AGENDA



EXTRAORDINARY COUNCIL MEETING

TUESDAY 5 JULY 2016

7:00pm



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C0716 Item 16 Proposed Schedule of Council Meetings 2016



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Reports appearing in this section of the Business Paper are confidential in their entirety or contain confidential information in attachments.

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MINUTES OF EXTRAORDINARY COUNCIL MEETING held at Petersham Service Centre on Tuesday 24 May 2016

The meeting commenced at 6.31pm.

Present:

Richard Pearson Vanessa Chan Josephine Bennett	Administrator Interim General Manager A/Director Community Services, Marrickville
Cathy Edwards- Davis	Director Works & Infrastructure Services, Ashfield
Peter Gainsford	Director of Infrastructure and Service Delivery, Leichhardt
Clare Harley	Director Environment and Community Management, Leichhardt
Nellette Kettle	Director Corporate & Community Services, Ashfield
Steve Kludass	Director Corporate Service, Marrickville
Tim Moore	Director Planning & Environmental Services, Marrickville
Matthew Phillips	Director Corporate and Information Services, Leichhardt
Gabrielle Rennard	A/Director Corporate & Community Services, Ashfield
Phil Sarin	Director Planning & Environment, Ashfield
Simone Schwarz	Director of Community Services, Marrickville
Neil Strickland	Director Infrastructure Services, Marrickville
Popy Mourgelas	Manager Corporate Governance, Ashfield
Ian Naylor	Manager Governance and Administration, Leichhardt
Erla Ronan	Group Manager Community and Cultural Services, Leichhardt
Tanya Whitmarsh	Manager Governance and Risk, Marrickville
Katerina Maros	Governance Officer, Leichhardt
Rad Miladinovic	Coordinator Governance and Administration, Marrickville (Minute Taker)

Apologies: Nil.

Acknowledgement of Country

Disclosures of Interest: Nil.

MEETING ADJOURNED

As the Meeting was not proceeding in an orderly and efficient manner, the Administrator adjourned and closed the Meeting.

The meeting concluded at 6.36pm.

INCOMPLETE BUSINESS

The Administrator and Interim General Manager in accordance with the delegation granted to them by the Local Government (Council Amalgamations) Proclamation 2016, has determined that the recommendations of the following reports as listed in the business paper be adopted;



APPROVED BY ADMINISTRATOR

Item 1 - Administrator's Minute: Improving Planning Practices for the new Inner West Council

Resolution:

THAT the Administrator request a report from staff be brought forward to the next meeting of Council which proposes the establishment of an IHAP across the Inner West Council area, the categories of applications which should be referred to the IHAP and opportunities to extend electronic DA tracking across the LGA.

Item 2 - Administrator's Minute: Establishing a Key Advisory Committee Framework for Inner West Council

Resolution:

THAT the Administrator:

- 1. approve the establishment of the Inner West Council Implementation Advisory Group (IAG);
- 2. approve the membership of the IAG to be the immediate former Mayors and Deputy Mayors of Ashfield, Leichhardt and Marrickville councils;
- 3. note the draft terms of reference of the IAG at <u>ATTACHMENT 1</u> which are to be finalised at the first meeting of the IAG; and
- 4. finalise establishment of the Inner West Council Local Representation Committee (LRC) following the councillor expression of interest process at the next meeting of Council.

Item 6 - Minutes of the 5 May 2016 Leichhardt Local Traffic Committee Meeting

Resolution:

THAT the minutes of the Local Traffic Committee, Leichhardt meeting held on 5th May 2016 be adopted.

APPROVED BY INTERIM GENERAL MANAGER

Item 4 - Review of Waterplay Facility at Steel Park

Resolution:

THAT:

- 1. the report be received and noted;
- 2. Council resolves to undertake the works including the small expansion as discussed in the report; and
- 3. Council resolves to include an allocation of \$300k in the 2016/2017 capital budget for the proposed works.



Item 5 - Sydney Fringe Festival 2016 and Council Funding

Resolution:

THAT:

- 1. the report be received and noted; and
- 2. Council support the Sydney Fringe Festival with a cash contribution of \$30,000 with a condition that Sydney Fringe Festival presents a Sydney Fringe Festival family event hub at Camperdown Park.

Item 7 - Incentives to Make Homes More Sustainable

Resolution:

THAT Council:

- 1. notes the work being undertaken in Oxford Street and Myrtle Street Newtown, to create an off grid sustainable house and other shared sustainability initiatives;
- 2. notes the current sustainability incentives offered by former Marrickville Council which encourage residents to reduce energy and water consumption, and the range of other financial initiatives available to residents to encourage sustainable development in other Council areas;
- 3. seeks the advice of environment groups about additional sustainability incentive programs that could be introduced in Marrickville; and
- 4. provides a further report with options to expand Inner West Council's sustainability incentive programs, including the cost of introducing such programs, potential State or Federal funding support & any barriers that may exist under Council's planning rules to implementing incentives.

Item 8 - Proposed Tree Removal - 2 Vincent Street, Marrickville

Resolution:

THAT:

- 1. the tree adjacent 2 Vincent Street, Marrickville be retained; and
- 2. the matter be subject to further review should conclusive evidence be presented demonstrating the tree to be the primary cause of property damage.

Item 9 - Cultural Action Plan 2016 - 2020

Resolution:

THAT:

- 1. the report be received and noted; and
- 2. Council endorses the implementation of the Draft Marrickville Cultural Action Plan.

Item 10 - Installation of Publicly Available Defibrillator Machine at Mackey Park

Resolution:

THAT Council confirms in principle support for the installation of an automatic electronic defibrillator at Mackey Park, Marrickville.



Item 11 - 801-807 New Canterbury Road, Dulwich Hill

Resolution:

THAT the report be received and noted.

Item 12 - Representation on External Organisations (approved as amended)*

Resolution:

THAT Council determine appointments to External Organisations.

* The Interim General Manager has approved the recommendations in the report with the following amendments to committee representatives;

Joint Regional Planning Panel - the Interim General Manager or their nominee;

Greenway Steering Committee - the Interim General Manager or their nominee; and

Eastern Region Local Government Region of Aboriginal & Torres Strait Islander Forum - the Interim General Manager or their nominee.

Item 14 - 3rd Quarter 2015-16 Budget Review Statement for the former Leichhardt Council

Resolution:

THAT:

- 1. the report by the former Leichhardt Council responsible accounting officer be noted; and
- 2. the budget report and changes as shown in Part A (<u>ATTACHMENT 1</u>) of this report be adopted.

Item 15 - 3rd Quarter 2015-16 Budget Review Statement for the former Marrickville Council

Resolution:

THAT:

- 1. the report be received and noted; and
- 2. Council approves the variations identified as matters requiring budget adjustments and incorporate the changes into 2015/16 revised budget.

Item 16 - Investment Report April 2016 for the former Ashfield Council

Resolution:

THAT the Investment Report for April 2016 be received and noted.

Item 17 - Investment Report April 2016 for the former Leichhardt Council

Resolution:

THAT:

- 1. the Investment Report for April 2016 for the former Leichhardt Council be received and noted; and
- 2. the Certificate of the Responsible Accounting Officer for the former Leichhardt Council be received and noted.



Item 19 - Appointment of External Auditor for Inner West Council

Resolution:

THAT PwC be appointed as external auditor for Inner West Council for the period ending 2017 with an option to extend to June 2018.

Item 20 - Gratuity Payments

Resolution:

THAT the gratuity payments outlined in the report be endorsed.

ITEMS DEFERRED TO NEXT COUNCIL MEETING

Item 3 - Evaluation and Proposed Outcomes of Trial Off Leash Areas at Laxton Reserve, Petersham Park and Sydenham Green

Item 13 - Proposed Schedule of Council Meetings 2016

Item 18 - Tender 4/16 St Peters Town Hall Roof Renewal and Improvements



MINUTES OF EXTRAORDINARY COUNCIL MEETING

held at Ashfield Service Centre on Thursday 30 June 2016

The meeting commenced at 9.00am.

Present:

Richard Pearson	Administrator
Vanessa Chan	Interim General Manager
Matthew Phillips	Director Corporate Services
Popy Mourgelas	Manager Corporate Governance, Ashfield
lan Naylor	Manager Governance and Administration, Leichhardt
Tanya Whitmarsh	Manager Governance and Risk, Marrickville
Rad Miladinovic	Coordinator Governance and Administration, Marrickville (Minute Taker)

Apologies: Nil.

Acknowledgement of Country

Disclosures of Interest:

There were no disclosures of interest.

C0616 Item 1: VOTING OF MONEY AND CONTINUATION OF FEES AND CHARGES

Moved and declared carried by the Administrator:

THAT Council:

- 1. approve expenditure and vote \$39 million for the period from 1 July 2016 until the adoption by the council of the first operational plan for the Inner West Council.
- 2. approve the continuation of the 2015-16 adopted fees and charges until the adoption by the council of the first operational plan for the Inner West Council.

The meeting closed at 9.01am.



Item No: C0716 Item 1

Subject: MINUTES OF IMPLEMENTATION ADVISORY GROUP

File Ref:16/4718/74332.16

Prepared By: Helen Tola - Manager Customer Service and Corporate Planning, Leichhardt

Authorised By: Matthew Phillips - Director, Corporate Services

SUMMARY

The inaugural Implementation Advisory Group Meeting was held in June 2016 and this report presents the minutes of the meeting for consideration by the Administrator.

RECOMMENDATION

THAT the Minutes of the Implementation Advisory Group held in June 2016 be received and noted.

BACKGROUND

To present to Council the minutes of the Implementation Advisory Group held in June 2016. The minutes of the meeting of the Implementation Advisory Group are attached.

ATTACHMENTS

1.1. Minutes of the Implementation Advisory Group



WINNER WEST COUNCIL

Minutes of Implementation Advisory Group held at Leichhardt Service Centre on Tuesday 21 June 2016

The meeting commenced at 6.34pm.

- Members: Mr Darcy Byrne Ms Vera-Ann Hannaford Ms Lucille McKenna OAM Mr Alex Lofts Mr Sam Iskandar Ms Rosana Tyler
- Other Attendees: **Richard Pearson** Administrator Vanessa Chan Interim General Manager Matthew Phillips **Director Corporate Services** Nellette Kettle Director Innovation and Strategy Simone Schwarz **Director Service Delivery** Darryl Watkins Strategic Advisor lan Naylor Manager Governance & Administration, Leichhardt Popy Mourgelas Manager Corporate Governance, Ashfield Tanya Whitmarsh Manager, Governance & Risk, Marrickville Helen Tola Manager Customer Service & Corporate Planning, Leichhardt Katerina Maros Governance Officer, Leichhardt
- 1. Welcome by Administrator
- 2. Acknowledgement of Country
- 3. Apologies: Nil.
- 4. Disclosures of Interest: Nil.
- 5. Election of Chairperson:

Implementation Advisory Group Minutes

Tuesday 21 June 2016

Nomination: Lofts/Byrne That Chairperson for the inaugural Implementation Advisory Group be Alex Lofts and for future IAG meetings the chairperson be nominated at the commencement of each meeting.

CARRIED UNANIMOUSLY

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SINNER WEST COUNCIL

6. Items for consideration by LRAC

Item 1 - Terms of Reference for Implementation Advisory Group

Recommendation HANNAFORD /BYRNE

- 1. That the Terms of Reference for the Implementation Advisory Group be noted.
- 2. That commencing from July 2016, the Implementation Advisory Group be held on the 2nd Thursday of each month.
- 3. That the agenda and minutes of the Implementation Advisory Group be published on the Council website prior to the meeting.

CARRIED UNANIMOUSLY

Item 2 - Stronger Communities Fund – Community Grant Program

Recommendation BYRNE/MCKENNA

That the matter be deferred for Local Representation Advisory Committees to consider the criteria for the applications.

CARRIED UNANIMOUSLY

Item 3 - DRAFT Integration and Innovation Plan

Recommendation TYLER / ISKANDAR

That the Implementation Advisory Group review the attached Draft Integration and Innovation Plan and provide feedback.

CARRIED UNANIMOUSLY

The meeting concluded at 8.10pm.

Implementation Advisory Group Minutes Tuesday 21 June 2016

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Item No: C0716 Item 2

Subject: MINUTES OF LOCAL REPRESENTATION ADVISORY COMMITTEE MEETINGS HELD IN JUNE 2016

File Ref: 16/4718/74312.16

Prepared By: Helen Tola - Manager Customer Service and Corporate Planning, Leichhardt

Authorised By: Matthew Phillips - Director, Corporate Services

SUMMARY

The inaugural Local Representation Advisory Committee Meetings were held in June 2016 and this report presents the minutes of the meeting for consideration by the Administrator.

RECOMMENDATION

THAT the Minutes of the Ashfield, Leichhardt and Marrickville Local Representation Advisory Committee's held in June 2016 be received and noted, except for the recommendation from the Ashfield LRAC that all members be remunerated equally.

BACKGROUND

To present to Council the minutes of the Ashfield, Leichhardt and Marrickville Local Representation Advisory Committee's held in June 2016.

The minutes of the meeting each of the Local Representation Advisory Committee meetings are attached as follows:

Attachment 1 - Minutes of the Ashfield Local Representation Advisory Committee held on 14 June 2016

Attachment 2 - Minutes of the Leichhardt Local Representation Advisory Committee held on 15 June 2016

Attachment 3 - Minutes of the Marrickville Local Representation Advisory Committee held on 23 June 2016

It is recommended that the Minutes of the Ashfield, Leichhardt and Marrickville Local Representation Advisory Committee's held in June 2016 be received and noted, **except for the recommendation from the Ashfield LRAC that all members be remunerated equally.** This recommendation is contrary to the Guidelines issued to Administrators by the Department of Premier and Cabinet that stated committee members are to be remunerated at the rate of their Mayor and Councillor fees prior to amalgamations.

ATTACHMENTS

- 1. <u>U</u> Minutes of 14 June 2016 Ashfield Local Representation Advisory Committee Meeting
- 2. <u>U</u> Minutes of 15 June 2016 Leichhardt Local Representation Advisory Committee Meeting
- 3. <u>U</u> Minutes of 23 June 2016 Marrickville Local Representation Advisory Committee Meeting



VINNER WEST COUNCIL

Minutes of Local Representation Advisory Committee (Ashfield) held at Ashfield Service Centre on Tuesday 14 June 2016

The meeting commenced at 6.30pm.

Members:	Lucille McKenna OAM (Chairperson) Morris Mansour (Deputy Chairperson) Ted Cassidy PSM Mark Drury Alex Lofts Julie Passas Vittoria Raciti Adriano Raiola Max Raiola Caroline Stott Jeanette (Mei) Wang Monica Wangmann
Other Attendee	s:Richard Pearson Vanessa ChanAdministrator Interim General Manager Director Corporate Services, Leichhardt Nellette KettleDirector Corporate Services, Leichhardt Director Corporate & Community Services, Ashfield Simone SchwarzSimone SchwarzDirector Community Services, Marrickville Cathy Edwards-Davis Director Works & Infrastructure, Ashfield Phil SarinDirector, Planning & Environment, Ashfield Darryl WatkinsProject Director, KJA Manager Corporate Governance, Ashfield Tanya Whitmarsh Ian NaylorManager Governance & Risk, Marrickville Helen TolaManager Customer Service & Corporate Planning, Leichhardt
1. Welcom	e by Administrator
2. Acknow	ledgement of Country
3 Anologi	ne. Nil

- 3. Apologies: Nil.
- 4. Disclosures of Interest: Nil.
- 5. Election of Chairperson and Deputy Chairperson:

Nomination: Stott/Mansour That Lucille McKenna OAM to be appointed as Chairperson Those in favour of Lucille McKenna OAM nomination as Chairperson (7) – Wangmann, Wang, Mansour, McKenna, Drury, Stott, McKenna

Nomination: Passas/Raciti That Ted Cassidy PSM to be appointed as Chairperson Those in favour of Ted Cassidy PSM nomination as Chairperson (5) – A Raiola, M Raiola, Raciti, Cassidy PSM, Passas

Lucille McKenna was appointed as Chairperson by majority vote.

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Nomination: McKenna/Stott That Morris Mansour to be appointed as Deputy Chairperson Those in favour of Morris Mansour nomination as Deputy Chairperson (7) – Wangmann, Wang, Mansour, McKenna, Drury, Stott, McKenna

Nomination: Passas/Raciti

That Ted Cassidy PSM to be appointed as Deputy Chairperson Those in favour of Ted Cassidy PSM nomination as Deputy Chairperson (5) – A Raiola, M Raiola, Raciti, Cassidy PSM, Passas.

Morris Mansour was appointed Deputy Chairperson by majority vote.

6. Items for consideration by LRAC

Item 1 - Terms of Reference for Local Representation Advisory Committees

Recommendation

- 1. That the Terms of Reference for the Local Representation Advisory Committees (LRACs) be noted and the following feedback be provided to the Administrator:-
- The quorum be amended to five (5) members.
- That Clause 6 be amended to include the words "on behalf of the Council" after "are not permitted to speak...".
- Remuneration should be equal for all members. The Administrator advised he proposes to continue the financial remuneration for the immediate former Mayors and Deputy Mayors as they have an enhanced role in the additional committee works and attending community/civic functions and events.
- That future agenda papers be published in advance of the meeting to encourage feedback on matters of interest to the community.
- 2. That the Administrator consider holding the Ashfield LRAC on the 2nd Tuesday of each month.
- 3. That the Administrator give consideration to holding joint meetings of LRACs for members to further discussion on matters of mutual interest and importance across the new Local Government Area.

Item 2 - Ratifying Council's Position on Westconnex

The LRAC noted and supported the position proposed by the Administrator in relation to WestConnex as follows:

Recommendation

- 1. That the LRAC note the following motions the Administrator is proposing to move at the next Council Meeting:-
- a) Inner West Council formally adopts a position of continued opposition in the strongest terms to the WestConnex project, both approved and future stages, consistent with the positions of the former councils of Ashfield, Leichhardt and Marrickville.
- b) Council establishes a central WestConnex Response Unit to coordinate Council responses to resident concerns regarding impacts associated with the construction of approved stages of WestConnex, as well as submissions and representations on future stages.

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Local Representation Advisory Committee Minutes (Ashfield) Tuesday 14 June 2016



INNER WEST COUNCIL

- c) Council continues to press the immediate need for the Department of Planning and Environment to fund and establish a dedicated WestConnex compliance officer in the local area to respond promptly to resident issues.
- d) Council establish a regular bi-monthly forum chaired by the Administrator with representatives of all the inner west WestConnex resident action groups to discuss concerns with the project and opportunities for their resolution.
- e) A report from staff be brought forward to the next meeting of Council outlining a community engagement plan to elicit views of the broader community with regards to ways the Council can assist them with concerns regarding WestConnex.
- f) A report from staff be brought forward to the next meeting of Council which summarises the outstanding resolutions of the previous Ashfield, Leichhardt and Marrickville Councils regarding WestConnex and action to be taken to implement.

Item 3 - Draft Operational Plan and Budget 2016-17

A presentation was given by Matthew Phillips, Nellette Kettle and Simone Schwartz on the Draft Operational Plan and Budget 2016-17

Recommendation

That the LRAC note the Inner West Council Draft Operational Plan and Budget 2016-17, including Fees and Charges, noting that the document is on public exhibition until Thursday, 30 June 2016 and the following feedback be provided to the Administrator:-

• The Administrator give consideration to waive the fees for outdoor dining until the new Council is appointed. The Administrator advised he will consider this matter in the context of weighing up the financial implications.

Item 4 - 2016 Grants and Local Representation Advisory Committee

Recommendation

That the LRACs note the 2016 Inner West Grants program and the following feedback be provided to the Administrator:-

• That a joint meeting of LRACs be held to allow committee members to contribute to the development of the guidelines prior to finalisation.

