5dB(A) criteria as outlined in the above mentioned references are not to be used.

Reason: To prevent loss of amenity to the area.

8. 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 Council's satisfaction prior to installation.

Reason: To protect the amenity of the surrounding residential neighbourhood from the emission of light.

9. Should the proposed development require the provision of an electrical substation, such associated infrastructure shall be incorporated wholly within the development site. Before proceeding with your development further, you are directed to contact Ausgrid directly with regard to the possible provision of such an installation on the property.

Reason: To provide for the existing and potential electrical power distribution for this development and for the area.

10. A Project Arborist shall be engaged by the person acting on this consent. The Arborist shall have an AQF Level 5 qualification and a minimum of 3 years experience in managing trees on development sites.

Reason: To protect existing trees during the construction phase.

11. The new substation shall not be located within the Tree Protection Zone (TPZ) of any tree within the site or on adjacent sites. The location of the substation shall be endorsed by the Project Arborist. All plans shall be notated accordingly.

Reason: To protect existing trees during the construction phase.

12. All plans issued for construction shall clearly indicate that there are to be no level changes, regrading or excavation within the Tree Protection Zone of any existing tree without the written endorsement of the Project Arborist.

Reason: To protect existing trees during the construction phase.

13. Approval is given for the removal of the following trees on the site:

Tree 1 – *Lophostemon confertus* (Brush Box)

Tree 3 – *Liquidambar styraciflua* (Liquidambar)

Tree 4 – *Eucalyptus scoparia* (White Gum)

Tree 5 – *Corymbia citridora* (Lemon Scented Gum)

Tree 6 – *Eucalyptus nicholii* (Narrow Leafed Peppermint Gum)

Tree 7 – *Acer negundo* (Box Elder)

Tree 8 – *Tibouchina* sp (Tibouchina)

Tree 9 – *Cedrus deodara* (Deodar Cedar)

Tree 10 – *Lophostemon confertus* (Brush Box)

Tree 11 – *Cinnamomum camphora* (Camphor Laurel)

Tree 12 – *Cinnamomum camphora* (Camphor Laurel)

Tree 14 – *Allocasuarina torulosa* (She Oak)

Tree 17 – *Cupressus* sp (Cypress)

Tree 19 – *Casuarina cunninghamiana* (Group Planting of River She Oak)

Tree 20 – *Eucalyptus robusta* (Swamp Mahogany)

Tree 21 – *Eucalyptus robusta* (Swamp Mahogany)

3 x *Elaeocarpus reticulatus* (Blueberry Ash) on Stanmore Road frontage near proposed entrance steps.

Removal or pruning of any other tree on the site is not approved.

Reason: To ensure that the development is in accordance with the determination of Council.

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

Reason: To ensure the work is carried out to an acceptable standard and in accordance with the Building Code of Australia.

BEFORE COMMENCING DEMOLITION, EXCAVATION AND/OR BUILDING WORK

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

15. An Excavation Permit under the Heritage Act being obtained prior to the commencement of works.

Reason: To ensure compliance with Sections 139 and 140 of the Heritage Act 1977.

16. No work shall commence until:

- a) A PCA has been appointed. Where an Accredited Certifier is the appointed, Council shall be notified within two (2) days of the appointment; and
- b) A minimum of two (2) days written notice given to Council of the intention to commence work.

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

17. A Construction Certificate shall be obtained before commencing building work. Building work means any physical activity involved in the construction of a building. This definition includes the installation of fire safety measures.

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

18. Where any loading, unloading or construction is to occur from a public place, Council's Infrastructure Services Division shall be contacted to determine if any

permits or traffic management plans are required to be obtained from Council before work commences.

Reason: To protect the amenity of the area.

19. A waste management plan shall be prepared in accordance with Marrickville Development Control Plan No. 27 - Waste Management and submitted to and accepted by the PCA before work commences.

Reason: To ensure the appropriate disposal and reuse of waste generated on the site.