Item 5 - Proposed Ashfield Commuter Carpark and Sky+Park

Recommendation

That the Administrator explore avenues to approach the Minister for Transport and Infrastructure in order to gain support for a partnership between Inner West Council and Transport for NSW to construct a Sky+Park on the roof top level of the proposed multi-level commuter carpark adjacent to Ashfield Station.

Question on Notice

Ted Cassidy PSM requested that the Administrator give consideration to conducting a public consultation process in relation to the proposal for rooftop level commuter carpark.

Local Representation Advisory Committee Minutes (Ashfield) Tuesday 14 June 2016

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SINNER WEST COUNCIL

Item 6 - WestConnex M4 East (Stage 1) – Project Update on Proposed Activities

Recommendation

That the LRAC support the following recommendations to the Administrator:

- 1. That Council strongly oppose the installation of a VMS in front of Ashfield Park.
- 2. That Council oppose the installation of directional and tunnel advisory signage in front of Ashfield Park.
- 3. That Council seek legal advice as to whether an easement or other legal access arrangement, and associated compensation, is required for the proposed installation of a water main through Reg Coady Reserve.
- 4. That Council oppose heavy vehicles exiting the Northcote Street site (C7) onto Wattle Street and Dobroyd Parade. These heavy vehicles must exit the site directly onto Parramatta Road, in a westerly direction.
- 5. That Council oppose the use of Ramsay Street and Martin Street, east of Wattle Street, as a spoil haulage route.
- That Council raise no objections to the proposed street lighting relocation and replacement in Wattle Street/ Dobroyd Parade, subject to all costs, including any residual value charges, being at the expense of the Joint Venture.
- 7. That Council strongly oppose the use of Ashfield Park for the temporary relocation of any telecommunications tower.
- 8. That Council strongly opposes any construction exit onto Bland St, Ashfield from the C10 Parramatta Rd construction site.
- That Council requires proper consultation and full details of how pedestrian and vehicle safety is to be ensured during the proposed temporary closure of the Bland St Bridge prior to any work commencing on it's reconfiguration.
- 10. That Council strongly opposes the use of Reg Coady Reserve as a stockpile site for spoil, or the removal of trees in the reserve for the construction of a g-loop turn for construction vehicles at Waratah St.
- 11. That Council immediately receive detail of what items have been removed from demolished properties within the Haberfield Heritage Conservation Zone or from locally significant and listed properties demolished within the Ashfield construction zone; where they are now located, how they are to be conserved and stored, - and how they will be made available for community use and reinterpretation, or possible reuse by individual local residents.
- 12. That Council make publicly available, via its website and library all WestConnex documentation and technical information supplied to it by SMC, RMS, and the Joint Venture builders or any other authority or agency, relating to the WestConnex project in its entirety, and any associated enabling works or ancillary site construction works. That this should include all WestConnex fact sheets, background documents, updates, notifications, maps, technical papers, project documents, industry briefing reports, background documents, planning and assessment documents, approval documents, reports and management plans.
- 13. That as a matter of urgency, Council make publicly available all draft or final technical plans, construction schedules or other documents that the Inner West Council has received in relation to the New M5 Stage 2 since its approval in early February.
- 14. That the Administrator reiterate Council's serious concerns, to the Sydney Motorway Corporation, in relation to the "rat running" and increasing vehicle volumes in residential streets surrounding the new WestConnex project, particularly with regards to traffic travelling to and from the new on and off-ramps to the motorway.
- 15. That the Administrator seek a meeting with the Sydney Motorway Corporation in relation to the truck routes in Haberfield area and that appropriate committee members be invited to participate in this meeting along with the relevant council staff.

The meeting concluded at 8.55pm.

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Local Representation Advisory Committee Minutes (Ashfield) Tuesday 14 June 2016



SINNER WEST COUNCIL

Minutes of Local Representation Advisory Committee (Leichhardt) held at Leichhardt Service Centre on Wednesday 15 June 2016

The meeting commenced at 6.30pm.

Members: Mr Frank Breen Mr John Stamolis Mr Darcy Byrne Mr John Jobling Ms Michele McKenzie Ms Vera-Ann Hannaford Ms Linda Kelly Mr Tony Costantino Mr Simon Emsley

Other Attendees: Richard Pearson	Administrator
Vanessa Chan	Interim General Manager
Matthew Phillips	Director Corporate & Information Services, Leichhardt
Nellette Kettle	Director Corporate & Community Services, Ashfield
Peter Gainsford	Director Infrastructure & Service Delivery, Leichhardt
Simone Schwarz	Director Community Services, Marrickville
Erla Ronan	Group Manager Community & Cultural Services, Leichhardt
Darryl Watkins	Policy Advisor, KJA
Ian Naylor	Manager Governance & Administration, Leichhardt
Popy Mourgelas	Manager Corporate Governance, Ashfield
Tanya Whitmarsh	Manager, Governance & Risk, Marrickville
Helen Tola	Manager Customer Service & Corporate Planning, Leichhardt
Rad Miladinovic	Coordinator, Governance & Administration, Leichhardt
Ken Welsh	Transport Planner, Leichhardt
Katerina Maros	Governance Officer, Leichhardt

- 1. Welcome by Administrator
- 2. Acknowledgement of Country
- 3. Apologies: Nil.
- 4. Disclosures of Interest: Nil.
- 5. Election of Chairperson:
 - Nomination: Darcy/Kelly

That Chairperson for the inaugural Leichhardt LRAC be Darcy Byrne and for future LRAC meetings the chairperson be nominated at the commencement of each meeting, rotated in alphabetical order and by decision of the member as to whether they wish to Chair the meeting accordingly.

CARRIED UNANIMOUSLY

Darcy Byrne was appointed as Chairperson by majority vote for this meeting.

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5 July 2016

Extraordinary Council Meeting





6. Items for consideration by LRAC

Item 1 - Terms of Reference for Local Representation Advisory Committees

Recommendation BYRNE/KELLY

- 1. That the Terms of Reference for the Local Representation Advisory Committees be noted and the following feedback be provided to the Administrator:-
 - That meetings be conducted under procedures of the former Leichhardt Council Code of Meeting practice.
 - That Clause 6 of the Terms of Reference be amended to specify that Committee Members are not permitted to speak to the media on behalf of Council rather than not permitted to speak to the media.
 - That the LRAC business paper agenda include the item 'Questions on Notice' from committee members.
 - That the agenda be provided three working days prior to a meeting.
 - That the meeting time be 6.30pm to 9.30pm with an extension of 30 minutes as agreed.
 - That LRAC agendas be publicly advertised on the website prior to the LRAC meeting.
- 2. That the Administrator consider holding the Leichhardt LRAC on a Tuesday evening.
- That the LRAC and Ordinary Council business papers include a summary of resolutions of previous Council resolutions and all business moved at LRAC and Ordinary Council Meetings of the new Inner West Council.

CARRIED UNANIMOUSLY

Item 2 - Ratifying Council's Position on Westconnex

Recommendation BYRNE/JOBLING

That the Local Representation Advisory Committee note the following motions the Administrator is proposing to move at the next Council Meeting:

- 1. Inner West Council formally adopts a position of continued opposition in the strongest terms to the WestConnex project, both approved and future stages, consistent with the positions of the former councils of Ashfield, Leichhardt and Marrickville.
- Council establishes a central WestConnex Response Unit to coordinate Council responses to resident concerns regarding impacts associated with the construction of approved stages of WestConnex, as well as submissions and representations on future stages.
- 3. Council continues to press the immediate need for the Department of Planning and Environment to fund and establish a dedicated WestConnex compliance officer in the local area to respond promptly to resident issues.
- Council establish a regular bi-monthly forum chaired by the Administrator with representatives of all the inner west WestConnex resident action groups to discuss concerns with the project and opportunities for their resolution.

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Local Representation Advisory Committee Minutes Wednesday 15 June 2016

INNER WEST COUNCIL

- A report from staff be brought forward to the next meeting of Council outlining a community engagement plan to elicit views of the broader community with regards to ways the Council can assist them with concerns regarding WestConnex.
- 6. A report from staff be brought forward to the next meeting of Council which summarises the outstanding resolutions of the previous Ashfield, Leichhardt and Marrickville Councils regarding WestConnex and action to be taken to implement.
- 7. That a combined meeting of the LRACs be convened and that one of the issues to be further discussed at the combined meeting is Inner West Council's position on WestConnex.

CARRIED UNANIMOUSLY

Item 3 - Draft Operational Plan and Budget 2016-17

Recommendation STAMOLIS/BREEN

- 1. That the Local Representation Advisory Committee(s) note the Inner West Council Draft Operational Plan and Budget 2016-17, including Fees and Charges, noting that the document is on public exhibition until Thursday, 30 June 2016.
- 2. That a quarterly budget review be reported to the LRACs.
- 3. That a quarterly review of progress on major infrastructure project be reported to LRACs.

CARRIED UNANIMOUSLY

Item 4 - 2016 Grants and Local Representation Advisory Committee

Recommendation BYRNE/KELLY

That the LRACs note the 2016 Inner West Grants program and the following feedback be provided to the Administrator:-

- That the commencement of grant applications be deferred until the draft criteria can be reported back to the LRACs.
- That representations be made to the State Government to request that the \$1m community grant funding be in addition to the \$15m *Stronger Community Funds* already allocated to Council.

CARRIED UNANIMOUSLY

Item 5 - Lilyfield Road Regional Bike Route Separated Cycleway Design

Recommendation JOBLING/ HANNAFORD

That the report be received and noted.

CARRIED UNANIMOUSLY

Local Representation Advisory Committee Minutes Wednesday 15 June 2016

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Item 6 - WestConnex Status

Recommendation KELLY/BYRNE

- 1. That Council staff continue to liaise with the Sydney Motorway Corporation in an effort to minimise impacts of WestConnex Stage 3 on local residents and businesses.
- 2. That all new information on WestConnex as received be reported to the following LRAC meeting.

CARRIED UNANIMOUSLY

The meeting concluded at 8:15pm.

Local Representation Advisory Committee Minutes Wednesday 15 June 2016

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WINNER WEST COUNCIL

Minutes of the Marrickville Local Representation Advisory Committee held at Petersham Service Centre on Thursday 23 June 2016

The meeting commenced at 6.30pm.

Members:	Melissa Brooks Victor Macri Chris Woods	Morris Hanna Max Phillips	Sam Iskandar Rosana Tyler
Other Attendees:	Richard Pearson Vanessa Chan Nellette Kettle Simone Schwarz Matthew Phillips Darryl Watkins Popy Mourgelas Helen Tola Tanya Whitmarsh Rad Miladinovic	Manager Customer S Manager Governanc	& Štrategy very

- 1. Welcome by Administrator
- 2. Acknowledgement of Country
- 3. Apologies: Nil.
- 4. Disclosures of Interest:

Item 6 - Evaluation and Proposed Outcomes of Trial Off Leash Areas at Laxton Reserve, Petersham Park and Sydenham Green.

Melissa Brooks and Rosana Tyler declared a less than significant, non-pecuniary conflict of interest in Item 6 as they are dog owners. They remained in the room during discussion of that item.

5. Election of Chairperson:

Nomination: WOODS / ISKANDAR

That the Chairperson for the inaugural Marrickville Local Representation Advisory Committee be Victor Macri and for future meetings the responsibility for chairing be rotated amongst committee members.

Victor Macri was appointed as Chairperson by majority vote for this meeting.

CARRIED UNANIMOUSLY

6. Items for consideration by LRAC

Item 1: Terms of Reference for Local Representation Advisory Committees

Recommendation: MACRI / ISKANDAR

That:

1. the Terms of Reference for the Local Representation Advisory Committees be noted and the following feedback be provided to the Administrator:

Page 1 of 4



WINNER WEST COUNCIL

- That Clause 6 of the Terms of Reference be amended to specify that Committee Members are not permitted to speak to the media on behalf of Council rather than not permitted to speak to the media.
- 2. commencing from July 2016, the Leichhardt Local Representation Advisory Committee be held on the 1st Tuesday of each month, the Marrickville Local Representation Advisory Committee be held on the 1st Wednesday of each month and the Ashfield Local Representation Advisory Committee be held on the 2nd Tuesday of each month.

CARRIED UNANIMOUSLY

Recommendation: PHILLIPS / MACRI

That Advisory Committee members be permitted to send agenda items to the Administrator.

For: Brooks, Hanna, Iskandar, Macri, Tyler and Woods Against: Phillips

RECOMMENDATION CARRIED

Motion: PHILLIPS / HANNA

That the Administrator considers opening up meetings of the Local Representation Advisory Committee to the public so that they can observe proceedings.

For: Brooks, Hanna and Phillips Against: Iskandar, Macri, Tyler and Woods MOTION WAS LOST

The Administrator requested the Interim General Manager prepare a report on options for webcasting future Committee meetings as an alternative.

Item 2: Ratifying Council's Position on WestConnex

Chris Woods tabled two supplementary documents concerning this item. They appear as attachments to these minutes.

Recommendation: WOODS / HANNA

That the Local Representation Advisory Committee notes the following motions the administrator is proposing to move at the next Council Meeting:

- 1. Inner West Council formally adopts a position of continued opposition in the strongest terms to the WestConnex project, both approved and future stages, consistent with the positions of the former councils of Ashfield, Leichhardt and Marrickville.
- Council establishes a central WestConnex Response Unit to coordinate Council responses to resident concerns regarding impacts associated with the construction of approved stages of WestConnex, as well as submissions and representations on future stages.
- Council continues to press the immediate need for the Department of Planning and Environment to fund and establish a dedicated WestConnex compliance officer in the local area to respond promptly to resident issues.
- 4. Council establish a regular bi-monthly forum chaired by the Administrator with representatives of all the inner west WestConnex resident action groups to discuss concerns with the project and opportunities for their resolution.
- A report from staff be brought forward to the next meeting of Council outlining a community engagement plan to elicit views of the broader community with regards to ways the Council can assist them with concerns regarding WestConnex.

Attachment 3



INNER WEST COUNCIL

6. A report from staff be brought forward to the next meeting of Council which summarises the outstanding resolutions of the previous Ashfield, Leichhardt and Marrickville Councils regarding WestConnex and action to be taken to implement.

For: Brooks, Hanna, Iskandar, Phillips and Woods Against: Macri and Tyler

RECOMMENDATION CARRIED

Item 3: Draft Operational Plan and Budget 2016-17

Recommendation: MACRI / HANNA

That the Local Representation Advisory Committee(s) note and provide comment on the Inner West Council Draft Operational Plan and Budget 2016-17, including Fees and Charges, noting that the document is on public exhibition until Thursday, 30 June 2016.

CARRIED UNANIMOUSLY

Recommendation: MACRI / HANNA

That the Council report on the Operational Plan and Budget considers the impact of not proceeding with the \$25 increase in the Domestic Waste Management Charge for the former Marrickville LGA for 2016-17 financial year.

For: Brooks, Hanna, Iskandar, Macri, Tyler and Woods Against: Phillips

RECOMMENDATION CARRIED

Item 4: 2016 Grants and Local Representation Advisory Committee

Recommendation: MACRI / WOODS

That the Local Representation Advisory Committees (LRACs) notes the 2016 Inner West Grants program.

CARRIED UNANIMOUSLY

It was also noted that a joint meeting of LRACs would be convened in July to consider the assessment criteria for the Grants program.

Item 5: WestConnex Status – June 2016

Recommendation: MACRI / WOODS

That Council staff continue to liaise with the Sydney Motorway Corporation in an effort to minimise impacts and advocate for improved urban design, social and environmental outcomes for local residents, businesses and the public domain, in relation to WestConnex Stage 2 and 3.

CARRIED UNANIMOUSLY

Item 6: Evaluation and Proposed Outcomes of Trial Off Leash Areas at Laxton Reserve, Petersham Park and Sydenham Green

Recommendation: ISKANDAR / TYLER

That the Local Representation Advisory Committee notes the following motions the Administrator is proposing to move at the next Council Meeting:

That:

Marrickville Local Representation Advisory Committee Meeting Thursday 23 June 2016

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SINNER WEST COUNCIL

- 1. the report be received and noted;
- 2. the trial dog off leash areas at Petersham Park, Petersham and Sydenham Green, Sydenham are made permanent under the same conditions used during the trial period;
- 3. Council ceases the off leash trial at Laxton Reserve, Dulwich Hill;
- 4. Council implements a trial off leash area at Johnson Park, Dulwich Hill subject to the following time restrictions:
 - 6am to 9am, 6pm to 8pm during daylight saving, and 5pm to 7pm during non-daylight saving time;
- 5. Council implements a trial off leash area at Morton Park, Lewisham; and all residents who have provided feedback during the trial and evaluation process are notified of Council's decision.

CARRIED UNANIMOUSLY

The meeting closed at 7.51pm.

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Item No: C0716 Item 3

Subject: ADMINISTRATOR'S MINUTE: RATIFYING COUNCIL'S POSITION ON WESTCONNEX

File Ref: 16/4718/74243.16

From Richard Pearson, Administrator

MOTION:

THAT:

- 1. Inner West Council formally adopts a position of continued opposition in the strongest terms to the WestConnex project, both approved and future stages, consistent with the positions of the former councils of Ashfield, Leichhardt and Marrickville;
- 2. Council establishes a central WestConnex Response Unit to coordinate Council responses to resident concerns regarding impacts associated with the construction of approved stages of WestConnex, as well as submissions and representations on future stages;
- 3. Council continues to press the immediate need for the Department of Planning and Environment to fund and establish a dedicated WestConnex compliance officer in the local area to respond promptly to resident issues;
- 4. Council establish a regular bi-monthly forum chaired by the Administrator with representatives of all the inner west WestConnex resident action groups to discuss concerns with the project and opportunities for their resolution;
- 5. a report from staff be brought forward to the next meeting of Council outlining a community engagement plan to elicit views of the broader community with regards to ways the Council can assist them with concerns regarding WestConnex;
- 6. a report from staff be brought forward to the next meeting of Council which summarises the outstanding resolutions of the previous Ashfield, Leichhardt and Marrickville Councils regarding WestConnex and action being taken to implement;
- 7. Council engages Tim Robertson SC to advise on prospects of legal challenge to the WestConnex project across the new LGA, including an injunction on the current demolition works; and
- 8. Council notes that the Inner West Council Local Representation Advisory Committees (LRACs) will further discuss Inner West Council's position on WestConnex at a future joint meeting.

Views of Local Representation Advisory Committees

This matter was considered by the Inner West Council Local Representation Advisory Committees on 14 June (Ashfield LRAC), 15 June (Leichhardt LRAC) and 23 June (Marrickville LRAC) and supported on each occasion.

Leichhardt LRAC also proposed the inclusion of a new motion that the Inner West Council Local Representation Advisory Committees (LRACs) further discuss Inner West Council's position on WestConnex at a future joint meeting.

This is agreed and has been added to my motion.

Background

With the formation of the new Inner West Council, one of the key issues facing us is the WestConnex Motorway, a major infrastructure project that has considerable impact on our local government area.



The previous Ashfield, Leichhardt and Marrickville Councils all had clearly stated positions in opposition to the project, established unambiguously through many submissions and representations to the State Government.

It is clear the Inner West community is strongly opposed to the project.

As Administrator of Inner West Council I have made it clear that there is absolutely no change to the position of the three former councils in opposition to the WestConnex project. The project's substantial impacts on the inner west's residents and the very limited benefits which will accrue will continue to be strongly represented to the State Government and Sydney Motorways Corporation.

While the fundamental position of Council in opposition to WestConnex prevails, I also have a duty to act to lessen the impact of work already underway.

I have already met with representatives of some of the resident action groups in our area opposing WestConnex. We were in agreement that work already underway and the substantial construction impacts looming need to be more closely monitored and the road constructors held to account for any breaches of the development consents controlling construction.

To this end a locally based independent compliance officer is required, to enable speedy responses to complaints and concerns raised by local residents regarding actions carried out by contractors working on the WestConnex Project. As the Department of Planning and Environment is responsible for enforcement of the consent, I have called on the State Government to fund and locate a dedicated WestConnex Compliance Officer in the local area to respond to residents' concerns.

It would also be advantageous for Council to create a central WestConnex Response Unit, comprising staff with expert knowledge and experience in traffic planning and other related matters. It would be the function of this Unit to quickly analyse and respond to concerns and issues raised with WestConnex and to seek to get improved outcomes for residents either on already approved stages, or future stages which are in the planning. This could include lobbying the State Government to introduce practical measures to lessen impacts or improve deign for approved sections in key locations. It would also focus on driving changes to future stages, especially Stage 3, to lessen impacts on residents and the environment.

Further engagement with the community is also clearly a priority. In order to remain informed of residents most pressing concerns I propose to establish a bi-monthly forum in which I meet with the representatives of all local WestConnex resident action groups. These groups have real, on the ground experience with the impacts of this project and their input is invaluable. These meetings will provide the interface to try to get a better outcome for residents on the project's impacts.

There are also many residents in the community who have practical and innovative ideas as to how Council can respond to the issue of WestConnex, but may not have the time to be actively involved in an action group.

Therefore I would request that Council officers propose a community engagement campaign utilising innovative best practice community engagement tools to allow members from across the broader community to have input into Council's responses to WestConnex.

I would also request that in order to understand any outstanding resolutions from the former councils in relation to WestConnnex, a report from staff be brought forward to the next meeting of Council. This will ensure I am able to fully represent the concerns and views of our residents, consistent with the positions of the former councils.

Additionally, it is noted that Council is in the process of engaging Tim Robertson SC to advise on the prospects of legal challenge to the WestConnex project across the new LGA, including an injunction on the current demolition works.

ATTACHMENTS



Item No: C0716 Item 4

Subject: ADMINISTRATOR'S MINUTE: CONDOLENCE MOTION - DR STEFANIA SIEDLECKY AM

File Ref: 16/4718/74637.16

From Richard Pearson, Administrator

SUMMARY

This report expresses Council's condolences on the passing of Dr Stefania Siedlecky AM and details the significant contribution Dr Siedlecky made to our local area in the area of health, particularly women's health.

RECOMMENDATION

THAT Council writes to the family of Dr Stefania Siedlecky AM, expressing our condolences and sadness for their loss.

BACKGROUND

Dr Siedlecky was a founder of Australia's women's health movement and a trailblazer. Dr Siedlecky has had a significant and lasting impact on thousands of women's lives and Australia's health system and academia through her intelligence, passion and commitment to medicine and women's health which spans more than fifty years.

In 1974 Dr Siedlecky established the medical clinic at Leichhardt Women's Community Health Centre, becoming the first doctor in an Australian women's health centre. In this role she occupied an interesting and uncomfortable space between the old guard medical establishment and a push for a new kind of primary health care model, now internationally regarded as best practice. Dr Siedlecky's work and influence in medicine and academia has had an enormous impact on women, families and our local communities over decades.

In 2016, Dr Siedlecky was recognised for her contribution to women's health services in Leichhardt with an award at the event held for International Women's Day.

Over the years Dr Siedlecky did not waver in her commitment and compassion for women's equality and women's right to access quality health care without discrimination or impediment.

Dr Siedlecky was an excellent doctor, a pioneer, mentor and friend to many.

ATTACHMENTS

Nil.

Item No: C0716 Item 5

Subject: EVALUATION AND PROPOSED OUTCOMES OF TRIAL OFF LEASH AREAS AT LAXTON RESERVE, PETERSHAM PARK AND SYDENHAM GREEN

File Ref: 16/4718/63602.16

Prepared By: Peter Montague - A/Manager Culture and Recreation Services, Marrickville

Authorised By: Simone Schwarz - Director, Service Delivery

SUMMARY

This report details the outcomes from the recent evaluation process undertaken to assess the current trial of three dog off leash areas at Laxton Reserve, Petersham Park and Sydenham Green.

RECOMMENDATION

THAT:

- 1. the report be received and noted;
- 2. the trial dog off leash areas at Petersham Park, Petersham and Sydenham Green, Sydenham are made permanent under the same conditions used during the trial period;
- 3. Council ceases the off leash trial at Laxton Reserve, Dulwich Hill;
- 4. Council implements a trial off leash area at Johnson Park, Dulwich Hill subject to the following time restrictions:
 - 6am to 9am, 6pm to 8pm during daylight saving, and 5pm to 7pm during nondaylight saving time;
- 5. Council implements a trial off leash area at Morton Park, Lewisham; and
- 6. all residents who have provided feedback during the trial and evaluation process are notified of Council's decision.

BACKGROUND

Council's Recreation Policy and Strategy (2013) states that:

"Council actively promotes responsible pet ownership, recognises the value of pet ownership in contributing to community well-being, and acknowledges that providing public spaces to exercise pets is essential. Council's approach to equitable access to parks for people with pets is based on:

- safe and shared use of Marrickville's parks and open space;
- the development of facilities to meet the needs of residents and their pets; and
- ongoing management of pet access in parks and open space."

The aim of Council's *Biodiversity Strategy 2011-21* is to:

Protect and enhance Marrickville's biodiversity values and the ecosystem services they provide'

The Biodiversity Strategy sets out six strategic focus areas that have specific, associated strategies to achieve the aim. The following focus areas are relevant to parks in the GreenWay Priority Biodiversity Area:

1. Priority Biodiversity Areas – preserve and enhance the biodiversity value of Priority Biodiversity Areas.



3. Threats – eliminate or mitigate key present and future threats to Marrickville's biodiversity.

Further Council's *Biodiversity Action Plan (2011-15) and Draft Biodiversity Action Plan (2016-21)* lists the following action for the *GreenWay Priority Biodiversity Area:*

Investigate and implement options to exclude or manage dog access in parks within the Bandicoot protection Area and incorporate into Council policy relating to dog access in parks.

In 2014 Council conducted off leash trials at a number of parks resulting in the development of five new permanent off leash areas and amendments to permitted off leash hours at two existing areas.

Consistent with Council's strategic position, a 6 month trial of additional DOLAs was implemented at Laxton Reserve Dulwich Hill, Petersham Park and Sydenham Green.

The objectives of the trials were to:

- inform Council's decision making on the future of DOLAs by investigating and measuring community attitudes;
- identify issues arising from the trial for Council to investigate / address;
- record compliance issues for future policy making purposes;
- educate park users on ways to share the spaces; and
- encourage the community to create their own solutions to park sharing issues.

Community Engagement

The community was encouraged to provide feedback throughout the trial and an evaluation process was conducted at the trial's conclusion. Specifically, the community engagement undertaken comprised:

- letterbox drop to residents adjacent to the three trials informing them of the trial;
- Council Column notice;
- media releases;
- information on the Council website;
- development and installation of DOLA signage in relevant parks; and
- the installation of additional bins and bags (December 2015).

Evaluation of the trial included the following:

- an evaluation survey on Your Say Marrickville;
- letterbox drop to residents adjacent to the three trials informing them of the evaluation process;
- a designated email address <u>dogs@marrickville.nsw.gov.au</u> was set up for feedback during the duration of the trial; and
- promoting awareness of the evaluation through Council Column and media release.

FINANCIAL IMPLICATIONS

There is an allocation of \$30,000 in the 2016/17 Operational Plan for the establishment of new and improvements to existing dog off leash areas. This should be sufficient to fund the implementation of the three trial areas as proposed in conjunction with a possible further trial area at HJ Mahoney Reserve in Marrickville as proposed in the draft Cooks River Parklands Plan of Management and Master Plans recently endorsed by Council for public exhibition. Resources will be required for signage, local resident notification and the evaluation process.

OTHER STAFF COMMENTS

Overall level of response

A total of 472 communications were received during the trial and evaluation period.

- 233 people participated in the evaluation process through March into early April 2016;
- 239 emails were received through the dogs@marrickville email address; and
- 154 communications were received through Council's Customer Response Management system (Merit).

At the request of residents, a meeting was held in November 2015 with local residents and the Principal of St Paul of the Cross School regarding the trial off leash area at Laxton Reserve.

Monitoring

Council Rangers conducted a total of 364 patrols across the three off leash areas during the trial period. Further information on the monitoring of the trials is included in **Attachment 1**.

Laxton Reserve

Open space in Dulwich Hill is limited and consequently the available open space has to work hard to deliver multiple outcomes for the community. The largest areas of open space with potential for off leash use comprise the closely linked parks at Laxton Reserve, Arlington Reserve and Johnson Park. These areas are located in the bandicoot protection area under Council's DCP which aims to protect the endangered long-nosed bandicoot population of inner western Sydney as listed under *NSW Threatened Species Conservation Act 1995.* Dogs, cats and foxes are a recognised threat to bandicoots.

The Recreation Policy and Strategy 2013 (based on the findings from the Recreation Needs Research 2012) identifies Johnson Park in the Dulwich Hill area as a potential off leash area. Following liaison with Monitoring Services and Environmental Services, the area at Laxton Reserve was selected due to the reduced likelihood of impacting on the bandicoot population.

The trial commenced in September 2015. Council was notified of an incident at the park in late November 2015 involving a dog knocking over a child in the playground area. Due to this incident, the conditions of use of the dog off leash area were reviewed in December 2015 and investigations conducted to develop options for the management of the space in the short term. Fencing options to prevent dogs entering the playground were considered, however it was found that this would result in a disjointed and poorly functioning park which is at odds with the objective of shared open space and park best practice. The preferred option was to implement time restrictions for the off leash area before 8am and after daylight hours in the evening to reduce the likelihood of conflict between children's play and off leash dogs. The amended conditions were put in place from 8 January 2016 onwards.

Laxton Reserve - Evaluation

The evaluation process provided opportunity for feedback on the initial three months of the trial and the ensuing three months under the amended time restrictions. Respondents were initially asked if they visited the park to exercise their dog (dog users) or for other reasons (non-dog users). Depending on the response, respondents were then referred to relevant questions. Reponses have been collated into categories of dog users and non-dog users.

Laxton Reserve - Dog users

71 respondents indicated they visited Laxton to exercise their dog and were asked:

- to rate the success of the trial;
- what changes they noticed with the implementation of the time restrictions halfway through the trial;
- suggestions for an alternative off leash facility in the area;
- how they travelled to the park; and
- where else they exercised their dogs.



Feedback

- the majority dog users (79%) rated the initial period of the trial as a success;
- the implementation of the time restrictions had a considerable impact and 75% of this group rated the trial under time restrictions as unsuccessful;
- suggestions for alternative off leash areas were as follows:
 - Johnson Park 37
 - Hoskins Park 3
 - Morton Park 3
 - Yeo Reserve 1

Almost all respondents indicated they walked to the park. Other locations respondents used to exercise their dogs were:

- Hawthorne Canal Reserve in Haberfield; and
- on leash around local streets.

Other comments included:

- has been positive for exercising dogs;
- good to meet other dog owners and neighbours;
- too small for conflicting uses playground, picnic facilities 10m rule;
- has increased the use of the park;
- requires fencing;
- issues with local residents;
- implementation of time restrictions made many users feel unsafe after dark;
- unable to see dog waste to clear up after dark; and
- majority of users are responsible.

The full list of dog user responses from Laxton Reserve is included at Attachment 2.

Laxton Reserve - Non-dog users

69 respondents identified themselves as visiting the park for reasons other than exercising a dog (non-dog users) and were asked;

- to rate the success of the trial;
- what changes they noticed with the implementation of the time restrictions halfway through; and
- suggestions for an alternative off leash facility in the area.

Feedback

- the majority of non-dog users (86%) rated the trial as unsuccessful;
- with the implementation of time restrictions, 77% of this group rated the trial as unsuccessful; and
- suggestions for alternative off leash areas were as follows:
- Johnson Park 31 responses;
- Yeo Reserve 5 responses;
- Cooks River 3 responses;
- Hoskins Park 2 responses;
- Marrickville Park 2 responses; and
- Tempe 1 response.

Other comments included:

- issues with children's safety;
- too small for conflicting uses playground, picnic facilities 10m rule;
- prevents St Paul of the Cross School using the park during school hours;
- issues with close proximity to residences;
- residents not feeling comfortable to walk through the park;
- dog waste;
- noise from barking;
- has been divisive for the local community;



- reduction in birthday parties in the park;
- dog owners not adhering to time restrictions;
- no being effectively monitored;
- needs fencing; and
- divided the community.

The full list of non-dog user responses from Laxton Reserve is included at Attachment 3.

Feedback through 'dogs@marrickville.nsw.gov.au'

A total of 228 communications were received during the trial period from a total of 68 different people. There were multiple communications from some residents (140 communications were received from three individuals - 88, 31 and 21 respectively).

The feedback included comments on Laxton Reserve's unsuitability and the predominant themes included:

- too small and safety issues with conflicting uses playground, picnic facilities;
- needs fencing;
- proximity to residences;
- dog waste; and
- noise with barking.

Feedback through Merit

A total of 145 communications were received through Council's Customer Response Management system from a total of 32 individuals. The most populous items included:

- safety issues with dogs entering the children's playground;
- issues with dog waste;
- excessive dog barking;
- dogs entering private properties; and
- dog owners not complying with time restrictions.

Two online petitions were started in relation to Laxton Reserve, one opposed to the off leash trial (currently 245 supporters) and another in support (currently 340 supporters).

Laxton Reserve - Outcomes

Council identified the need for off leash dog facilities across Marrickville in the 2012 Recreation Needs Research and the trial at Laxton Reserve has validated the popularity of this recreation activity in the Dulwich Hill area. Dulwich Hill has a limited supply of open space and there are similarly limited options to provide an off leash facility.

Notwithstanding the level of support or opposition, the trial at Laxton Reserve has divided the local community and this is reflected in the polarised feedback. In this regard the trial has not educated park users on ways to share the spaces and encourage the community to create their own solutions to park sharing issues.

The safety issues associated with preventing dogs from entering the children's playground have been unable to be resolved in addition to difficulties with managing access such that dogs do not go within 10 metres of the playground.

There has been feedback on fencing parts of Laxton Reserve and as a result investigations have been undertaken on options to effectively prevent dogs entering the playground. Fencing the playground or the dog off leash area within Laxton Reserve reduces park connectivity and divides the park into compartmentalised use areas that results in unusable space, concentrated use and wear areas. This is inconsistent with the objective of shared open space associated with the trial and will result in a disjointed and poorly functioning park. The implementation of time restrictions at Laxton Reserve was unpopular with both dog users and non-dog users alike. While there is a good level of support for off leash at Laxton, in light of the evident safety, management and community issues, it is not considered a viable long term option and it is not proposed to make this a permanent off leash area.



Laxton Reserve - Implications

The Laxton trial has demonstrated the evident need for an off leash dog area in the locality. Without a designated off leash area, it is foreseeable that unauthorised off leash use will proliferate in all available open space in Dulwich Hill resulting in impacts on residents and the endangered bandicoot population.

Other options investigated to provide an off leash facility to effectively service the Dulwich Hill area include:

- Johnson Park this option was most frequently mentioned as an alternate off leash area by the community. The park is well used and has a playground, fitness facilities, basketball court, cricket nets, open grassed area and is located in the bandicoot protection area. A trial of time restricted use has potential to minimise conflicts with children's play (including the Magic Yellow Bus) and the endangered bandicoot population;
- Hoskins Park this park contains children's play facilities and the site is relatively small for this use. The pathway connections from the play facilities to the public toilets would conflict with an off leash area and the park is also located in the bandicoot protection area adjacent to the rail corridor;
- Yeo Reserve (Ashfield Council) although not located in the Marrickville Local Government Area, the location of Yeo Reserve would effectively service the Dulwich Hill area. The park is currently on leash only. Yeo Park Infants School is located within the park providing public education for K – 2 years in an unfenced facility. Discussions with representatives of the school have revealed that the school is unfenced as well as existing issues with unleashed dogs and children. Any proposal to introduce off leash use to the park would not be supported by the school; and
- Morton Park this park has been the subject of an online petition by residents as suitable for an off leash facility (currently with 180 supporters). The park is of a reasonable size and contains children's play facilities and is not in the bandicoot protection area. The location is a considerable walking distance from Dulwich Hill and requires the traversing of two major roads. Nonetheless Morton Park may effectively service the needs of residents on the eastern side of Dulwich Hill and remove some pressure from the more conflicted open space around Laxton Reserve / Arlington Reserve / Johnson Park.

To provide effective management of conflicting uses and potential impact on the endangered bandicoot population from unauthorised off leash dogs in the Dulwich Hill area, it is proposed to implement trial off leash areas as follows:

- Johnson Park the proposed trial area at will comprise the raised rectangular grassed area which is easily defined and not immediately adjacent to the rail corridor which based on the available evidence is the most likely location for bandicoots. To manage potential impacts to the endangered bandicoot population, minimise conflict with the children's playground and cricket nets and not coincide with the Magic Yellow Bus program, the trial is proposed to be subject to the following time restrictions:
- 6am to 9am, 6pm to 8pm during day-light saving, and 5pm to 7pm during non-daylight saving time.
- Morton Park the proposed trial area is in the north-western area of the park to minimise any conflict with children's play.

Petersham Park

Petersham Park - Evaluation

Respondents were initially asked if they visited the park to exercise their dog to identify dog owners from other park users. They were then they were asked if they were:

- supportive;
- somewhat supportive;
- neutral;
- somewhat opposed; or
- opposed.

Item



The opportunity was also given to add further comment / feedback on the trial. A total of 84 people provided feedback in response to the evaluation survey for Petersham Park.

- 63 (78%) were dog users and were supportive (97%) or somewhat supportive (3%) of the trial.
- 21 non dog users rated their support of the trial as follows:

1

- opposed 11
- somewhat Opposed
 1
- neutral
- somewhat supportive 3
- supportive 5
- The most common issues raised in comments by all respondents in order of frequency were:
 - need for more enforcement / monitoring 9
 - safety inadequate control of dogs
 lack of fencing
 dogs adjacent to playground
 dog waste
 5

All responses from dog and non-dog users at Petersham Park are included at **Attachments 4** and **5**.

Feedback through 'dogs@marrickville.nsw.gov.au'

A total of 3 communications were received concerning Petersham Park and expressed concerns about the need to monitor owners who did not effectively control their dogs.

Feedback through Merit

A total of 9 communications were received through Council's Customer Response Management system. The majority of these communications raise potential safety issues with off leash use and dogs off leash outside the designated trial area.

Petersham Park - Outcomes

While those opposed to the trial expressed strong views, there was overall support for the trial from the community. Notwithstanding Council's decision for trialing an additional off leash area, in light of the level of support from the community it is proposed that the area covered by the current trial is made permanent.

Following a petition from local residents a meeting was held with local residents on site. A Notice of Motion was presented on 19 April 2016 and Council resolved to implement an additional trial off leash area at Petersham Park allowing dogs around the oval off leash between the hours of 6am and 9am, and 5pm and 8pm during day-light saving, and 4pm and 6pm during non-daylight saving time. The existing artwork on the signs will need to be replaced and an assessment of the need for additional signs / bin supply undertaken prior to commencement which is anticipated in the next few months pending adoption of the 2016/17 budget.

Sydenham Green

Sydenham Green - Evaluation

The evaluation process for Sydenham Green was identical to that used for Petersham Park. A total of 36 people provided feedback in response to the evaluation survey for Sydenham Green.