20. The site shall be enclosed with suitable fencing to prohibit unauthorised access. The fencing shall be erected as a barrier between the public place and any neighbouring property, before work commences.

Enquiries for site fencing and hoardings in a public place, including the need for Council approval, can be made by contacting Council's Infrastructure Services Division.

Reason: To secure the area of the site works maintaining public safety.

21. A rigid and durable sign shall be erected in a prominent position on the site, before work commences. The sign is to be maintained at all times until all work has been completed. The sign is to include:

- a) The name, address and telephone number of the PCA;
- b) A telephone number on which Principal Contractor (if any) can be contacted outside working hours; and
- c) A statement advising: 'Unauthorised Entry To The Work Site Is Prohibited'.

Reason: To maintain the safety of the public and to ensure compliance with the Environmental Planning and Assessment Regulations.

22. A Soil and Water Management Plan shall be prepared in accordance with Landcom Soils and Construction, Volume 1, Managing Urban Stormwater (Particular reference is made to Chapter 9, "Urban Construction Sites") and submitted to and accepted by the PCA. A copy of this document shall be submitted to and accepted by PCA before work commences. The plan shall indicate:

- a) Where the builder's materials and waste are to be stored;
- b) Where the sediment fences are to be installed on the site;
- c) What facilities are to be provided to clean the wheels and bodies of all vehicles leaving the site to prevent the tracking of debris and soil onto the public way; and
- d) How access to the site will be provided.

All devices shall be constructed and maintained on site while work is carried out.

Reason: To prevent soil erosion and sedimentation of the stormwater network.

23. Prior to commencement of work, the Design & Technology building, and all other areas affected by the works, being photographically recorded. The recording being undertaken in accordance with the Guidelines for Archival and Photographic Recording of Heritage Items prepared by the (former) NSW Heritage Branch.

Reason: To provide an archival record of a contributory industrial building prior to development.

24. Stone removed from the Stanmore Road wall, and from the stone steps in the new Quadrangle, shall be retained for reuse on site.

Reason: To retain significant fabric on the site.

25. During demolition of the existing D&T building and excavation for the Rae and Pyke building, an archaeologist shall monitor the required earthworks and record the findings around archaeological site 9. The report shall be provided to council prior to occupation certificate. The record shall include the following:

- a) Plans, photographs and written description of findings
- b) A catalogue of found objects including: description, provenance and interpretation
- c) Stabilisation, cleaning and packaging of all findings.
- d) Placement of findings in a safe and permanent repository.
- e) Backfilling of excavation where appropriate.
- f) Preparation of a final report, including description and interpretation of the excavation, detailed historical research, contribution to research themes, and excavation method.

Reason: To protect archaeology as required by the NSW Heritage Act 1977 and Marrickville Local Environmental Plan 2001.

26. To preserve the following trees, no work shall commence until the area beneath their canopy is fenced off at the specified radius from the trunks to prevent any activities, storage or the disposal of materials within the fenced area. The fence/s shall be maintained intact until the completion of all demolition/building work on site.

Schedule	
Tree/location	Radius in metres
T18 - <i>Araucaria hetrophylla</i> (Norfolk Island Pine Tree)	Fencing to be located as specified by the Project Arborist. Generally in accordance with TMP01 Sheet 2 – prepared by Naturally Trees and dated 2 nd March 2011.
Tree 13,15,16 – <i>Lophostemon confertus</i> (Brush Box)	Fencing to be located as specified by the Project Arborist. Generally in accordance with TMP01 Sheet 1 – prepared by Naturally Trees and dated 2 nd March 2011.
Existing <i>Populus nigra</i> 'Italica' located along the eastern boundary of the	Fencing to be located as specified by the Project Arborist.

site.	
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The tree protection fencing being constructed of galvanised pipe at 2.4 metre spacings and connected by securely attached chain mesh fencing to a minimum height of 1.8 metres in height prior to work commencing – unless otherwise specified by the Project Arborist.

Reason: To protect existing trees during construction phase.