- 21 (%) were dog users and were supportive (95%) or somewhat supportive (5%) of the trial.
- 15 non dog users rated the support of the trial as follows:

7

- Opposed
- Somewhat opposed 2
- Supportive 6



• The most common theme raised by 4 respondents was the need for fencing due to proximity to roads.

All responses from dog and non-dog users at Sydenham Green are included at **Attachments 6 and 7**.

Feedback through 'dogs@marrickville.nsw.gov.au'

A total of 3 communications were received concerning Sydenham Green all from the same resident. They expressed concerns with the size and popularity of the existing fenced area and that the trial area was unfenced and adjacent to busy roads.

Feedback through Merit

No communications were received through Council's Customer Response Management system concerning the off leash trial area at Sydenham Green.

Sydenham Green – Outcomes

While there was a much lower level of feedback throughout the trial and response to the evaluation at Sydenham Green, the trial was highly supported by dog users with a level of support from non dog users. Based on evidence gathered during patrols by Rangers, the trial DOLA at Sydenham Green did not appear to be highly used. Nonetheless Rangers have referred to the relevance of the area for the purpose of re-educating off leash users of the nearby Tillman Park of the trial area at Sydenham Green in order to transfer off leash use at Tillman to Sydenham Green. Given the overall support from the community it is proposed that the current trial area is made permanent.

Internal Engagement

There has been regular internal engagement throughout the off leash trials project involving Corporate Communications and Strategy, Environmental Services, Investigation and Design and Monitoring Services.

Comments from Environmental Services

As custodians of the *Threatened Species Conservation Act (1995)*, Environmental Services recommend that Office of Environment and Heritage (National Parks and Wildlife) are consulted as part of the current trial evaluation and any potential expanded trial proposal/changes in relation to impacts to the Endangered Bandicoot population at parks within Council's Bandicoot Protection Area.

Council Officers collaborate and implement a strategic approach to DOLA in relation to Council's Priority Biodiversity Areas and Bandicoot Protection Area that will protect and enhance biodiversity as per Council's Biodiversity Strategy and Action Plans. See map attached for parks within the Bandicoot Protection area.

Johnson Park

The proposed trial DOLA at Johnson Park is not supported by Environmental Services given these changes could further potentially negatively impact the endangered bandicoot population through:

- an increased predation risk by dogs; and
- a decrease in foraging habitat.

Any negative impacts to the bandicoot population as a result of this proposal potentially contravene Council's responsibilities under the Threatened Species Conservation Act (1995).

Council's Biodiversity Officer has previously considered off leash areas in parks within the Bandicoot Protection Area and because of the relatively small space at Johnson Park within the context of biodiversity and Threatened Species protection / legislative responsibilities and the potential for conflict with many other uses in the park, concluded that it is not suitable as a potential DOLA.

Morton Park

Environmental Services supports a trial DOLA at nearby Morton Park. This park is not within the Bandicoot Protection Area and the space large enough to accommodate multiple users and a DOLA potentially with minimal conflict.

Yeo Park (Ashfield)

Environmental Services supports a trial DOLA at nearby Yeo Park. This park is not within the Bandicoot Protection Area and the space large enough to accommodate multiple users and a DOLA potentially with minimal conflict and worthy of further investigation.

PUBLIC CONSULTATION

Extensive community engagement has been undertaken as follows:

- Letterbox drop to residents adjacent to the three trials informing them of the trial;
- Council Column;
- Media releases;
- Council website;
- Development and installation of DOLA signage in relevant parks; and
- Installation of additional bins and bags (Dec '15).

Evaluation of the trial was through the following:

- An evaluation survey was undertaken throughout March into early April 2016;
- Letterbox drop to residents adjacent to the three trials informing them of the evaluation process;
- A designated email address <u>dogs@marrickville.nsw.gov.au</u> was set up for direct submissions from the community throughout the trial;
- Your Say Marrickville;
- Council Column; and
- Media release.

CONCLUSION

The trial off leash areas at Petersham Park and Sydenham Green have received overall support from the community and it is proposed that the current trial areas are made permanent. The trial at Laxton Reserve has highlighted a number of issues and it is not proposed that the use of this area for off leash dogs is continued. The Laxton trial has demonstrated the evident need for an off leash dog area in the locality. Without a designated off leash area, it is foreseeable that unauthorised off leash use will proliferate in all available open space in Dulwich Hill. To provide effective management of conflicting uses and potential impact on the endangered bandicoot population from unauthorised off leash dogs, it is proposed to implement trial off leash areas at Johnson Park (time restricted) and Morton Park.

ATTACHMENTS

- 1.<u>0</u> Monitoring Report on Trial Off Leash Areas September 2015 to March 2016
- 2.1 Laxton Reserve Dog Users Evaluation Responses
- **3.** Laxton Reserve Non-dog Users Evaluation Responses
- **4.** Petersham Park Dog Users Evaluation Responses
- 5.1 Petersham Park Non-dog Users Evaluation Responses
- 6.1 Sydenham Green Dog Users Evaluation Responses
- 7. <u>J</u> Sydenham Green Non-dog Users Evaluation Responses



Monitoring of Trial Off Leash Areas - Sep 15 to Mar 16

Laxton Reserve

Patrols

There were 234 Patrols recorded for trial period.

Official Warnings Issued – 3 Official Warnings issued

21/10/2015 – Laxton – Warning – Dog Not under effective control (e.g. off-leash). 21/10/2015 – Laxton – Warning – Dog Not under effective control (e.g. off-leash). 16/12/2015 - Laxton – Warning - Dog Attack - not related to user of off-leash park – dog escaped from nearby home.

Penalties Infringements Issued – 2 Fines issued

25/11/2015 – Laxton – Penalty – Dog in Playground.

16/12/2015 - Laxton – Penalty - Dog Attack – not related to user of off-leash park - child knocked over in playground.

Dog Attacks

2 Dog attacks were received / investigated.

Dog escaped from nearby house and entered children's playground, and was excited, bouncing of a child and causing the child to fall over. This resulted in the infringements and warnings issued above.

Second was two dogs attacking another two dogs early one morning. Owner of original dogs was not identified or seen again.

Relevant Merit Park Complaints

Numerous merits were diverted to feedback.

35 Complaints received noting that 27 of those were from one resident and 4 from another. Most were simply feedback comments as to Laxton's alleged unsuitability. The rest were a variety of complaints about non-compliance such as dog poo, off-leash in on-leash area, dogs in playground.

Petersham Park

Patrols

There were 96 Patrols recorded for trial period. Patrols at this park and others were reduced due to focus on Laxton Reserve.

Penalties and Warnings Issued – 1 Fine issued

11/10/2015 - Petersham - Penalty - Dog Not under effective control (e.g. off-leash).

Dog Attacks

Zero Dog attacks reported

Relevant Merit Park Complaints

Zero Park complaints received

Sydenham Green

Patrols

There were 34 Patrols recorded for trial period. Patrols at this park and others were reduced due to focus on Laxton Reserve.

Patrols at Sydenham did not reveal a significant level of use of the new area. However, his does not make the new area redundant. Due to reduced capacity to patrol all other areas due to the impact of Laxton, it has become evident that Tillman Park has become a regular haunt for off-leash

walkers. During more recent patrols at Tillman we have been educating customers of the new Sydenham Green DOLA's existence.

Penalties and Warnings Issued - 0 Nil

Dog Attacks

1 Dog attack reported / investigated – related to original fenced DOLA, not new trial DOLA.

Relevant Merit Park Complaints

Zero Park complaints received.

4	S INN	ER WEST COUNCIL	E	xtraordin	nary
	Where else do you exercise your dog/s?	Yeo Park. Leichhardt/Hawthorn Pd dog park	petrersham park, sydney park, bicentennial park Glebe, rozelle bay, bay walk, I love city of sydney dogs in parks policies.	Hawthorne Park, leichhardt and cooks river	Haberfield, have to drive, it's a pain
	How do you get to the park to exercise your dog/s?	I used to walk to laxton park. now I have to drive to the nearest off leash and I don't have time during the day in my lunch break	walk	Walk	Walk
ISERS	Do you have any suggestions for an alternative dog off leash area to Laxton Reserve?	Johnson Park	I like Laxton reserve. I think all parks should have off peak, off lead. There are very few kids or families using parks in the early mornings. More parks off lead means less intense use of the parks that are off lead. Specifically, Morton park should also be considered.	Johnson Park on the north east side of it was fenced. Nobody uses that corner of the park so would be perfect Walk only if Paxton was deemed unsuitable.	Johnson park maybe? There seems to be a corner dog owners use anyway and no one else really Uses it
LAXTON RESERVE DOG USERS	Halfway through the trial, a time restriction for dogs off leash was introduced due to an incident in the reserve. What (if anything) changed in the park after the time restriction was brought in?	B B C C B B C C C C C C C C C C C C C C	I use Laxton park in mornings however I now drive to hawthorn canal, bicentennial park or sydney park a few times a week to use in afternoons as Laxton is now not an option. Why should dog owners have to exercise after dark. Or I use petersham park. After 4 in winter or 5 in summer would be reasonable.	Usage of the park went back to virtually zero like before the trial. Dog usage was also lower due to inconvenient times. There was more owners using the park at the same time as the times were much less. Meaning a lot more chaotic during those of leash hours	Well we al go together now but it is painful, a fence would Johnson park maybe? There seems to be a corner dog avoid this problem
	You've answered yes. How would you rate the success or otherwise of the trial?	My experience of the trial was positive as far as the exercising and socialising for dogs however my concern from the start of the trial was that it wasn't fair because the children's playground was not adequately fenced off and the possibility of dogs accessing the area was high. This in turn set the trial up for failure, and this is what local dog owners are most upset about. The majority of the owners limiture, and this is what local dog owners are most upset about. The majority of the owners withmested during the trial period were very responsible in keeping a good eye on their dogs and cleaning up after them. The dog that ran through the playground had escaped from a neighbouring yard. The hours that were put in place after that includent are unrealistic. As a Williams Pd resident I cannot use this park anymore with my dog. Before 8am the grass is Sill wet from dew from the night before and I have a long hours is dark and there are no lights in the park and there are no lights in the park and the park. This helped eliminate consequently is not safe for me or the dog to visit the park. Unring the week through the week days. This helped eliminate with free running in my lunch break. Now there are no off leash areas local to me and the barking is becoming a problem again.	I think it's a great success. Having an off leash area it closer to home means I don't have to get in the car to hit take my dog to an excercise area. I have enjoyed the meeting local people. I think it's fair to share recreational dispace, especially in off peak times.	It has been a great success with the usage of the park the increasing dramatically with dog owners. That was until the the sunset restriction was brought in. Why council think so dog owner prefer to exercise in the dark is beyond me.	It was better when you could see your dog poop
	Do you usually visit Laxton Reserve to exercise a dog or dogs?	Š	s X	Yes	Yes



There are no more options around Dulwich Hill to take my dog for a run at the park. Since the restriction of bringing my dog to Laxton reserve I have to drive to Howthorn park in Habberfield. This is not a good contribution fis not a good contribution Sydney traffic. Sydney traffic. Marrickville council, I shouldn't have to drive Marrickville council, I shouldn't have to drive have access to an off leash area at any hour.	I walk the dog locally around the streets of Dulwich Hill -Windsor Road. 018 & New Canterbury Road. walking Linough Johnston Park, Arlington Oval. In my own backyard as well.	I walk to the park from my home in Dulwich Hill. I walk my dog around the I try to walk my dog for at Dulwich Hill/ Summer Hill/ least haif an hour before Petersham area I and on bringing him to Laxton weekends I will drive my Reserve so that he is not dog to Hawthorne dog a bundle of energy when park in Leichardt. I arrive.
Valking	I walk the dog on lead. My dog is unable to travel in the car due to car sickness.	I walk to the park from my home in Dulwich Hill. I walk my dog around t I try to walk my dog for at Dulwich Hill. Summer H least haif an hour before Petersham areal and d bringing him to Laxton Reserve so that he is not dog to Hawthome dog a bundle of energy when park in Leichardt. I arrive.
t changed everything. The new hours were not suitable for dogs that this even option. There won't be enough time to dry them before going to a moping that this evaluation committee considers the vork. The day light hours is impossible as you can't even see As a Dog owner 1 consider that this wan't a fait that. I where the dogs are. It's a risk for dogs or dog owners as a moping the final decision will consider what is best for Walking there are no lights in the park and owners can't be even as laresidents of the Marrickyne council, not just parents. There are no lights in the park and owners can't be even as a moping the final decision will consider what is best for Walking there are oblights on the reservementy, no kids playing and with other dogs in the reserve.	The park has now become off limits for me as an "off lead" area and we dont visit the park anymore as I am a final and dont walk my dog alone at night. This I think Laxton Reserve is the ideal choice as it does not decision has been any up of along alone at night. This I think Laxton Reserve is the ideal choice as it does not the closion has been any de disponitment. I used to visit uppear to be utilised. There are already many people the park for the benefits of allowing my 2 year old dog a using Johnson Park for many uses -baskeball, soccer, My dog is un chance to be off lead and socialise. The park again excercise, bdqs. parties, playground at all times of the travel in the cowners visiting the park who have dogs on lead with the time ard under utilised. Very much that the park will become off lead with the time testifiction removed or modified.	If the very back section of Johnson Park can be fenced off. I believe that would be an excellent area for dogs. It is a section of the park that is unused by the fitness groups and parents with children so it may as well get put to use. The main thing with having off least half an hour before Petersham area I and on sufficient fencing. It's very easy to say "control your dog" heast half mour before Petersham area I and on however dogs. like children like to break the rules freest half mind in the second put dog when park in Leichardt. The park users are at ease while activity the active at burk the rules of the park users are at ease with each dog dog that he is not dog to Hawthome dog other park users are at ease when the rules there is no possibility of interference unless they choose there is no possibility of interference unless they choose the enter the fenced area.
It changed everything. The new hours were not suitable for dogs. It's too wet in the morning to let dogs running as Johnson park is one option. there wort be enough time to dry them before going to larm hoping that this evaluation committee considers th vork. To day light hours is impossible as you can't even see As a Dog winer I consider that this waar't a fair that. It were a day light hours is impossible as you can't even see As a Dog winer I consider that this waar't a fair that. There are no lights in the park and womers as a mobing the final decision will consider what is best for where the dogs are. It's a risk for dogs or dog owners as a mobing the final decision will consider what is best for where the dogs are or who is around. Fencing the playforund properly. will allow parents and there are are no with a new ticks to enjoy, their time, while dogs can run and socials in place and it was looking empty. The restriction.	The park has now become off limits for me as an "off lead" area and we dont visit the park anymore as I am a female and dont walk my dog alone at right. This decision has been a huge dispointment. I used to visit the park for the benefits of allowing my 2 year old dog a chance to be off lead and socialise. The park again seems empty and unused. There are still responsible dog owners visiting the park will become off lead with the time restriction removed or modified.	I am completely against the time restrictions put in place as they do not suit many dog owners in the area. I am at work by 6:30am which rules out walking my dog there in the moning. I return from work around 4:30pm and it unrealistic for me to wait to walk my dog until 8pm in Summer. The line of using the park "after daylight hours" becomes very blurred during Winter, does that mean I can take my dog there at 4pm if the sun sets at 5pm? It's very confusing. I also do not feel comfortable walking my dog after dark. especially when there is insufficient lighting in Laxton Reserve. Due to these time restrictions. I have not seen any of the dog owners that I met when the trial first began. most of us are now unsure of when other owners might be there. If the time restrictions do continue. I think it would be fair to asy the park can be used by dog owners before 8am and after 4pm.
Completely unsuccessful as it wasn't a fair trial	I was initially thrilled for the trial. However. I rate the trial recently as very poor due to the restrictive hours placed on visiting the park off-laed. "After dark" makes visits to the park prohibitive for me and my dog. Is it at all possible to consider a discreet (watish high) cast iron fence in heritage green colour be placed around the childrens park & recreation area. It is extremely unfortunate that there was an incident with a child but I do believe that as public park space the reserve can be safely shared by all in the community. It is not privately owned property as pronhibitive decision. A successful "dog park" park will require adequate fencing. Is fencing was part of the trial, maybe the results would be very different.	I believe the trial has been great, it is fantastic to finally meet other dog owners in the area and allow my dog a safe place to exercise without fear of being fined. The most negative experience for me has been the behaviour and attitude from some of the residents who live in the apartments that back onto the reserve. How everbally abused me multiple times, simply because! I chose to take my dog to the park. They also unnecessarily take photos of me and my dog while we are at the park during the allocated times. This has caused me to suffer from severe anxiety and there are days I do not go to the park for fear of seeing them.
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Item 5