27. Prior to works commencing, tree protection signage is to be attached to each tree protection zone, displayed in a prominent position and the sign repeated at 10 metre intervals or closer where the fence changes direction. Each sign shall contain in a clearly legible form, the following information:

- a) Tree protection zone;
- b) This fence has been installed to prevent damage to the trees and their growing environment both above and below ground and access is restricted;
- c) Any encroachment not previously approved within the tree protection zone shall be approved by the Project Arborist.
- d) The arborist's report shall be submitted to the Principal Certifying Authority for further consultation with Council; and
- e) The name, address and telephone number of the developer.
- f) The name and contact number of the Project Arborist.

Reason: To protect existing trees during the construction phase.

28. Upon installation of the required tree protection measures, an inspection of the site by the Principal Certifying Authority is required to verify that tree protection measures comply with all relevant conditions.

Reason: To protect existing trees during the construction phase.

29. The person acting on this consent shall apply as required for all necessary permits including crane permits, road opening permits, hoarding permits, footpath occupation permits and/or any other approvals under Section 68 (Approvals) of the Local Government Act, 1993 or Section 138 of the Roads Act, 1993.

Reason: To ensure all necessary approvals have been applied for.

30. Where it is proposed to carry out works in public roads or Council controlled lands, a road opening permit shall be obtained from Council before the carrying out of any works in public roads or Council controlled lands. Restorations shall be in accordance with Marrickville Council's Restorations Code. Failure to obtain a road opening permit for any such works will incur an additional charge for unauthorised openings in the amount of \$2,002 as provided for in Council's adopted fees and charges.

Reason: To ensure that all restoration works are in accordance with Council's Code.

31. The person acting on this consent shall provide details of the means to secure the site and to protect the public from the construction works. Where the means

of securing the site involves the erection of fencing or a hoarding on Council's footpath or road reserve the person acting on this consent shall submit a hoarding application and pay all relevant fees before commencement of works.

Reason: To secure the site and to maintain public safety.

32. A detailed Traffic Management Plan to cater for construction traffic shall be submitted to and approved by Council before commencement of works. Details shall include type, size and number of trucks, proposed truck parking areas, construction zones, crane usage, truck routes, pedestrian and traffic control measures etc. All construction traffic unless approved by Council shall be from Stanmore Road.

Reason: To ensure construction traffic does not unduly interfere with vehicular or pedestrian traffic, or the amenity of the area.

33. The person acting on this consent shall submit a dilapidation report including colour photos showing the existing condition of the footpath and roadway adjacent to the site before commencement of works.

Reason: To ensure the existing condition of Council's infrastructure is clearly documented.

BEFORE THE ISSUE OF A CONSTRUCTION CERTIFICATE

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

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

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

For more information on how to calculate the amount payable and where payments can be made contact the Long Services Payments Corporation.

http://www.lspc.nsw.gov.au/levy_information/?levy_information/levy_calculator.stm

Reason: To ensure that the required levy is paid in accordance with the Building and Construction Industry Long Service Payments Act.

35. Before the issue of a Construction Certificate an amended plan shall be submitted to and accepted by the Certifying Authority (Council or an Accredited Certifier) indicating the following:

- a) Access to the premises via the principal place of entry to the building and to all areas used by the occupants, including staff, students and visitors, complying with AS 1428.1- 1998 'Design for access and mobility'; and
- b) Accessible toilets complying with AS 1428.1- 1998 'Design for access and mobility'; and
- c) The lift design shall comply with AS 1735.12 -1999 'Lifts, escalators and moving walkways Part 12: Facilities for persons with disabilities' as a minimum requirement.

Reason: To ensure that the premises provide equitable access to all persons.

36. Noise attenuation measures being incorporated into the development complying with Australian Standard 2021-2000 in relation to interior design sound levels, in accordance with details to be submitted to the Certifying Authority's satisfaction before the issue of a Construction Certificate together with certification by a suitably qualified acoustical engineer that the proposed noise attenuation measures satisfy the requirements of Australian Standard 2021-2000.

Reason: To reduce noise levels within the proposed development from aircraft.