VINNER W	EST	COUNCIL		Extraordinary Council Meeting 5 July 2016
Around the streets. Johnson park. The bay run.	Occasionally at Cafe Bones in Petersham on weekends	Walks around the neighborhood, or I get on the light rail and go to Hawthorne (I don't own a car, so ti's a challenge getting to a dog park further away)	The only other off leash area we have used is in requires driving. Otherwise walking, with leash on, around the streets.	On leash, walking around Dulwich Hill. Our dog is a take her to other off-leash dog parks like Leichnardt because they are too big because they are too big because they are too big hill and busy and boy know the dogs. We now know the dogs at Dulwich Hill and so does our dog so they create their own social circle and there are no fights or altercations. It's very familiar and friendly.
Walk.	Walk from New Canterbury rd	Walk.	waik	We are walking distance from the park.
No where if it's going to be timed. It's gotta be 24/7 or nothing. (which is what well end up with Laxton park.) fence off entire area at data call. There are only about 5 houses that back on to this area. I am sure there would be no so called " incidents" them.	No	I truly believe that, with a few small changes, Laxton Reserve is the best spot in the area. Johnson Park is ork, but has even more children sol feel that would defeat the purpose of the move (unless fenced in, too?). Yeo Park is an infrequently mentioned alternative, probabity because of its distance and the need to cross a busy road to get there (and again, dog parks and busy road don't mix well unless there is fencing).	Its a good space that otherwise is not used for very much. There is a part of Johnson Park that could be used but this is a much busier park - children, sport, bikes, light rail stop and i think it would create more problems than Laxton.	I have been told by Council that Johnson Park is a sanctuary for the bandicoot so it is not an option. I think Laxton Reserve is the best place for an off-leash area because it is not widely used. If you monitor the park you will see that during the week it is mostly unused. The weekends sometimes mean people use the grass but there are usually no picnics or sporting activities.
athetic. One incident and the council were all ntroducing timed on/ off leash. So so stupid. It is 247 off area or 247 on leash area. It was a way could make money by fining naughty people, then money at the same time with more ranger Never seen so many Rangers all concerned i sisue. One ranger I spoke to (or he spoke to i soue. One ranger I spoke to (or he spoke to i soue. One ranger I spoke to (or he spoke to ritomed that it was legislation re dogs on leads nere, any time, thru out NSW. BUT the signage ned area never mentioned a legislation. It was 4 letter headed page with bla bla on it.	Being able to walk our dogs during the daytime has no longer been available. Due to a very minor incident blown No out of proportion to said resident.	I understand the potential safety issues it causes, and understand the decision. I think the change created a few unintended results howver. Residents were annoyed that dogs were out later in the evening, and it's become hard to spot dogs doing poos (some of us bring torches to try to find them!) families with children and dogs can no longer bring their children to exercise at the playground and dogs to exercise in the park at the same playground and dogs to exercise in the park at the same have been brought up.	I have been there when residents of the apartments have been there trying to catch people out with their dogs being in the area either outside the time restriction and for with examples as mentioned above. These residents for with examples as mentioned above. These residents for a without permission of people's children and dogs and generally create alot of III will between people. If the area was properly enclosed most of these issues would be resolved. I have a timid dog and we have not experienced any aggressive dog behaviour here.	Prior to the restriction I met more elderly dog owners around 9. 30am/10am in the park. There were never any children in the play area at this time and it was a nice, quiet time in the olog park for restriced people and people (ike myself who work from home and can delibertalely choose a quieter time to walk and exercise the dog. I also found the evening restrictions too severe. After dark meant the dogs couldn't see each other and were more nervous of other dogs coming into the park. I was also more nervous seeing a larger shadow approaching and not being able to learnith the dog or owner. Dogs need adylight to play and socialise. It also meant Loudin't throw the ball for my dog because she couldn't see it and if she walked too far away I couldn't see the and gone to the toilet - this happened to many womers and led one to the toilet - this happened to many womers and bur Dogs and owners do need daylight hours. If there are to be restrictions they need to provide at least an ubur of time before sunset. This would have to be much earlier in winter too.
It was pathetic. One twas pathetic. One over it introducing the vas pathetic. One over it introducing the a 247 off are over the it was great until the "on lead " time started. Fence in the wasting money at twole bloody area, so that all dogs can run free as per anjpartois. Never seer off leash area should be, not with restrictions such. The mentioned that every where, any time the timed area in the timed area only a A4 letter head only a A4 letter head area.	Very well, unfortunate situation with one loud mouth resident trying to ruin it for everbody (quite a few residents tow, wal) their own dogs on the reserve and are out of proportion to quite plased with how everything is going	I live in one of the units that back on to the reserve. Since I moved here 3 years ago, the park was rarely used and even the playground only had infrequent visitors, usually just children's birthday parlies on the weekend. When I first heard about the trial. I was nervous of the noise it would create but I have been pleasantly surprised that the noise is minimal (much less than the soccer field, or even the birds). Since becoming a trial dog park, there are so many more people in the park and enjoying the space. I have met many neighbors who I now consider my friends. It's been great for the people, not just the dogs!	I think an off leash area is long overdue in this area. I think the trial area has been successful although the area is not properly enclosed which I think desn't give it a fair chance. Dogs will run around a fence if they see a cat for example, they can then enter the playground and interact with children.	I consider the trial a huge success. I have met many neighbours while exercising my dog and have enjoyed warching my son interact with ther children and the neighbourhood dogs. My son has also been able to earn pocket money by waking and looking after neighbour's dogs. There is no better way to wind down at the end of the day by waking and looking the neighbourhood and finishing up by meeting the neighbours in the park. It's been a really great experience. I have not with have been there. If a skirmish has happened the owners have intervened and one or the other goas home with their dog. The owners that use the park regularly use it responsibly. I did withess one owner fetting her dog off leash in the play area but the other owners in the park and myself avised her of the rules and she brought the dog to the grassed area. I think a same with brand sind dog to the grassed area. I think a same of the rules.
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<pre>Kes</pre>	Brilliant initiative. They are a great community initiative. Great to get to know your neighbours tool	Certainly more focussed and busier during those times. Would much prefer 24/7 as this would allow shift workers etc to use outside of more 'traditional' visiting windows. Knowing you can take a dog there at anytime is brilliant and part of the success of all other unrestricted dog parts.	No i think it feeds a very large area and is quite centralised.	Sometimes walk or drive if in a hurry.	Walking on footpaths.
Kes Kes	Moderately successful - although the time exclusion of dogs does limit its usefulness and success	as above the use of the facility for dogs is limited.	You could change the off leash dog area and fence to the Williams Parade end of the park (le about current 1/2 size) - and therefore provide more a buffer to the childrens play area. But it would be good to provide other off leash dog areas in adjoining parks and suburbs to ensure that they don't get overused.	walk	Otther parks in the area Including Yeo Park, the rocket ship park, Callan Park etc
° >	Quite disappointed that the off-lead area is restricted to after dark. Prior to that I had nn engative experiences with the park. Other owners were personable and I made quite a few friends. I was responsible and I made quite a few friends. I was extremely excited to have an off-lead area within walking distance and very much enjoy my experiences there until the restrictions were put in place.	I have had to adapt to the circumstances by getting my dog an LED collar and light-up ball as he is near impossible to see in the dark. As a woman. I also find the park extremely unsetting at night as it is porviy if. I have been assembling a series of videos and photos of my experiences after dark to submit to the council to demonstrate how inadequate the lighting situation is. There is not just the risk of assault or losing one's dog, that back onto the preserve. Arilington Oval does a poor job of lending light to the area and even then, those plots are turned off around 9.30pm making the area even less aste. Propose the installation of a flood light or lamp at each end of the dog evencise area. This is important to me not just as a dog evencise area and etherwards as I believe this is a dog evencise area and etherwards as I believe this is a stery is succerleadedless of whether dog owners are using the area at a dight or not.	Yes, most definitely! I am a part of a group of owners campaigning for an off-lead zone in Morton Park. We have written many letters outlining various ways an off- lead area could be incorporated into Morton Park and have been consistently reburfied. If Laxton Reserve is closed it will only fuel more requirement for an off-lead area at Morton Park. Subskins Park is also a great alternative. The large triangle area away from the playground is ideal. Here is a link to the petition regarding an off-lead area at Morton Park. Here is a link to the petition regarding an off-lead area at https://www.change.org/p/marrickville-council-jo-cir-jo- haylen-dog-off-leash-area-in-the-morton-park-petersham	I walk as it is the only off- lead area within walking distance of my house that I deem safe for my dog. Marrickville Park is on the junction of two or the junction of two rery busy roads and is a risk for his safety during peak-hour.	I lused to exercise mry dog at Morton Park until council started fining the lovely community over there and retusing to take note of our requests for an off-lead rezoning on the far, non-bbq side of the park. Sometimes we go to Marrickville Park but tit is a danger at peak- nour due to the junction of two main roads. As i do not drive, I will or two main roads. As i do not drive, I will pares like Sydney Park in Asthbury as Dulwich Hill's selection of do frad areas is quite pitful. It's disappointing as my dog needs decent whenever someone can whenever someone can whenever someone can whenever someone can give ma a lift. A shame Marrickville council cannot provide this for tis lovely dog owning community.
Yes	A great dog park was the result. The community is now closer and new friendships and bonds have developed between neighbours. The free space has been positive for dogs and excercise.	One incident should not punish responsible dog owners. There has been a noticeable decrease in dogs and people. Remove this ridiculous time restriction or increase the time available.		Walk from home. It's healthier for me, the fog and the environment.	Nowhere



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 We just walk them around the strest (on- leash of course) as there are no other off-leash parks that are convenient. 	Hawthorn reserve in Leichhardt it's disappointing I have to drive to a park without restriction on time.	Hawthorne canal, south Sydney park
We walk them as we live just strund the corner. It We just walk them list extremely convenient around the streets for us, and is also convenient for the large number of dog owners in parks that are number of dog owners in parks that are the neighbouring houses convenient.	I walk there from my home. I am a rate payer in the community	Walk
A part of Johnson Reserve on Constitution Rd could be investigated. There is good and increasing demand for an of l-aesh park in the immediate area so it is vital that an of leash park is established in the area, that can be used most hours of the day. A fully fenced park would ensure that anyone who didn't want to come in contact with the dogs would not have to.	Possibly the top flat area of Johnson park, however this would require fencing due to the proximity to a busy road.	How about the far end of Johnston park, the triangle right down in the back corner? Otherwise just put a proper fence around laxton park to keep the kids area safe and the residents happy. For a long time they've had laxton park as their own private back yard. It is a beautiful park and would be nice to have as a 24 hour off leash area. Could you just not fence off around the trees leaving a walkway on either side?
The time restriction meant that we rarely used the park any more, as much out of consideration for neighbours who might not ward large numbers of dogs and people congregating that early or late. The time was also not as convenient for us. With respect to the incident, while the alleged unpleasant interaction of an off-leash dog with someone else in the park was clearly undesitable, there are engineering controls such as a better force that would ensure it could never happen again. There are ways to prevent unwanted interactions.	If find it disappointing that due to one 'claimed' incident, this restriction was imposed. There are many playgrounds in this vicinity the people can utilise with heric children as an alternative if they are uncomfortable with dogs. Sadiy dog owners do not have this luxury and we are happy to conabit the park with children. I own two small dogs and lother find that children here hay area and chase my dogs. Perhaps we should restrict the children's times allowed in the park. I believe that a Large fenced perimeter that encompased the children's play area would be a great way to avoid future incidents and this is something I believe is considered a good guideline for children play areas for safety. Thave also noticed that a particular resident suddenly started having picnics and deck chairs in the dog evercise area during the unrestricted timerame period of the tarl. This involved leaving platers of food on the ground, surely proviking dog issues when there are tables and eating area and also lawn space outside the dogs area. This also never occurred before the trial period, even though many dog owners did exercise their dogs there. It is disappointing that because some of these residents were allowed direct access to the park from their property they seem to think it is their exclusive dogs there. It is disappointing that because some of these residents were allowed direct access to the park from their property they seem to think it is their exclusive dogs there. It is disappointing that because some of these residents were allowed direct access to the park from their property they seem to think it is their exclusive dogs there. It is disappointing that because some of these residents were allowed direct access to the park from their property they seem to think it is their exclusive dowlight at each end of the day.	I no longer went there for a play I would just walk my dog through.
The trial was a good start. It is widely recognised that owning dogs is extremely positive for mental health and being able to extractive them there is great not just for socialisation of the dogs, but also to enable pet owners to socialisa. Despite the lack of any bins or dog waste stations at the start. I was impressed that most owners were extremely responsible and picked up their dogs waste. We greatly enjoyed meeting other dog owners immet other people with whom we had something in common. And our dogs were able to exercise freely, while we chatted and kept an eye on them. A diverse range of people used the off-leash park and we never witnessed any unwarted or adverse incidents. With the increased urban density in the immediate Duwich Hill area it is vital that an off-leash park and we never witnessed any unwarted or adverse incidents. With the increased urban density in the immediate Duwich Hill area it is vital that an off-leash park and we never witnessed any unwarted or adverse incidents. With the increased urban off-leash area is provided to ensure that dogs are weil-socialised. Unfortunately the otherwise enjoyable experience was somewhat reduced when some of the residents in the Williams Pde complex chose to harangue us and photographed us (without our permission) - even when our dogs were on-leash and we were leaving the areal	I think the trial has been excellent initiative, however now that the time restrictions are in place it has almost distroyed the benefits of the dog park. Many people that have dogs bring their children too but now that you must be there in the dark (after chalyight, as vague as that is) it destroys their experience. Or a positive note, I have not seen a single incident with the dogs in the park and I am there as angle incident with the dogs in the park and I am there community endoted a sense of commulty evolving and have found that I have acquainted with many other community members while walking my dogs. There is overwheiming evidence of the positive impacts of animals in the community and I think this is an excellent example of supporting this.	It's been tricky because the area can not be fenced off properly from the playground and the resident back gates. A few residents were quite aggressive at times which made me feel uneasy.
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Extraordinary Council Meeting
5 July 2016

Petersham Park. Henson Park (occasionally), Cadigal Reserve, the Hawthome Canal Reserve, and on-leash walking in the streets.	Walking in the streets. We have tried the dog Canterbury Council by the Cooks river and our dog was chased on a separate occasions by larger dogs. We prefer a semi-secure area as this is safer for our children and our dog when scared runs off (he another dog at a park). Other areas tend to be by busy roads with no busy roads with no busy roads with no currently we are back to going to Leichhardt by the canal.	Walk the dog on leash round the neighbourhood & other leash free parks outside of Marrickville Council with no time restrictions.
Walk	Walk or drive depending on the time frame.	Walk
ĝ	Johnson Park but generally this is a busier park with more users doing different activities, Laxton reserve is great.	The area at the back of Johnston Park
generally used the park before work hours, so I did not notice a significant change. I thought it was a little unfortunate that I could not use the park after work hours, but understand the need for compromise. Council's correspondence noted that the concept of fencing was considered in an urban design review, and rued out on the basis that it would fragment the open parce. I feel that the time-pressure to respond to an incident may have meant that this option was not given sufficient consideration, and veuel recommend that Council revisit the possibility of fencing.	After the time restriction was bought in we haven't used the park as the restrictions now makes the off lease area unaccessible for use a family. I wouldn't consider staying at any park after dark in the evening in the local area, its not safe. Before 8am is also not practical as I am getting 3 children ready for school or weekend sport. Please on ont penalise all dog owners by having such restrictive hours. Parks are meant to be shared.	The park is once again empty where previously people & dogs could be seen us using the area. Sony that the incident has occurred but really three still is not secure anough fencing between the playground & grass area. Was this the genuine reason why the restrictions were brought in or is council pandering the restrictions who yards back onto the reserve & use the park as an extinsion of their yards & feel that us dog people are invading his space. Dogs use of the park should be restricted so he can do as he pleases.
Very good. The park is well used by dog owners and has i allowed me to meet people in my community that I allowed me to meet people in my community that I otherwise would not have met. Whilist I appreciate the concern of property owners adjoining the public open space. I believe that this is more an issue of urban design than dog management. Having a private property with direct access to a public park may give the impression of it from managing the space to its best use. I would suggest that, being a largely enclosed space, this park is better suited to off-leash dogs than most others in the LGA.	We loved taking our dog and three children to the reserve and used it regularly in November. December and January when we became aware of the trial. There are very few places locally where you can have activities for children and our dog (previously we have gone to Leichhardh). The location is quiet and convenient. It was also lovely to be able to chat to other owners of dogs using the park. There is no other area that is within walking distance from our house that I am aware of. Before the time vith other users. Before the time restrictions it was a great success!	I was disappointed when the time restrictions where brought in the to be a fly on the wall to see it coming. You did not have to be a fly on the wall to see it coming. Insufficent fencing to block of grass area from the childrens playground the blink the better choice over the area down the back of Johnston park?
se	ŝ	Yes



	Extremely Successful. I am a local resident. The space was largely unused prior to the trial.				
s	central community hub for dog owners. residents against it have put up all sorts of allst and disingenuous reasons, like the safety etc. The council rangers who observed the thith their own eyes how family oriented, safe and the park has become as a result of the trial. us reality is that those against it just want to what is clearly a public space for their own toyment. I can understand where they are eation area, then this type of thing should be and factored into your decision to live there. I their complaints don't prevail. We cannot be preferences of a few above the needs of the y.	I used the park to walk my dog AND allow my children i some play time in the playground! After daylight hours was too late to take my children out. Also, its too dark too see dog poo and for my dog to see the the ball that i use to exercise her.	Laxton is ideal. If not, the back area of Johnson Park is ok too (I highly up out its a bandicoot habitatthe light rall would have scared them off, and even before high. I had not seen one bandicoot in all my 10 years in the area)	Xaik V	All other dog parks are too far to walk. Therefore have to get in the car and drive to Hawthorne canal park to give our dog exercise.
s e >	The trial has been both successful and a failure. It was successful in showing just how much demand there is for an off leash area as usage of the grassed area swelled once the trial began. I have easily met over 20 local dog owners and their dogs while visiting the park. It was a failure in its poor implementation with the "hair fence separating the childrens playgound. This allowed the very small percentage of uncontrolled dogs to enter the park and antagonise the (very small number of) users of the playground.	Usage of the park by dog owners dropped by well over 70% owner the restrictions where introduced. Of an afternoon/evening before the time restrictions there would always be well over 10 owners and their dogs utilising the park. After the time restrictions were introduced there are lucky to be 2 or 3 owners using the park of an evening. Before the time restrictions I would meet a group of 5 owners every day at 10am. These 5 owners now do not use the park at all due to the time restrictions. I think most frustratingly of all is that usage by non dog owners has not changed at all from the time before the trial began to when the trial was introduced and to then after the time restrictions were put in place. It is now and as I look out my window both the childrens playgound and grassed area is completely empty. The time restriction of 'after dark' may as well be 'no use from 3am owners' as you cannot use the park after dark as there is no lighting in the park making it dangerous for both owners and dogs alike.	Laxton is the perfect place for an off leash area. The grassed area has to be one of the most underutilised parks in the area. The grassed area is ALWAYS empty during the day. I know this because I live in one of the flats which backs directly onto the reserve and I have a full view of it from my window. The simple solution would be to install a proper fence to keep any misbehaving dogs separated from the playround. I completely agree that dogs when off leash, but sometimes even the most well behaved dog will have a most the isoverse to character and do sometime to the sometimes even the most well behaved dog will have a moment when it will wander of and momentarily ignore tits owners recalls. Just like children who will from time to the playround agree the uess of the playround and agree the uses of the playround and agree the uses of the playround and lagree the uses of the playround and used as an off leash and used area to be that we do not need the entire grassed area to be that we or isliced in Sydney that the playround and used as an off leash area. Every other dog park in the visited in Sydney area by other dog park in the visited in Sydney and seating areas and for obvious reasons.	As I live directly behind the park I walk.	As I do not own a car As I do not own a car can legally exercise my dog off leash within walking distance. I cannot use Laxton reserve of a morning as I do not get home from work until 7.50m. I cannot use the park' after dark' as it really is not dark' as it really is not carnot use Laxton reserve or Johnson park filegally' if I want to properly exercise my dog off leash.
۲es	Very successful- its brought the community together and dont belive the incident is something that will happen dogs are better for it.	I dont belive the incident is something that will happen again		I walk to thr the park with my dog-1 ind that I get approached by kids all the time hoping to pet my dog-1 find ths is educational and both socially benfit.	

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Walking on leash around Dulwich Hill. This is less preferable as dogs are much less social on the leash.	Walk elswhere, or take to dog park leichhardt	Walk the streets and through other parks (on leash)	around the streets of dulwich hill	Hawthorne Canal and Syndey Park. But these are some distance away, we need to drive and does not provide our children and dog with dally exercise.	Tempe dog park & Sydney park but I need to drive to those parks. Having a local dog park is important to improve health, minimise time in traffic and so improve traffic congestion.
Valk	Walk.	Walk	walk	Walk	Walk
No. I think Laxton Park is a fantastic location.	hard to cer	Not really. This is in easy walking distance from my home.	I think it is great as it is	Noi It's brilliant. Massive grassy area that is rarely used. Away from Johnson Park. It really brought families and dog owners together in a very community-like manner.	
We definitely noticed less people using the park. For us, It made it much more difficult to schedule around our working hours.	Reasonable to have restricted time so long as it is reasonable for all users. Ie after dark is urneasonable for Johnston park also has a playground, it would be dog owners too. Its poorly itt, safety issues etc. There is a fence off an area that would be suitable for dogs. vocal group of residents opposing; i would have thought Numerous other users too including boot camps the lights, noise and sweating from the soccer field was playground, basketball , light rail commuters, socc much more disruptive to residents. Most people will take dogs there after or before work.	See comments above. Other than making it impossible to take dogs off leash to the park in the evening these restrictions encouraged those campaigning against the presence of dogs to take their aggression even further. I have walked my dog on defining according in the park, drinking alcoho (it looked like agains) in the dirking alcoho of mote owner the they wish the park to be written ener. Most unpleasant. If they wish the park to be their private property they should make an offer to council to buy it.	Nothing	As above, the time change made it very difficult for families. There is no reason why dogs can't be compatible with families in the park.	Unsure
Allowing dogs to be off leash in Laxton Park has been such a positive experience for me and my family. We've met so many neighbours and we feel like we're now part of a community. The social aspect has been wonderful. I think it has also created a much safre nowinoment for pets and people enjoying local parks. Having a dedicated it made it much more difficult to schedule around our worrying about child safety and disturbing other people's social activities. I think that having an enclosed area would be a great dea & make the park safer for children and dogs.	A success. The amended times were confusing le after dark- not easy for the dog to see the ball. Lots of people using. Need to ensure adults dont take dog into playground area with their kids which then knocks over another kid, which is what happened. The addition of poo bags was useful by council, and better fencing could alleviate safety concerns. Lots of good socialising, and i didnt witness anything adverse. Minimal noise generated by users	Initially this was wonderful for my dog as she has been able so socialize with other dogs, and there is now a real sense of community among dogs and their owners. The sense of community among dogs and their owners. The recent restrictions to before 8 and after dark are absurd. There is no lighting in the park and it is hazardous for potential falls etc (also it is impossible to collect dog mess in the dark). There is also no warer in the dog access area. The biggest problem however (and 1 am saying this from the perspective of a grandmother of a two year old) is the lack of security. The barbecue/shelter/play area has a visual barrier, but not a real one. Union estod tis deceptively quiet and it would be all too easy during a family gathering for a child to wander on the road or be hit by a cyclist. So for the sake of children and not just dogs, this area needs to be fenced off.	I think the concept is great. Most dogs are well behaved and people tend to be courteous in picking up waste. I think that this should be a shared space with dogs	It was great until the hours were limited. We have school aged children and we enjoy going to walk our dog at Laxton Reserve after dinner. The time change made it really difficult.	Mediocre effort to make it dog friendly. To be successful the area needs to be fully fenced for the safety of dogs and other park users.
sə	se	Se	Yes	Хех	≺es

SINNER WEST COUNCIL

Item 5

-	S INNE	SINNER WEST COUNCIL								
	uthorne Pde off lead	ig the cooks river, but only do this asionally as near the er is difficult to nage with a dog and dier.	nson Park, Yeo Park	he footpath around house	o go to the haberfield park but I have to e there which isn't as venient. If want to i my dog to a dog con the weekend mg the clay though I t go to the local one ause of the off leash					

Extraordinary Council Meeting 5 July 2016

sex	For the last 6 weeks I have visited the park at least 4 times every week. In my experience there has been no problems and the dogs have all been well behaved and the owners considerate of other people and dogs. It has been wonderful to be able to walk my dog to an area where she can run and chase a ball.	I realised only today that there was a time restriction when I was told by 2 council employees. The sign in nearby Johnson Park doe not reference the new manges. Having been told of the issue I would suggest at more permanent and longer fence between the off lead area and playground sodgs iddint inadvertently verture into an area where they shouldn't		We walk to the park	Hawthorne Pde off lead park
Хаs	It has been brilliant. As a dog owner with a child it means both can get a run around. I've been able to take my dog for a run first, the him up and then take my son for a play on the play equipment. Having moved to the area 2 years ago. I really noticed the lack of off lead dog areas, so was incredibly grateful when this one cam about.	It has been brilliant. As a dog owner with a child it means both can get a run around. I've been able to take my dog This made it much more difficult for me to access. I need for a run first, the him up and then take my son for a play to be able to come to the park at a time that is child on the play equipment. Having moved to the area 2 years friendly. this significantly reduced my access to what was good. Laxton is ideal. ago. I really noticed the lack of off lead dog areas, so was incredibly grateful when this one cam about.	manageable, but not nearly as	Predominately walk, occasionally by car.	Along the cooks river, but can only do this occasionally as near the water is difficult to manage with a dog and toddler.
se	Completely unsuccessful. Even more so after the change to time limited off-leash after dark. This makes it totally indiculous given that the bandicoots who are supposedly being protected are nocturnal creatures. I have long advocated that the back corner of Johnson Park is a much better choice for an off leash area and the results of this trial vindicate my position completely.	See previous answer	The back corner of Johnson Park is far more suitable being far away from children's playground, picnic area, gym equipment. Light Rall station, houses etc. The opjections as I understand if are from the spokespeople for bandicoots (see previous answer in nocturnal habits), and the Yellow Bus using an area nearby once in a while and having to pick up an occasional dog poor. This last problem would not get any worse and would problebly improve if it was made an off-leash area and provided with appropriate bags and bins.	Walk	Johnson Park, Yeo Park
Yes	great place for dogs to inter-react with each other in a more relaxed and natural environment.	As responsible dog owner, I will always respect and aware of other human and animals within close proximity No. Laxton park is a perfect location for me. of my dog and always have the control of my dog		walk	on the footpath around my house
ке	Completely successful other than having to wait until the able to fearly successful other than having to wait until it is socialise my dog and I think it is in councils best interests to have dogs that are not aggressive towards other dogs and people, dog parks are the best way to prevent aggressive dogs.	It made it harder to have to walk at night on my own as a female it made me feel more unsafe. I want to be able to socialise my dog and I think it is in councils best interests to have dogs that are not aggressive towards other dogs and people, dog parks are the best way to prevent aggressive dogs.		Walk	I also go to the haberfield dog park but I have to drive there which isn't as convenient. If I want to take my dog to a dog park on the weekend park on the weekend can't go to the local one because of the off leash time restrictions.
Yes	I enjoy walking my dogs off lead at Laxton Reserve and would rate it a successful trial. Ive never experienced any conflict between dogs and have found it to be an overall enjoyable and social activity for owners and dogs alike.	I actually wasn't aware of a time restriction change as I would ordinarily access the park in the evenings anyway.	Potentially park of Johnson park	We walk to the park	l often drive to Hawthorne canal, Blackwattle Bay or Sydney Park
sey	I visited the park with great delight when I heard there was a new off leash area close by. It is a great space for dogs, as it is a mainly unused piece of land which allows dogs to explore and run. I met many new people and it allowed my dog to socialise when we first adopted him as restrictions. It makes me feel like private restrictions on the park.		Not an alternative per se, but perhaps a low fence around the park would help with the separation of the play I when it was raining ground. I would be happy to pitch in with some money if when it was raining, there was a fundraiser for such a thing.	l walk. I have driven once when it was raining.	Summer Hill dog park (which is dodgy enough twhich is dodgy enough even with the added security of my dog) and petersham Park. We have occasionally been to Henson Park, atthough that has to be a special trip as that requires a drive.

Yes	The original trial was great! It was a great place to take your dog any time throughout the day and in the time I went there- usually twice a day there were no obvious issues.	Reduced numbers of people utilising the space, reduced I think it is important to have one park in the area that is sociability of dog owners and impossible to walk a dog off dog off leash. There are so many parks in the area with leash after dark due to ensure your ability to clean up children's play areas that I think it's only fair to have one after them in poor lighting		Walk	Leichhardt, marrickville and encore which all have24 hour off leash dog areas- I believe it's only fair to have the same opportunity in our area.
ŝ	It was amazing!!! Perfect location, quite spot with no other activities ever happening in that area of the park. Every dog owner is super conciensious about collecting dog waste, made even easier with the recent additiol of the bags provided by council.	TERRIBLEIIII Not being able to walk the dog in daylight bruns is ridiculous and resulted in us NOT taking the dog to Laxton Reserve and instead, walking the dog on the leash around the streets. When we DID go after daylight hours, the park was VERY dark, with no lighting in the dog area at all, so this seemed very dangerous. When we did go and other dog owners were there (in the dark) the was able to dark to chat to random strangers as we friends as its too dark to chat to random strangers as we find when the dog park was first introduced. When more dinto Dulwich Hill in Nov 2016 which coincided (when the dog park was first introduced. When the dog park trial began which we were estaic with, and made LOTS of local dog-owner friends which was great the local community is and how we knew so many great the local community is and how we knew so man great the local community is and how we knew so man great the local community is and how we knew so man great the local community is and how we knew so man great the local community is and how we knew so man great the local community is and how we knew so man great the local community is and how we knew so man great the local community is and how we knew so man great the local community is and how we knew so man great the local community is and how we knew so man great the local community is and how we knew so man great the local community is and how we knew so man great the local community is and how we knew so man great the local community is and how we knew so man great the local community is and how we knew so man great the local community is and how we knew so man great the local community is and how we knew so man great the local community is and how we knew so man great the local community is an great the local community secon the local community secon great the local community is and how we knew so man great the local community is an great the local community is an gre	Anywherell Possibly fence off an area at Johnston Park? Or even a fenced off area at Laxton Reserve (considering NO ONE ever uses that areal!!)	Vvalk (we live on the same st as Laxton Reseve)	Walk streets on the lead + Johnson Park
≺es	I was so happy when Laxton reserve was made off leash. It was fantastic while it lasted but the trial was interrupted by reducing the hours. With proper fancing it could be a wonderful off leash area permanently. Restricting hours is inpractical. Especially over sumner when daylight is so long.	I ceased going there to regularly exercise my dog. Instead of a vibrant park with dogs and dog owners it was empty. Thus in my opinion us not good utilisation of the reserve.		Walk	Henson park. Marrickville park (atthough both these require driving to get there since I have an older dog and they are sightly too far away). And by walking the streets of Dulwich Hill on leash.
Yes	The trial was going brilliantly until the council unwisely limited the hours of that dogs were allowed off leash. Prior to that stupid decision, the park seved a brilliant purpose for me to throw a ball for my dog. I nor my dog wer bothered anyone, we never rose to the baifing and antagonising of the people whose houses back on to the reserve and semiloy hate dogs and their owners, and always picked up any mass left by my dog. I would strongly urge you to make a portion of Laxton Reserve permanently off-leash.	A lot changed. Dog owners stopped walking their dogs at the reserve and the park was empty 90% of the time. You even had the ridiculous situation where during school hours no one was actually using the park, because children were unsurprisingly at school and dog owners could not walk their dogs off the leash. I also had to get up at the ungodly hour of 6am to walk my dog and give it a chance to chase its beloved ball because the time restrictions were so draconian.	No. Laxton Reserve is the perfect spot to walk my dog off Walk from my home. leash.	Walk from my home.	I walk by dog around the streets of Duwich Hill because every other park the vicinity of my home requires dogs to be on a leash. If have some spare time on a weekend I drive my dog to Federal Park in Glebe.
Yes	I think it's a great initiative. I walked my sister/brother in laws dog there many times during the trial. It has a large catchment, particularly from the neighbouring units and from people walking from down near the golf course.	I definite reduction in dogs. I think having a dog park operate 24/7 or certainly a fenced area division would be ideal. I would say 99% of all dog owners there have control over their dog and feel confident enough to let their dogs off the leash. It's very rare to see any antisocial (humans or other dogs) dogs at any dog park.	Could allocation some area of Johnson Park.	Walk sometimes drive. After speaking to many owners there, some drove there. Particularly if their dogs were old or if they lived in units.	Walking on paths.



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Attachment 2



se	I think that having an off-leash area at Laxton Park (or atternatively in Johnson Park) is vitial to the well-being of dogs. The area, however, needs to be properly secure with a fence that completely encloses the leash-free with a fence that completely encloses the leash-free area. Providing partial fencing was providing partial fencing provided by the council park users. As well, providing plastic bags where owners was not adequate in securing dogs, their owners or practicable. These details would have been partial fencing is not fair to the dogs, their owners or practicable. These details would have been with other off-leash areas provided by the council in surrounding suburbs. Having a trial period with out the correct facilities was not an appropriate way to deal with this matter.		Perhaps an area in Johnson Park. However, where ever the off leash area is located it is vital for it to be properly secure with a fence that encloses the area.	We walk there.	I keep them on a leash and walk the surrounding streets. An off-leash park is the only fair altermative for my dog as I live in a perfinedly apartment. With council approving so many apartments, the availability of an area where dogs can exercise in a safe environment is a vital commitment to the well-being of dogs and their owners.
se >	<u> </u>	I believe the incident was with a dog owned by a resident of the properties backing onto the reserve, not a dog visiting the park with it's owner. The ime restrictions are gonds/fittness area. This has plenty of space, a dog unreasonable & also unsafe. Expecting dog owners to walk their dogs before 5:00 am weekends is somewhat walk their dogs before 5:00 am weekends is somewhat in occasionally. Additionally, expecting wound a most arryone to walk around a park with limited lighting at night with 2 magnetic gates (as used in other dog parks) would in the dark is ludicrous. The "after daying tho the area. Comfusing as it is subject to individual interpretation.	Johnson Park at the opposite end to to play & sports/fitness area. This has plenty of space, a dog friendly water fountain and little or no houses with direct rear access to the park. Construction of a fence from the cricket nets to the face & continuing the face from the and of the basketball court down to the light rall fence line with 2 magnetic gates (as used in other dog parks) would isolate the area.	- waik	Leichhardt dog park & Glebe foreshore, both of which I have to drive to since the implementation of a ban on dogs on the light rail.
es X	Well if the dogs could talk they would most certainly say YAY - we love it. However, it has been difficult for the dog owners because of a handful of nasty and selfish neighbours. Basically you can't do anything right. I would business I would use the water to wash away any remnants of waste. I would keep her away from the fence line and obviously away from the playground and pustiness. Council made it very rifticult for the dog owners pathway. Council made it very rifticult for the dog owners pathway. Council made it very rifticult for the dog owners and incapable of keeping up with the pace of a dog. Over the last few weeks I have visited Laxton at various times and on cilferent days with the intent to photograph the park is ubmitted as part of my response. What this collage tells us is if the dogs aren't using Laxton, no one is using it. I theid to visit the park at times where it hough the park. I will email this collage to council and I would like it submitted as part of my response. What this collage tells us is if the dogs aren't using Laxton, no one is using it. I theid to visit the park at times where it hough the poster with people chatting and a dog. User the least to not the east at times where it hough people with people chatting and dogs running around playing catch and sniffing everything. I have lived in this area for over 13 years and Laxton Reserve has always been undertilised. We lived in the Williams Parade complex for 6 months whilst our house	I don't have an issue with the time restriction but I do think it should be more like before 9am and after 5pm as a I was a very uncomfortable walking home in the dark.	I think the area at the back of Johnson park would be ok but there's adjoining neighbours in that area too. I'm no expert on native species protection but I doubt the duot are the problem. The cats proviling at night would provide a more dangerous environment for the wildlife than the dogs who are happily snoozing away on their comfy beds at night.	I walk - Laxton Reserve is a 5 minute walk from our house.	We travel by car to Hawthorn Canal and Bicentennial Park Glebe. My dog lows these parks too but a few times a week is not enough, dogs need walking purce a day need walking purce a day cocally. Dogs that live in densely populated residential areas MUST be socialised with other dogs and humans. Orf leash dog parks are the best way to do this.



We drive to the Peace Park at Ashbury or Hawthorn Canal	During the week I walk around the local area. walk to the park as I live On weekends I take the dogs to Callan Park, Annandale around the foreshore.	No where - this is the only place I can excercise my dogs in this area	During the week I will visit the majority of parks in the area including Johnson Park. Hoskins Park. Morton Park and Frustrating to see these facilities so rarely used in the mornings and eximings and still have evenings and still have restrictions placed on dog owners. Petersham Park shows that mixed use model works and makes emodel works and makes ensures a place is a dynamic and vibrant community asset.
It's a 10 minute walk	I walk to the park as I live around the corner	l walk there,it's about a 5 minute walk	Walk
Yes. There is a lot of bad feeling between the residents backing onto the reserve and the dog valkers, therefore (t doesn't make for a pleasant place to take your dog. I know Johnson Park has been suggested by some and I support this for the following reasons: 1. the northern end would be very easy to fence as it is already separated from the rest of the park by the footpath 2. if fenced it would nucle be very easily to fince as it is already separated dugely nocturnal therefore more threatened by which are largely nocturned itherefore more threatened by which are addex would be varies and yodgs in the fenced area 4. dog walkiers would not be harassed by dogs in the fenced rest. And would not be harassed by dogs in the fenced area 4. dog walkiers would not have needs of dog walkers and acking onto Laxton Reserve 5. it is a small area, but big enough for the needs of dog walkers and well shaded 6. it is an underused part of Johnson park 8. 7. probably leash area for many dog walkers over many years	t: multi	This park is perfect for dog walking/running	I think wherever possible all parks should have an off leash area similar to the policy at City of Sydney Council. Johnson Park, Hoskins Park and Morton Park would all be convenient to me.
I understand the need for some time restrictions, atthough the evening restrictions in summer really limits the time spent in the park, as a many people like to valk their dogs when they get home from work and it is still daylight until 7pm. Also, it's not much fun going to an off leash park to throw the ball in the dark.	Ridiculous What would happen if a child was knocked over by another child Do we close the park Of course not Are we over governing here The idea that people should only exercise dogs after dark is not sensible and for single women this is not safe The park is not well it is a section at the rear of Johnson Park For many years the was the unofficial place we all used to gather. was the unofficial place we all used to gather. the idea that people should only exercise dogs after dark is not sensible and for single women this is not safe The park is not well it safe women this is not safe A more sensible solution is to provide appropriate fencing. In addition the park needs to be well lit.	During the summer months it doesn't get dark until after 8.this is not very convienent for dog owners you'd like to take their dogs out a bit earlier.	I only use the off-leash area Laxton Reserver in the moring. Having the 'after dark' restriction means it is impractical to walk my dog in the evening. For afternoon exercise I have to go to Petersham Park.
It has been great to have an area residents can walk to with their dogs, and gives both the dogs and the residents an opportunity to socialise. This creates a nice I revironment to live in as you meet/talk to people you of the wise wouldn't know, it creates a supportive community. It also means locals don't have to the community. It also means locals don't have to the having it so close the playground creates tension at times heavieen dog owners and people with young children, as the children (& their parents) may be fearful of dogs.	It was great to see this park become a shared facility for residents with pets and to have a safe environment where I could take my dogs. The initial weeks were great, there was a great sense of community coming together. I have lived in the area for 7 years and this was the most utilised I had seen this park. Whilst there were some detractors from the trial it was clear this was mostly supported by locals. What would have assisted this trial was more appropriate fencing either around the designated off leash area or around the children's playground as has been done in other parks includingLeichhardt. Queens Park and Annandale.	I'm new to the area and this is a very convienent location to take my two small dogs for a walk/run. Every surburb area should have a dog friendly place for their pets to play.	I would rate the trial as an outstanding success. A small community of dog owners now meet at around the same time each morning and I've gotten to know many more place to socialise and train my dog where a place to socialise and train my dog where a needed to drive to Leichhardt, which I could only do on weekends.
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	Hawthorn dog park. Peace Park. Cooks river, Bicentennial Park		Just walk around the an ordet in my neighborhood which is unfortunately during the restriction time so no dog park time for my dog and no community interaction for me, quite disappointing.	Cafe bones, around the block on a lead	Regular walking through and if the residential area if there is time down to the cooks river reserves	Just walking around the streets on the lead. No other close enough off leash areas.	Any where I can walk to and isn't over run by feral owners and their dogs
	Walk		Walk	Walk	Walk	Walk from nearby home	I walk to the park my dog but am a responsible owner and keep mine on the lead.
	The northern triangular area of Johnson Park is an alternative sport that could be considered. The issue of Bandicoot habitat might be resolved with a suitable fence, but I am no expert. Perhaps an active cat trapping program might also help the Bandicoots.	Any park without a playground nearby.	Not really its the best place for it	No. I'm happy with the location. There are plenty of child/family parks nearby	No, it seems perfect	The back area of Johnsons reserve at the far back right corner. This would not be on the oval area or near the playground.	People just need to be responsible and control their dog by having them on a lead.
	Our dog cannot see the ball after dark. Perhaps a active- led light ball would solve this.	Nothing people still use it outside times.	The restriction has completely halted my visits to the Laxton dog park due to family and work commitments conflicting for time.	The mood has dropped. Also having dogs run around in the dark with no lights raises safety issues.	The late hour in the evening restricted my use. As a female, I am not visiting a park at that hour in the evening. It also is that time when meals are prepared etc. No, it seems perfect The activ morning time is very restrictive for reasons related to work preparations etc.	After the alleged incident & the time restrictions were brought in I did not take my dogs as it was far too early & The back at far too late. The park is not well the nough & it would be very difficult to see the dogs let alone find the droppings to pick up in the dark. Also barking late at night & early in playground. the morning would be disruptive for residents.	No one listens to those things. It doesn't matter if its a off- leash area or not or if their are time restrictions or not people will continue to run their dogs off leash all the time.
I have made a previous submission rating this as an outstanding success, in addition to that submission I would ask council not to confuse two separate issues, namely whether parks are suitable venues for exercising dogs and whether dog owners and their dogs are cocasionally poorly behaved. I recently suffered a dog attack while walking my dog, on lead, down Lewisham Street. That does not prove that streets are unsafe places to walk your dog, just that some dog owners need more education on appropriate handling of their animals.	Too much conflict between dog-owners and locals.	Ha not gone back to park since trial commenced as it's too close to playground and completely inappropriate to N have my child near any dogs especially off leash. Has already had one attack from a dog.	Really great I have been otherwise driving to leichhardt, T Sydenham or enmore with my dog, now I can walk here L and meet other locals it's great.	It's been good so far, I hope it stays as the location is the second so far, I hope it stays as the location is the second s	The initial trial period was enjoyable. Successful interactions with other dogs and owners. I saw NO The late hour in the evening restricted my use. As negative incidents. I witnessed no negative interactions. I fenale. I am not visiting a park at that hour in the did observe a resident photographing towards the park revening. It also is that time when meals are preparent from his/her balcony. I did perceive the lade to be a good The aarly morning time is very restrictive for reast one as I had regularly visited the park prior to the trial and felt it was a largely wasted space with rare usage.	Very successful, a very helpful & much needed amenity After the alleged incident & the time restrictions were for exercising dogs. When I was at the park with my dogs brought in I did not take my dogs as it was far too early & for exercising dogs. When I was at the park with my dogs brought is. The park is not well the nough & it would be & children with no issues. However some residents seem very difficult to see the dogs let alone find the droppings to believe that the park outside their units is for their use to park up in the dark. Also barking late at night & early in only.	N The trail has resulted in the reserve being over run by le people to lazy to look after their dog.
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Extraordinary Council Meeting
5 July 2016