37. Before the issue of a Construction Certificate, the Principal Certifying Authority shall be satisfied that the approved landscape plans, listed below and endorsed with Council's stamp, have been amended in accordance with the requirements of this condition as well as other conditions of this consent:

<i>Plan no.</i>	<i>Drawn by</i>	<i>Dated</i>
L 01, 04, 05 Issue C and L 02, 03 Issue D.	POD Landscape Architecture	04/05/11

The above landscape plan(s) shall be amended in the following ways:

The plans shall indicate all Tree Protection Fencing. Liaison with Project Arborist required.

The plans shall clearly indicate no excavation or level changes (embankments and berms included) within the Tree Protection Zones of the Poplars along the eastern boundary unless specifically approved by the Project Arborist. Any such approval shall be endorsed in writing by the Project Arborist and submitted to the PCA for notation prior to such works being undertaken.

The plans shall clearly indicate that any works (demolition, removal of existing ground surface etc and construction) within the Tree Protection Zones of Trees 13, 15 and 16 shall be undertaken as specified by, and under the direct supervision of, the Project Arborist.

All aspects of the Landscape Plan issued for construction and associated details and specifications that relate to existing trees and or proposed trees shall be endorsed in writing by the Project Arborist prior to the issue of the Construction Certificate. It is recommended that specifications for the soil type

(possibly high grade structural soils) and installation within the Quadrangle Precinct (particularly for the Honey Locust planting) shall be developed in liaison with the Project Arborist prior to finalising the plans.

An additional 4 super advanced large canopy trees such as *Lophostemon confertus* (Brush Box), *Angophora costata* (Sydney Red Gum) or *Ficus rubiginosa* (Port Jackson Fig) be planted in suitable locations within the school grounds.

All canopy trees to be planted shall be a minimum container size at planting of 150 litres.

Reason: To preserve the tree canopy and ensure adequate landscaping of the site.

38. Before the issue of a Construction Certificate, the Principal Certifying Authority shall be satisfied that no proposed underground services (i.e. water, sewerage, drainage, gas or other service) unless previously approved by conditions of consent, are located beneath the canopy of any tree protected under Council's Tree Preservation Order, located on the subject allotment and adjoining allotments.

Note: A plan detailing the routes of these services and trees protected under the Tree Preservation Order shall be submitted to the Principal Certifying Authority. This plan shall be endorsed in writing by the Project Arborist.

Reason: To ensure the protection of trees.

39. Before the issue of a Construction Certificate, the Principal Certifying Authority shall be satisfied that paving works within the specified radius of the trunks of the following trees will be of a type and construction to ensure that existing water infiltration and gaseous exchange to the trees root system is maintained or that required water infiltration and gaseous exchange to the trees root system is provided:

Schedule	
Tree/location	Radius from trunk
Trees 13, 15, 16 - <i>Lophostemon confertus</i> (Brush Box)	Within the Tree Protection Zones as nominated by the Project Arborist and in accordance with AS4970 – Protection of Trees on Development Sites .
<i>Gleditsia triacanthos</i> (Golden Honey Locust) to be planted in the Quadrangle.	As nominated by the Project Arborist.

Note: Details of the paving prepared by a suitably qualified professional shall be submitted to the Principal Certifying Authority. Paving type, soil specifications and installation methods to be endorsed in writing by the Project Arborist.

Reason: To protect existing trees.

40. The person acting on this consent shall provide security in a manner satisfactory to the Director Infrastructure Services in the amount of \$7,898 before the issue of a Construction Certificate as surety for the proper completion of the footpath and/or vehicular crossing works required as a result of this development.

Reason: To provide security for the proper completion of the footpath and/or vehicular crossing works.

41. Before the issue of a Construction Certificate the owner or builder shall sign a written undertaking that they shall be responsible for the full cost of repairs to footpath, kerb and gutter, or other Council property damaged as a result of construction of the proposed development. Council may utilise part or all of any Building Security Deposit (B.S.D.) or recover in any court of competent jurisdiction, any costs to Council for such repairs.