Cafe Bones- Leichhardt Camperdown Park Newtown Cemetry Sydney Park Bicentennial Park at Glebe Rowland Reserve, Bayview	Peace Park and down on the Cooks River where there is a fenced dog off teach area - Canterbury Council, Callan Park, Hawthorne Canal and Jubilee Park.	Sydney Park, Marrickville Park, Hawthorne Reserve, Beaman Park	Streets of Dulwich Hill.	walk from home with dog reserve Hawthorne canal. I need to go by car to do this.
We walk as we live a only a couple of minutes walk away.	Walk	- By foot	Walk. It's only a few doors down.	walk from home with dog on lead.
There is certainly a need for an off leash area. I would suggest Johnson Park as its close by with less neighbors. A completely fenced in area would be best for all. Children and families who do not want to be near dogs will not be inconvenienced, while dog owners can take comfort in the fact that their dogs can play safely.		I think that Laxton Reserve is a good location. If there is an issue with the proximity of the off leash area to the childrens playground, pernaps you could reduce the size of the off leash area and place the fencing a little By foot further adown from where it is now. The only alternative that would be acceptable to me would be to set aside an area in nearby Johnson Park	No I think Laxton Reserve is ideal.	no. There isn't one. As for people who may complain about dog faeces, litter from weekend pictures and chilter's partee is a far more serious issue. There never seems to be a ranger on hand, especially on weekends to make some of these pigs clean up after themselves. THE BBQ area in Johnson Park is forten left in a degracefult state. People are hypocritical if they tobsess about dogs and yet turn blind eye to the litter. Also, illegal umping in all of the parks is a much bigger issue than dogs
To be honest, during the week we are at the park really early so the morning cut off didn't effect me. However on the weekends its certainly a shame we can not go to the park during the day for a couple of minutes here and there. Living in an apartment is great with dogs, however we certainly spend a lot of time outside with them- so it means we need to get in the car on the weekends to let the moff the lead anywhere. Ust last weekend I valked past the park on a Sunday at 2:45PM. It was completely empty hence very disppointing I coundri let the dogs have a run despite there being no one else about. In the evenings its not very clear when we can go to the park, so again we've avoided the park at nights. It so dark down there, and I feel unsafe to be in a space like that 'after the sun goes down'. I think set times need to be in place and adequate lighting installed for the community's safety.	The usage now is condensed and can at times get rather crowded. It is also difficult to see dogs unless they are wearing a light which is good in theory but I have had little success in finding ones that last. There are times throughout the day when there is nobody using any part of the park and it seems a shame to have to then wait until dark.	There were less people during the day, people had to once again, leash their dogs and the time restrictions were generally disappointing and unnecessary.	The park is empty all the time nowit feels a bit dangerous walking our dog there after time restrictions were appliedit's really dark and nobody else is around.	Nothing changed. I just question whether the incident was seriously exaggerated by someone opposed to the trail.
I think the trial has been quite successful. 9/10. Being a dog owner, we had been yelled at by a neighbor one morning, at the beginning of the trial, as there had been 1 dog barking in the park. From then on there was a lot of tension, and 1 felt 'some' of the residents did not give the trial a fair go. However as far as the dog owners and most other residents and neighbors go. I think everyone has been residents and many neighbors whom i wouldn't have of therwise, and my two dogs were put in a better home when we leave to go to work. Once bins and dogy poop bags were put in a better position it also made things a lot easier. The only issue I have now is with the times we are allowed at the park.	Very successful as it brings together many members of the community and many friendships have developed.	There were less people during the day, people had to There were less people during the day, people had to the trial has been extremely welcome and in my opinion, once again, leash their dogs and the time restrictions successful	It was great when the trial commenced, after buying a human provide the park is empty all the time nowit feels a bit house in Union St in October 2015, we felt right at home in the community - we felt the park was vibrant, we would dangerous walking our dog there after time restrictions meet other people walking their dogsfantastic.	Really successful. It is such a needed facility and it is instrumental in bringing so many members of the community together.
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Item 5

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	inal, Callan	aad around to	rea (on field	around it	ootpaths in					

Hawthome Canal, Callan Park	Walk him on lead around the area or go to haberfield	around local area (on leash). Haberfield	On the streets around it	On leash, on footpaths in Duiwich Hill area. Including Hoskins Park and Johnson parks.	Jubelee park in Glebe	Anywhere possible	There is no where else in reasonable proximity for myself and my dog to get toor 1 do not own a car currently and my dog is quite elderly so walking long distances to get to alternative parks is infeasble
н й Жаж	Valk ∀a	walk - which is exactly what council need to consider for north Dulwich hill area if we and our dog can walk to ar a park this the perfect a park thing in the area these days.	Walk	ar ji th O	Walk there	walk	1 walk. Malk. To o o o o
Dog owners have been using the northern end of Johnson Park for many years, with little apparent disruption to others. I think this area is well suited to dog walking, especially if it were fenced off.	Please have it fully fenced in so the dogs and the owners can enjoy the area and have no risk of harm to children or fence in the area at Johnston park as children are more of a concern than bandicoots.	Hoskins Park or Johnson Part	2	No. Laxton Reserve is an ideal area well positioned with neighbouring town house residents well separated by tall secure fences and heavy foliage. Johnson Park has too much other activity and the bandicoots in the nature corridor.			Johnston Park behind the basketball courts. THe area is barely used by people as the playground is at the other end of the park, and seeing as the majority of dog owners would be using it during the day, there would be minimal effect on the alleged bandicoot population, as they are nocturnal animals.
children nuch pecially is very attending ced off	Less people used it as some older people find it difficult to walk their dog at night	we did not notice anything different	Using the park at night is not practical due to poor lighting. Dog owners still used the park and were still friendly but it's nicer when dogs can have some freedom.	The time restriction caused a problem for my family as we keep irregular hours. It did not work for those working shift work. Also it is my understanding that 1. There are already the lues in council about dogs being 10 metres away from children using the play areas. 2. The dog involved in the incident ran away from a neighbouring house and was in no way involved the time restriction was not at all an solution to dogs running away unsupervised from their home.		Confusion as it wasn't sign posted well. Nothing changed except the times which as mentioned should be extended as it makes no difference.	much more limited daylight time for dogs and their owners to use the park. many people dont have the time to use the park. In the morning period, and in the afternoor currently we get less than 20 minutes of usable light before it gets to dark to see, which makes picking up after our dogs very difficult, and monitoring their behaviour even more so. When winter comes, I doubt we'll have any usable light at all which, as laxton has no park lighting. makes it completely unusable
I think the park has been very well used by dog owners. Obviously there was much less contact between and it is a very welcome change to have an opportunity to exercise dogs without restriction. However 1 think the current hours are a bit too restriction. However 1 think the current hours are a bit too restriction. How hould the preferable if the morning time could be extended to the introduction of restricted hours has made it in the evening time from 5.30 onwards, as most in mid summer, when summer, when summer the left the playound by then. I also think the lide to be walking dogs when people need to be dog area should be fenced off to prevent dogs running to other things at home. I think if there were a fer out, or, alternatively, the childrens playing area could be area then it should be able to be used at any time forced off.	It sounded fantastic initially and we then found it was not fully fenced in and it is only a matter of time before a child is really hurt.	each time we have visited Laxton it has been a very positive experience for us and our dog. Other persons and their dog who are at Laxton at the same time have managed their dogs very well. It is a beautiful place to relax while our dog enjoys himser I. Irate the trial a vuccess. I this goes ahead (and we hope it does as the north Dulwich hill area needs an off leash area) will presume council will install more adequate fenced off area	Trial is a good idea, but poorly planned. Separation between playground and dog area should have happened first. This would have saved conflict. Residents who back onto the park should be warned about their possessive behavior. It's not their backyard.	All the dog owners that participated in the trial were very happy with the opportunity to socialise themselves therefore increasing community participation. Also the socialisation of dogs is very important so they are part of the community. On more than one occasion, a young mother had her toddler son on a blanket in the dog area and was more than happy for son to pat the dogs.	It is a very good place for a dog off leash park	Good although I think the times for Dogs of leash needs to be extended. There really needs to be fencing along the pathways and then there shouldn't be any issues.	nteraction of dog e dogs, very well. In s to minimise dog and oorly. the open ended
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Businessing Busintersind Busintersing Businessing Businessing Businessing Busin	LAXTON RE	LAXTON RESERVE - NON-DOG USERS		
Bit control in the out of and the o	Do you usually visit Laxton Reserve to exercise a dog or dogs?	You've answered no. I visit for other reasons. H	Halfway through the trial, a time restriction for dogs off leash was introded due to an incident in the reserve, what (if anything) changed in the park after the time restriction was brought in?	
When the number of the numb	No, I visit for other reasons	My children attend the local school in which they use it on a daily basis. We used to go there after school as dog faeces all around the park.	Nothing, dog owners have not respected the time restraints	Perhaps section off a part of the park and enclose it with fencing, similar to close street dog park in Canterbury.
Bit is the state of a st	No, I visit for other reasons		Nonesame problem as above still applies	There are already a number of inner west parks that accomodate for dogs unleashed which are nearby. This park is too small for this venue.
The stand s	No. I visit for other reasons	The trial has not been successful as the increased numbers of dogs at Laxton Reserve has led to a deriment Laxton Reserve is too small to accommodate the addition of an off leash area as will the increasing population goal and an increasing the addition of an off leash area as will be increasing population contril so on reports transport or use, and onthy to peoples from the miss. The co-location of a children yet anyon torule, and onthy to people, be hume of manes. The co-location of a children yet pay goard and off leash area are also as an unber of unmanageable fisis for course the co-location of a children yet pay goard and off leash area are also as an unber of unmanageable fisis for course the co-location of a children in February 2016. The risk to children safety should not be goard or downpayed Laxton Park in Sydenham in February 2016. The risk to children safety leaded not gave and ownpayed Laxton Park kin Sydenham in February 2016. The risk to children safety headed are real or an under sate and the a main entrance to the interess as studients from SF Paul of the Cross school using the park for outdoon The dog off leash the prevents over 300 students from SF Paul of the Cross school using the park for outdoon Dog wate is not being maneped valid dogs regulary unitate and the rost school using the park for outdoon Dog wate is not being maneped valid dogs regulary unitate and the most school the rost off the real of the rost of real outs in the grass is the most significant impact is that it has created division and conflict. When I have polledy reminded dog or who have also been treated in this way. This is particularly unfair and unacceptable that my neighbours and i who have also been treated in this way. This is particularly unfair and unacceptable that my neighbours and in the most significant impact is that it way. This is particularly unfair and unacceptable that my neighbours and in the most significant impact in this way. This is particularly unfair and unacceptable that my nei	While there has been a reduction in the numbers of off leash oggs in daytime prople and their visited the park and it propole and their visited the park and it their doops off. The Part girst were continually removed and dog owners were offen or avare of the park part of a nordificity controlled by a noticeable functional play on the park part of and 1 have of a noticeable for the park part of a nord area of the park part of a nord and point were and a second and point of a dog of a noticeable between a part of a nord and point of a dog of a nord and the park park park park of a nord and point of a park park park of a nord and point of a nord and a park park park park park park park pa	Before the Laxton Park thial the northern corner of Odnison Park was used as a dog off bash area. This area or part there of could be incread to to some safety for ould be park users. bandicoots and does not have residents opening onto this area. Johnson Park a northol rayer park and durston Park and aron Park where are may parts of Johnson Park where are may parts of Johnson Park where have per cotad in move to as fley have been cotad in move to as fley have been cotad in the parts. The bandicoots would be protected with appropriate fencing.
The has been to commuly consultation up this point. This is a tably unacceptable use of local park amendies. This area to consult and right next to a childen's playgound. I have seen dogs run onto childen and now can the exact to be a vark way that is not protected from dogs. This has not been a accessful that. This has not been a accessful that. Way supportive of the sast areas in Laxon Reserve howerer 1 do not set it centration that is not protected from dogs. This has not been a accessful that. This has not been a accessful that. Way supportive of the sast areas in Laxon Reserve howerer 1 do not set it centration that is forning the park wintomay not be contracted acrond dogs. In particular. There esen may incidents of unsupervised and that for the next of a sast areas aread to be fanced on ensure proper separation between dogs and other users This has not been a accessful that. Monty dog owners are not responsible and the perfect fit for the sea. As a dog owners are not responsible and the perfect fit for the area. As a dog owner and a father of small that the to waik through the park that 1 don't leel If we that the reserve during the difference as the and the notified or and the perfect fit for the area. As a dog owner and a father of small the next to the next to the restriction has been a contracted. If the park with the local. The second dogs in particular. There are a s a dog owner and a father of small the next to the nex	No. I visit for other reasons		Less dogs in daytime hours, many dogs still came as the paper signs were continuary termoved and dog owners were form not avare of the changes. Noticeable increases and holm not avare of the changes. Noticeable increases in children and immilies using the park as the fear of nurcontrolled dogs in the playground has been diminished. No change in St Paul of the Cross school being able to use Laxdon Reserve due to potential steley concerns still in their fix assessment of crautedins. Increases in dog barking noise failer in the evening when children are setting for bed as many dog owners come to the park at the dogs.	
Very supportive of off leash areas in Lakton Reserve however I do not use it to exercise our dogs because it is not fenced. In wy view off leash areas in Lakton Reserve however I do not use it to exercise our dogs because it is not fenced. If is qualeter in the exerve during the day. of the park Not many not be confindable around dogs. In particular. I have seem many incidents of unsupporphile marrer and only narrowly avoiding an industr. If requere in the reserve during the day. confindable. If it is qualeter their dog waste on the gound I am a local resident. Wu this fronting the park and I have been accorded by a dog in the park. If like to walk through the park Nu I don't fealth in the reserve during the day. confindable. If it is qualeter their dog waste on the gound I am a local resident. Wu this foral it is not a perioding the park and I have been accorded by a dog in the park. If like to walk through the park Nu I don't fealth in the same during the day in the local. confidable. If is a the area of a permanent of feash at Laxton reserve would be ideal and the period if thore here. As a dog owner and a father of small todder i have found the reserve to be an amazing addition to our communy. Mu charter is the same during dog and we have met great people and started many friendly relationships with the local. If each the area of a permanent of feash at right. this intal is not a good or fair model. If a market has been dog and dog are delot be social with other under the intervelow and a during the park i fieldence. If a market has been dog and be park at right. This is not a good or fair model. If work about the safety of owners using the park at right. this intal is not	No, I visit for other reasons		This has made little difference as the time restriction is not specific. I have seen this ignored atmost everyday.	There is a small area next to the basketball court in Johnston Park that could be trialled There are no homes affected, no walk way but it should be fenced off.
Mary rog owners are not responsible and leave their dog waste on the ground. I am a local resident. My unit is fronting the park and I have been accosted by a dog in the park. I kee to waik through the park but I don't leave their dog waste on the ground. I am a local resident. My unit is fronting the park is the leave their dog waste on the ground. I am a local resident. My unit is fronting the park is the leave their dog waste on the ground is the restriction has been a contributed in the introduction of a permanent of leash at Laxton reserve would be ideal and the partierd fit for the area. As a dog owner and a linker of small todder I have found the reserve to be an amazing addition to our community. My enderserve? I have have met great people and started many friendly relationships with the locals. I have have been a low of proprioting as the dog had dog are able to be social with other children and dogs and we have met great people and started many friendly relationships with the locals. I have have been a low of or proprioting as the dog had dog are able to be social with other children and dogs and we have met great people and started many friendly relationships with the locals. I have have been a low of or proprioting as the dog had dog are able to be social with other children and dogs and we have end great people and started many friendly relationships with the locals. I have have have and if the matter has been a low of a not of proprioting as the dog had dog are able to be social with other children and dogs and we have end area and a low of a notation as the dog had are restriction had to be an anazing addition to our community. An enderwater and a notation as the dog had a not enderwater and a not an enably residence and a low of a notation as the dog had a not enably residence and are able to be social with other children and dogs and we have and an anazing addition to our community. The scenario of washing dogs at high the started base at high this trial is not a good or fair model. I have able	No, I visit for other reasons	Very supportive of off leash areas in Laxton Reserve however I do not use it to exercise our dogs because it of the park who may not be comfortable around dogs. In particular. I have seen many incidents of unsupervise		
Itel the introduction of a permanent of leach at Laxton reserve would be ledeal and the perfect fit for the area. As a dog owner and a linter of small todder I have found the reserve to be an amazing addition to our community. My entrodered have have matter has been a been a dogg are able to be social with other children and dogs and we have met great people and started many fiendly relationships with the locals. Itele the introduction to our community. My entrodered and the matter has been addition to our community. My entrodered have have matter has been addition to so the out of proportion as the dog had to owner suite the atter of many field at a factor. The we have matter has been addition to so the strated from the locals. I worry about the safety of owners using the park at right, this fiel is not a good or fair model. The strated many field of a factor and be addition to our community. My endeated from a table or go had a factor and the matter has been addition to so the safety for the reserve to be an amazing addition to our community. The strated from a table or go had a factor and the matter has been addition to so the safety trate addition to our community. The strated from a table or go had a factor and the matter has been addition to so the safety from a table or go had a factor and the matter had should not have.	No, I visit for other reasons	Many dog owners are not responsible and leave their dog waste on the ground. I am a local resident. My unit comfortable.	It's quieter in the reserve during the day.	I think Johnston Park would be more appropriate for a dog free leash are.
I worry about the safety of owners using the park at night; this trial is not a good or fair model. The scenario of walking dogs at night presents safety issues for dog-owners. Good	No, I visit for other reasons	I feel the introduction of a permanent off leash at Laxton reserve would be ideal and the perfect fit for the area. As a dog owner and a father of small toddler I have found the reserve to be an amazing addition to our community. My child and dog are able to be social with other children and dogs and we have met great people and started many friendly relationships with the locals.	I feel this time restriction has been a negative. I teel I hadrin seen the same people once the restriction had been enforced. I have heard the incident was coincidence and the matter has been been out of proportion as the dog had secaped from a nearly residence? In summary I feel the trial should not have had a time restriction enforced.	No. This area is large, and easy to get to for most nearby residents.
Good	No, I visit for other reasons		The scenario of walking dogs at night presents safety issues for dog-owners.	
	No, I visit for other reasons			I dont think dogs should be off leash near kids playgrounds at all. We love and respect our pets, but human beeings are far more immortant!