Reason: To ensure that all damages arising from the building works are repaired at no cost to Council.

42. The stormwater drainage and water re-use system shall be constructed generally in accordance with stormwater plans SW01 to SW04 (Rev B) and Plan C01 (Rev B) and in accordance with Stormwater Report submitted by SEMF dated 18 March 2011. Full detailed construction plans and calculations shall be submitted to Council for approval before the issue of a Construction Certificate.

Reason: To ensure that the proposed site stormwater drainage and water re-use system is satisfactory.

SITE WORKS

43. The person acting on this consent being responsible at all times complying with all the terms, conditions and requirements of the Excavation Permit issued pursuant to Section 140 of the Heritage Act 1977.

Reason: To ensure compliance at all times with the terms and conditions of the Excavation Permit.

44. 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. Notwithstanding the above, no work is to be carried out on any Saturday that falls adjacent to a Public Holiday.

All trucks and vehicles associated with the 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. 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.

45. 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.

46. The placing of any materials on Council's footpath or roadway is prohibited, without the consent of Council. The placement of waste storage containers in a public place requires Council approval and shall comply with Council's Policy – 'Placement of Waste Storage Containers in a Public Place'. Enquiries are to be made with Council's Infrastructure Services Division.

Reason: To ensure the public ways are not obstructed and the placement of waste storage containers in a public place are not dangerous to the public.

47. All demolition work being carried out in accordance with the following:

- a) compliance with the requirements of Australian Standard AS 2601 'The demolition of structures' with specific reference to health and safety of the public, health and safety of the site personnel, protection of adjoining buildings and protection of the immediate environment;
- b) all works involving the demolition, removal, transport and disposal of asbestos cement is to be carried out in accordance with the 'Worksafe Code of Practice for Removal of Asbestos' and the requirements of the WorkCover Authority of NSW and the Department of Environment and Climate Change;
- c) all building materials arising from the demolition are to be disposed of in an approved manner in accordance with Marrickville Development Control Plan No. 27 - Waste Management and any applicable requirements of the Department of Environment and Climate Change;
- d) sanitary drainage, stormwater drainage, water, electricity and telecommunications are to be disconnected in accordance with the requirements of the responsible authorities;
- e) the generation of dust and noise on the site must be controlled;
- f) the site must be secured to prohibit unauthorised entry;
- g) suitable provision must be made to clean the wheels and bodies of all vehicles leaving the site to prevent the tracking of debris and soil onto the public way;
- h) all trucks and vehicles associated with the demolition, including those delivering to or removing material from the site, only having access to the site during work hours nominated by Council and all loads must be covered;
- i) all vehicles taking materials from the site must be loaded wholly within the property unless otherwise permitted by Council;

- j) no waste collection skips, spoil, excavation or demolition material from the site being deposited on the public road, footpath, public place or Council owned property without the approval of Council; and
- k) the person acting on this consent is responsible for ensuring that all contractors and sub-contractors associated with the demolition are fully aware of these requirements.

Reason: To ensure that the demolition work is carried out safely and impacts on the surrounding area are minimised.

48. The works are required to be inspected at critical stages of construction, by the PCA or if the PCA agrees, by another Certifying Authority. The last inspection (d) can only be carried out by the PCA. The critical stage inspections are:

- a) After excavation for, and before the placement of, any footings.
- b) For Class 2, 3 and 4 buildings, prior to covering waterproofing in any wet areas (a minimum of 10% of wet areas within a building);
- c) Prior to covering any stormwater drainage connections, and after the building work has been completed and prior to any occupation certificate being issued in relation to the building; and
- d) After the building work has been completed and prior to any occupation certificate being issued in relation to the building.

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

Reason: To ensure the building work is carried out in accordance with the Environmental Planning and Assessment Regulations and the Building Code of Australia.

49. All vehicles carrying materials to, or from the site must have their loads covered with tarpaulins or similar covers.

Reason: To ensure dust and other particles are not blown from vehicles associated with the use.

50. A clear unobstructed path of travel of not less than 1000mm 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.

51. New or replacement taps being AAA rated as defined by the Australian Standard AS/NZ 6400 2005: Water efficient products - Rating and labelling.

Reason: To conserve water.

52. New or replacement toilet(s) being dual flush as defined by the Australian Standard AS/NZ 6400 2005: Water efficient products - Rating and labelling.

Reason: To conserve water.

53. No activities, storage or disposal of materials taking place beneath the canopy of any tree protected under Council's Tree Preservation Order at any time.

Reason: To protect existing trees.

54. All builders' refuse, spoil and/or material unsuitable for use in landscape areas being removed from the site on completion of the building works.

Reason: To protect the environment.

55. If tree roots are required to be severed (diameter less than 30mm) for the purposes of constructing the approved works, they shall be cut cleanly by hand, by an experienced Arborist/Horticulturist with a minimum qualification of Horticulture Certificate or Tree Surgery Certificate.

Reason: To protect existing trees.

56. No tree roots of 30mm or greater in diameter located within the specified radius of the trunks of the following trees shall be severed or injured in the process of any works during the construction period.

Schedule	
Tree/location	Radius from trunk
Trees 13, 15, 16 - <i>Lophostemon confertus</i> (Brush Box)	6 metres

Reason: To protect existing trees.

57. All works within the Tree Protection Zones of Trees 13, 15 and 16 - *Lophostemon confertus* (Brush Box) shall be undertaken as specified by and under the direct supervision of the Project Arborist.

Reason: To protect existing trees.

58. Transplanting of Tree 2 - *Quercus palustris* (Pin Oak) shall be undertaken as specified by, and under the direct supervision of, the Project Arborist. Maintenance shall be undertaken as specified by the Project Arborist. Minimum maintenance period shall be 12 months from time of relocation.

Reason: To protect the trees during transplanting.

59. The canopy replenishment trees to be planted being maintained in a healthy and vigorous condition until they attain a height of 5 metres whereby they will be protected by Council's Tree Management Controls. Any of the trees found faulty, damaged, dying or dead being replaced with the same species.

Reason: To maintain the treed character of the area.

60. All roof and surface stormwater from the site any catchment external to the site that presently drains to it, shall be collected in a system of pits and pipelines/channels and major storm event surface flow paths and being discharged to a Council controlled stormwater drainage system in accordance with the requirements of Marrickville Council Stormwater and On Site Detention Code.

Reason: To provide for adequate site drainage.

61. All stormwater drainage being designed in accordance with the provisions of the 1987 Australian Rainfall and Runoff (A.R.R.), Australian Standard AS3500.3.2-1998 'Stormwater Drainage-Acceptable Solutions' and Marrickville Council

Stormwater and On Site Detention Code. Pipe and channel drainage systems shall be designed to cater for the twenty (20) year Average Recurrence Interval (A.R.I.) storm in the case of low and medium residential developments, the twenty (20) year A.R.I. storm in the case of high density residential development and commercial and/or industrial developments and the fifty (50) year A.R.I. storm in the case of heavy industry. In all cases the major event surface flow paths shall be designed to cater for the one hundred (100) year A.R.I. storm.

Reason: To provide for adequate site drainage.

BEFORE OCCUPATION OF THE BUILDING

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

- a) A copy of the determination;
- b) Copies of any documents that were lodged with the Occupation Certificate application;
- c) A copy of Occupation Certificate, if it was issued;
- d) A copy of the record of all critical stage inspections and any other inspection required by the PCA;
- e) A copy of any missed inspections; and
- f) A copy of any compliance certificate and any other documentary evidence relied upon in issuing the Occupation Certificate.

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

63. Occupation of the building shall not be permitted until such time as:

- a) All preconditions to the issue of an Occupation Certificate specified in this development consent have been met;
- b) The building owner obtains a Final Fire Safety Certificate certifying that the fire safety measures have been installed in the building and perform to the performance standards listed in the Fire Safety Schedule; and
- c) An Occupation Certificate has been issued.

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

64. The owner of the premises, as soon as practicable after the Final Fire Safety Certificate is issued, shall:

- a) Forward a copy of the Final Safety Certificate and the current Fire Safety Schedule to the Commissioner of the New South Wales Fire Brigades and the Council; and

- b) Display a copy of the Final Safety Certificate and Fire Safety Schedule in a prominent position in the building (i.e. adjacent the entry or any fire indicator panel).

Every twelve (12) months after the Final Fire Safety Certificate is issued the owner shall obtain an Annual Fire Safety Certificate for each of the Fire Safety Measures listed in the Schedule. The Annual Fire Safety Certificate shall be forwarded to the Commissioner and the Council and displayed in a prominent position in the building.

Reason: To ensure compliance with the relevant provisions of the Environmental Planning and Assessment Regulations and Building Legislation Amendment (Quality of Construction) Act.

- 65. a) Upon completion of the required noise attenuation measures referred to in the “Before the Issue of a Construction Certificate” Section of this Determination and prior to the occupation of the development a report being prepared and submitted to Council’s satisfaction by an accredited Acoustics Consultant, certifying that the final construction meets AS2021-2000 as set down in the subject condition of this consent. Such report shall include external and internal noise levels to ensure that the external noise levels during the test are representative of the typical maximum levels that may occur at this development; and
- b) Where it is found that internal noise levels are greater than the required dB(A) rating due to faulty workmanship or the like, necessary corrective measures shall be carried out and a further certificate being prepared and submitted to the PCA in accordance with the requirements as set down in Part (i) of this condition.

Reason: To reduce noise levels within the proposed development from aircraft and to ensure that the proposed noise attenuation measures incorporated into the development satisfactorily comply with the relevant sections of Australian Standard 2021-2000.

- 66. Compliance with the requirements of Marrickville Development Control Plan No. 32 - Energy Smart Water Wise is to be demonstrated via completion of Council's Green Checklist, which is to be completed by the Principal Certifying Authority (PCA) before the issue of an Occupation Certificate. If completed by a Private PCA, a copy of the completed checklist must be forwarded to Council for its records.

Reason: To appropriately monitor the installation of energy and water conservation fixtures and appliances.

- 67. Before the issue of an Occupation Certificate, the Principal Certifying Authority is to be satisfied that all landscape works have been undertaken in accordance with the approved plan(s) and conditions of consent.

Reason: To ensure that the landscape works are consistent with the development consent.

68. All works required to be carried out in connection with drainage, crossings, alterations to kerb and guttering, footpaths and roads resulting from the development shall be completed before the issue of an Occupation Certificate. Works shall be in accordance with Council's Standard crossing and footpath specifications and AUS-SPEC#2-"Roadworks Specifications".
Reason: To ensure person acting on this consent completes all required work.
69. Any redundant vehicular crossings to the site shall be removed and replaced by kerb and gutter and footpath paving in accordance with Council's Standard crossing and footpath specifications and AUS-SPEC#2-"Roadworks Specifications" before the issue of an Occupation Certificate and at no cost to Council. Where the kerb in the vicinity of the redundant crossing is predominately stone (as determined by Council's Engineer) the replacement kerb shall also be in stone.
Reason: To eliminate redundant crossings and to reinstate the footpath to its normal condition.
70. Any damaged or otherwise defective kerb and gutter, footpath and/or road pavement adjacent to the site resulting from building works within Newington College shall be restored in accordance with Council's Standard crossing and footpath specifications and AUS-SPEC#2-"Roadworks Specifications", at no cost to Council and before the issue of an Occupation Certificate.
Reason: To provide suitable means of public road vehicle and pedestrian access to the development and to ensure that the amenity of the area is in keeping with the standard of the development.
71. Before the issue of an Occupation Certificate written verification from a suitably qualified professional civil engineer, stating that all stormwater drainage and related work has been and constructed in accordance with the approved plans shall be submitted to and accepted by Council. In addition, full works-as-executed plans, prepared and signed by a registered surveyor, shall be submitted to Council. These plans must include levels for all drainage structures, buildings (including floor levels), finished ground levels and pavement surface levels.
Reason: To ensure drainage works are constructed in accordance with approved plans.
72. Before the issue of an Occupation Certificate the person acting on this consent shall obtain from Council a compliance Certificate(s) stating that all Road, Footpath and Civil Works on Council property required to be undertaken as a result of this development have been completed satisfactorily and in accordance with Council approved plans and specifications.
Reason: To ensure that all Road, Footpath and Civil Works required to be undertaken as a result of this development have been completed satisfactorily.
73. Any adjustment or augmentation of any public utility services including Gas, Water, Sewer, Electricity, Street lighting and Telecommunications required as a result of the development shall be at no cost to Council and undertaken before the issue of an Occupation Certificate.

Reason: To ensure all costs for the adjustment/augmentation of services arising as a result of the redevelopment are at no cost to Council.

74. No encroachments onto Council's road or footpath of any service pipes, sewer vents, boundary traps, downpipes, gutters, stairs, doors, gates, garage tilt up panel doors or any structure whatsoever shall not be permitted. Any encroachments on to Council road or footpath resulting from the building works will be required to be removed before the issue of an Occupation Certificate.

Reason: To ensure there is no encroachment onto Council's road.

75. The existing stone kerb adjacent to the site is an item of heritage significance and is to be preserved at no cost to Council. Any damage to the stone kerb will require the replacement of the damaged individual stone units before the issue of an Occupation Certificate and at no cost to Council.

Reason: To ensure that items of heritage significance are preserved.

ADVISORY NOTES

- A complete assessment of the application under the provisions of the Building Code of Australia (BCA) has not been carried out.
- The Disability Discrimination Act 1992 (Commonwealth) and the Anti-Discrimination Act 1977 (NSW) impose obligations on persons relating to disability discrimination. Council's determination of the application does not relieve persons who have obligations under those Acts of the necessity to comply with those Acts.
- The approved plans must be submitted to the Customer Centre of any office of Sydney Water before the commencement of any work to ensure that the proposed work meets the requirements of Sydney Water. Failure to submit these plans before commencing work may result in the demolition of the structure if found not to comply with the requirements of Sydney Water.
- The vehicular crossing and/or footpath works are required to be constructed by your own contractor. You or your contractor **must** complete an application for 'Construction of a Vehicular Crossing & Civil Works' form, lodge a bond for the works, pay the appropriate fees and provide evidence of adequate public liability insurance, **before commencement of works**.
- Useful Contacts

Marrickville Council

☎ 9335 2222

www.marrickville.nsw.gov.au

Copies of all Council documents and application forms can be found on the web site.

Department of Fair Trading

☎ 13 32 20

www.fairtrading.nsw.gov.au

Enquiries relating to Owner Builder Permits and Home Warranty Insurance.

Sydney Water

☎ 13 20 92
www.sydneywater.com.au

WorkCover Authority of NSW

☎ 13 10 50
www.workcover.nsw.gov.au
Enquiries relating to work safety and asbestos removal and disposal.

Landcom

☎ 9841 8660
To purchase copies of Volume One of "Soils and Construction"

Department of Environment and Climate Change

☎ 9995 5000
www.environment.nsw.gov.au

BASIX Information

☎ 1300 650 908 weekdays 2:00pm - 5:00pm
www.basix.nsw.gov.au

NSW Government

www.nsw.gov.au/fibro
www.diysafe.nsw.gov.au
Information on asbestos and safe work practices.

Waste Service NSW - Environmental Solutions

www.wasteservice.nsw.gov.au

NSW Food Authority

☎ 1300 552 406
www.foodnotify.nsw.gov.au

Dial Before You Dig

☎ 1100
www.dialbeforeyoudig.com.au

- B. THAT** those persons who lodged submissions in respect to the proposal be advised of the Sydney East Joint Regional Planning Panel's determination of the application.