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LAXTON RES	LAXTON RESERVE - NON-DOG USERS		
Do you usually visit Laxton Reserve to exercise a dog or dogs?	You've answered no. I visit for other reasons. How would you rate the success or otherwise of the trial?	Halfway through the trial, a time restriction for dogs off leash was introduced due to an incident in the reserve, what (if anything) changed in the park after the time restriction was brought in?	Do you have any suggestions for an alternative dog off leash area to Laxton Reserve?
No. I visit for other reasons	live in one of the garden apartments looking out onto the reserve and I would rate the trial as a success as 1. It is a great area for dogs to socialise off and on fead. 2. It is well used at the allocated times which is positive in terms of ensuring an opportunity for dogs to be exercised and socialised helping to support responsible dog ownenship. 3. From a health and wellbeing perspective it is positive approach to enhance this and address social isolation testures.	The increase in dog faces being left as the time change mass exercising your you can thange investing while to plock up the laces. When I say "Increase this does not mean that the park area is covered. Tar form II. There can be at times this left due to a lack of visibility. I does not mean that the park area is covered in dogs due to this show and to a mask sure the dog park continues. The other change is park for its show and to a much and the continues. The other change is park for the councel of park prior to the fare out the change is park prior to the saniors age. Saniors regularly used the dog park prior to the finer change with the same and in socialising with there. Sh changing the time balewe was not a dog the diffic of the balewe was not a dog the diffic on park users, park users the same of the socialising with there. Sh changing the time balewe was not a dog the diffic on park users, park users a dipple diffic on park users, park users, who could be dontified as vulne has dipple diffic on park users, park users, who could be dontified as vulne has dipple diffic on park users, park users, who could be dontified as vulne has dipple diffic on park users, park users, who could be dontified as vulne has dipple diffic on park users, park users, who could be dontified as vulne has dipple diffic on park users, park users, who could be dontified as vulne has and/or b. They was the dog in the dog in the dark	
No, I visit for other reasons	I live locally and before the trial i look my kids to play at the park	It made the play equipment more accessible	hoskins part of johnstone or hoskins park where there is a clear seperation between the kids area and the dog area. It would also make aense not to overload one area e.g. soccer and dogs on the same street.
No. I Visit for other reasons	Not a succes if your are applying for a trial and don't document every day the observance of park usage. I have seen majority of days at the park where fecal matter exposure, irresponsible dog owners not cleaning up even with disponsary baggage available to them. dog owners becoming abusive and threatening attitude, not complying with time allowance of dogs of leash and on-leash, destruction of property (are focal readence property, faure of Laxon Reserve including the urbation on play equipment) and finally. Grees the council expect 100% guarantee that dog owners completely able to control their dogs while have concentrating on their mobile phones (i have seen countless time, dog owners on their mobile phones and not giving any responsibility on valching the dogs, if dogs owners completely able to control their dogs while have concentrating on their mobile phones (i have seen countless time, dog owners completely able to control their dogs while have concentrating on their mobile phones (i have seen countless time, dog owners on their mobile phones and not giving any responsibility on valching the dogs owners are not able to be completely be responsible for handling their dogs then i ask the council how do they intend to protect. The Immer Wrest Bandiccols that are an endangened and have protected population who live in parks and backyatis in Duwich tift.	Nothing has change. Dog owners STILL develops the meter sections. There is no ranger to poler his trial or time ranger to poler his trial or time. the trucks and therefore dog owners abuse there trucks and therefore and owners abuse there trucks and therefore and owners. Abuse there trucks and therefore and owners abuse there trucks and therefore and owners. Abuse there trucks and therefore makes there trucks and therefore and owners. Abuse don't foresee the council hwing austationable turning to man a mager park is down to the Coals River (close to austationable turning to man a mager park is down to the Coals River (close to austationable turning to man a mager park and quecze everybody in Rive Baser do apped to the park, there are a park and comite MAY be a changes in future. But Its sardines Speed and/be a changes in future. But Its sardines they got caught.	Martickville park is a very large park and only 5 minutes avey farge park and Yee Park on Old Cantebury radis the next large park available to dog owners. Another Park is down the Cooks River (close to Park is down the Cooks River (close to Park is down the Cooks avery to the Park is down the cooks avery both the search and squeeze everybody in fike sarches.
No, I visit for other reasons	Poor, no observation of the trial, no rangers to watch what is actually happening there	Nothing has changed, irresponsible ppl still leaving faeces behind, owners on phones and not watching their pets	Cooks river
No, I visit for other reasons	fleash dog park. Both of these parks are now unsafe for my small children to run free and enjoy the parks and open space without safety concerns. Fence	These restrictions do not theip the amount of dog pool left behind in Lakion Reserve and Henson Park. More needs to be done left fines for owners not picking up their dogs poo and council should supply poo bags	Tempe recreational reserve
No, I visit for other reasons	I an very unhapy about Lakon Reserve becoming an off-leash dog park. We son entack SI Paul offe Cross Primary School. SI Pauls has used Laxon Reserve for many years. The school was never consulter dator the park Acroming a dog park. If has been custom and practice for SI Paul of the Cross to use Laxon Reserve due to its accessibility and provision of a naturally shady and safe space for students to play. The school was never consulter dator the park Acting the Cross to use Laxon Reserve due to its accessibility and provision of a naturally shady and safe space for students to play. The school was never consulter dator the park Acting the council introducing restricted hours. Consequently, the school is forced instead to use the synthetic unt of Arlington oval, which can get very hot and offers fille share. Many Cass and schools afready on Oal for sont and heature, often meming our students are unable to have a space to exercise. We uge the council or resonder the use of the stan define to the meming our students are unable to have a space to exercise. We uge the council or resonder the use of Laxon Reserve as an off least dog park. Local schools the for constance and the use and takes avery an important facility for students evercise and recreation.		

SINNER WEST COUNCIL

LAXTON RES	LAXTON RESERVE - NON-DOG USERS		
Do you usually visit Laxton Reserve to exercise a dog or dogs?	You've answered no. I visit for other reasons. How would you rate the success or otherwise of the trial?	Halfway through the trial, a time restriction for dogs off leash was introduced due to an incident in the reserve, what (if anything) changed in the park after the time restriction was brought in?	Do you have any suggestions for an alternative dog off leash area to Laxton Reserve?
No. I visit for other reasons	If mult mind boggling that this sile was even considered, let alone chose. It is completely unsuitable as an off-leash area due to its small size, proximity to children's playground, and that the grassed areas is used by residents from the large number of apartments nearby to have outdoor green space to engage in exercise our other outdoor activity, with many of these being framilies with children. We live locally and have consciously avoided Laxion Reserve due to the risk of our todder having a negative experience with a dog, and me being pregnant potentially being knocked over. The previously had a negative experience with a dog and movies and me being pregnant potentially being knocked over. The previously had a negative experience with a dog at Hoxion Park, in which a dog was in the playground area and kept jumping up threatening me with the owner having absolutely no control over it and refusing to make it stop. (This was reported to Council at the time.)		Johnson Park is already used as an informal off-teach and alfocroreted and informal morning jogs in recent years. I didn't really appreciate having to dodge the running dogs, and dogs creasionally following me exorcise in the adv morning but seeing this is a larger park, pendage there is more scope for a COMPLETELY FENCED off-leash area the current of Johnson fir that is least to Wartach Mills and the light rail line?
No, I visit for other reasons	It was poorly thought out, implemented and communicated.	Many people continue to ignore the times of the restrictions and use the park as an off leash area at their leisure	Ŷ
No, I visit for other reasons	For park users other than dog owners a disaster.	A definite improvement however the restrictions are blatantly ignored by many dog owns wichs its admine detart to families with small children who would like to use the park and carnot be sure that dogs will not be there off leash.	Johnson Park as was originally selected When Laxton was rejected.
No. I visit for other reasons	No. 1 visit for other Without a fully fenced area for dogs this will fail. There are too many people who don't teach their children not to approach/pat dogs without asking. Fence an area for the dogs to keep them safe and other park users.	This happened because you failed your duty of care by not having a safe fenced area for dogs to run free and not be forced to interact with children and other park users:	Any area that you are prepared to fence off and double gate to make it safe for all concerned.
No, I visit for other reasons	Poor	I didn't use the park as I would not put my children at risk.	No sorry
No, I visit for other reasons	A failure. I dont want to visit the park with my son any longer, and if's in my street. Its noticeable that other users have diminished and dogs and cars have increased. There are more people driving to our street to use the park and low seem more dogs officially in Union Struming down the hill to the park. We've had more pressure on parking and more dog bag litter also. I support the concept of officials are as for dogs but this is the wrong space for it.	Not sure made any difference.	At the back of Johnson Park away from the playground, that area appears underutilized. Whichever location, IT MUST BE FENCED.
No, I visit for other reasons	Area not fenced off a set regulations	8am till 6pm	No
No. I visit for other reasons	No. 1 visit for other foot think the trial has been a success, too many dogs of leash in childrens playground early evenings and weekends. Dogs not able to be under verbal control when running around in a pack. have witnessed many dog fights reasons to between out of control dogs, much potential danger to children, much conflict between dog owners and parents of children using the park, this trial was divisive.	less off leash dogs in childrens phyground, some conflict about what is considered 'survest'. Cometimes up to 25 dogs in park early momings and after surves, timuch bakfung at those times and have withressed serveral dog fights whils withing through park, in whiter when dark and inforced and a some and a survest and inforced and the survest of a unifier of the survest of the survest of the survest when joggers. Will be does not a surve when joggers will be to be park to exercise, and commuters are validring through from light rail.	Think Johnson park more suitable, area in one correct subuld be fincted off. to keep dogs in, protect wildle, allow children and families also areas to the park; and finit affect on residents, which there are very forw in close proximity to Johnson park Laxiton park has too many to Johnson park has a rail mote between it and other potential resident. as it are submicrotes are concerned, as the are submicrotes are threat to the species as there are any in the area which are out right and day.
No. I visit for other reasons	No. 1 visit for other 1 visit the park daily with my young grandchildren and at times have been very concerned about dog owners' attitudes to the rules and regulations. There have been occasions when one of the children has been terrified as dogs neasons to an around the area meat the children unleashed. Trecently overheard a dog owner being verbally abusive and encouraging her dog to attack the cat belonging to a resident who lives in the units adjacent to the park.	At least with the time restrictions the play equipment areas is more for the equipment areas is more for the plane as some as some as they entered the park. But my family did experience an incident thot too long ago when we were having finner in the park and a dog ran up and down under the tables several times while we were eating. The dog owner vas taking to others and didn't for while we were adding the dog owner vas taking to others and didn't tooth to retrieve her dog until we asked fer tooth.	

Item 5

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Do you usually visit Laxton Reserve to creating You Reserve to Reserve to Reserve to arration for the serve is the only Trial off leash dog park that is ubtack of the serve is the only Trial off leash dog park that is used by the have lived in block 11 for seven years and have loved in web before the tail at Laxton Reserve that this volu- tion poster to a serve the range of the server part of the dogs. Council release the only the one of the dogs. Council release that and the server the dogs. Council release the only for the dogs. No. I visit for other masons Mont Vebbe of the for server years and have dog to poster to a rank of the dog of the head of the not going to bother running through all the incidents and for the dogs. 1 The park is too small for community to share with dogs. 2 The park is too small for community to share with dogs. 3 The park is too small for community to share with dogs. 3 The adg owners sometimes leave their dogs poor on the dogs of the dog owners and than the dogs. 3 The dog owners and that to put to dogs. 3 The dog owners and the dog owner and the dogs. 3 The dog owners and that to put to dogs. 3 The dog owners and that to be the dogs poor on the seasons.		Halfway through the trial, a time restriction for dogs off leash was	Do you have any suggestions for an
	You've answered no, I visit for other reasons. How would you rate the success or otherwise of the trial?	introduced due to an incident in the reserve, what (if anything) changed in the park after the time restriction was brought in?	
	leash dog park that is directly adjacent to people's homes. You have 48 homes directly fronting onto the park area. I would think that even at the early stages when Council was assessing Reserve that this would have been mough to discount this park for a trail. To see the have loved living the exact and the opposite hard part of the trail of the park was the best feature and it has essentiably been taken to finally familie) used to use the park at all times but not possite hard park and the including my family. The whole park dynamic has changes. What once was a lovely park given over to the dosp. People with children just wort't risk exposing them together is a recipe for disaster. As council would be fully aware from the February attack on the 2 year old girl in varied park', in reality deent work. Dogs and children don't mix and puting them together is a recipe for disaster. As council would be fully aware from the February attack on the 2 year old girl in ugh all the incidents and aftercations we have had with dogs and dog owners during there are many.	The changing of the conditions to make the park use time d has also not vorked People still continue to use the park of leash whenever they take that is 50me people do adhere the rules but the majority tak test that they are entitled to scare the park now. My daughter is now yoo scare to carry her to the childra's have to carry the to the childra's thave to carry times that now she is chased so many times that now she is traumatised by dogs wherever we go.	The off-leash trial in this park was doomed from the start its just root the right place I have no problem with people exercising their pers built needs to be in the right location. An area such set the routhern end of An areas such as the routhern end of An areas such as the routhern end of an areas such as the routhern end of the area area area area and areas areas area area area area to proper to a use. I think that the around of objections: altercations and opposition to the this arrangement should not be made permanent. It was a trial – it has not worked - so another the arrangement should be selected.
10) we asser to reverprice and the provident of the part Hope Council makes the right decision Regards, XXXXXX	st afe environment for kids and dogs to share a small park. atters - This bean a result of avrono decision by the council atters - This has been a result of avrono decision by the council atters - This has been a result of avrono decision by the council atters - This has been a result of avrono decision by the council atters - This has been a result of avrono decision by the council atters - This has been a result of avrono decision by the council atters - This has been a result of avrono decision by the council of leage and Council doesn's utilities and the council tis have been attacked by dogs and I know another off-leash trial of Marrickville Council "coused a fittle kids to lose her eyelid of longer care of this vithout dogs jumping on our tables, dogs owners calling us "dog haters" AND most importantly it is not safe for our kids of begreated to folge of apartments is now a playgound for 10 dog owners. or bedyard for 100s of apartments is now a playgound for 10 dog owners.	No change whatsoever! Dogs still use the park all day long. It is not appropriate. The trial should be shot down.	Johnson Park Yo Park
No. I visit for other It means I can no longer use the part intersons	It means I can no longer use the park for quiet warking. stiting, reading etc. Jwhich I did regularly) because dog warkers don't keep to your time limit and the dogs can be quite unpredictable and unruly off leash. It's also getting quite ticky to simply pass through the park. dogs play on the warkways, and playfully (but dangerously) get underfoot, tangled up. Until there's a proper fence, it's an accident waiting to happen.	Nothing much changed, people did not how about -or didn't observe - your time restriction, certainly there were dogs there whenever i waked through & being retired that was often in the mid day.	No. Except maybe somewhere where you respect the safety of readents enough to respect the safety of readents and edge a property there has area. The dogs forth read d hery got vory botterours and axcited when d hery got vory botterours and axcited when playing with other dogs and I saw more than a few serious doglights on my walks.
No. I visit for other reasons - 1 visit for other - 1 visit for other - Some don't follow the restrictions & dog waste often left behind reasons	Unsuccessful. There are many families that live, work and play near Laxton Reserve and I believe if's unsuitable for a off leash dog area. It is unsafe for children playing in the nearby children's play area. Some don't follow the restrictions & dog waste often left behind.	The fact remains there are dogs off leash too close to a children's play area. A little better but still need to enforce restrictions as some flaunt it!	Johnston Park Johnson's Park.
No. I visit for other A disaster. Small children and famil reasons	Small children and families were driven from the park as it is impossible to share with off leash dogs and it is a danger to children using the playground.	Dog owners continue to use area at all times of the day and families and children are not confident in the statry of the park. The atlack on a two year old on Sydenham Park is one example too many of the risks especially on Laxton.) Johnson Park as originally intended when Laxton was rejected as being unsultable by the Council itself.
No. I visit for other I like to exercise and use the park to reasons equipment. Soccer balls have been t	No. I visit for other like to exercise and use the park to relax. I find that the dogs can dominate the park and it has driven out people like myself who like to just sit and relax. I've seen so many clashes between dogs and people's reasons equipment. Soccer balls have been taken, an old man's hat, kids have been chased. Of course dogs just run into the playground and some owners have trouble calling them back. For me it is just the wrong place.	I can still walk along the path during the day and here will be assomerone there with Johnson Pask and the signs around Latston Reserve and it's hard to even see what the restricted hours are Either people are hot reading your information people are hot reading your information phourt restricted hours or people are bist ignoring them. I've see the playground dil with children at 5.30 and dogs running around off leash.	Maybe Johnson Park or even Hoskins Park. Hoskins Park is a good size. The top end with the park that separates the two ends of the park is underused. I think there is a closed tollet block there.

LAXTON RES	LAXTON RESERVE - NON-DOG USERS			_
Do you usually visit Laxton Reserve to exercise a dog or dogs?	You've answered no, I visit for other reasons. How would you rate the success or otherwise of the trial?	Halfway through the trial, a time restriction for dogs off leash was introded due to an incident in the reserve, what (if anything) changed in the park after the time restriction was brought in?	Do you have any suggestions for an alternative dog off leash area to Laxton Reserve?	
No. I visit for other reasons	The trial has been an absolute disaster. There has been no consideration for the residents who overlook the park and have entry gates on the park. We have had dogs enter our yard and obstruct our entry gate. They urhate around the wall and then been hower, further around submets untransition that around the wall and then been hower, further wards and obstruct our entry gate. They urhate use of the ward was the mover any any sense of relaxation or pace and quiet we once had also a sense of safety. There is no consideration for the safety of children in the playgound or the values of the wards and once used the are pushed out for the exclusive use of dogs. Dogs enter the playgound all the time. They take children's balls in the park and can leave faeces behind. The Community that has always gathered at Laxton Reserve are being pushed out for 'dogs'.	Some dog owners feel entitled to come to the park whenever thre want anyway. The ampliguous' after daylight hours' means most dog owners statar coming from 6pm. (In only takes one to take a dog off leash and the net follow So the safety state of children playing in the playgound is still big concern. Restlicted times has just concern. Restlicted times has just concern. Restlicted times has just big concern. Restlicted times has just concerned at the bayegourd is still a Also, you can have people in the dark at 9.3 you can have people in the dark at 9.3 you can have people in the dark opp barking. If a a bit alarming y ou feel for your safety.	Please consider your original research that stated dog owners wanted the far and of Johnson Park and the Laxton Reserve is too small Having an off leash old park mot then triving to convice people block of apartments with over 10 people who is the new is just difficults. Johnson Park has a plan and a difficults. Johnson Park has a plan and a difficults all encore contain the dogs away from relifformer playground and other park users. After al. Laxion Reserve is just a small neighbourhord park that has served its community for decades and we hope it can state all taxion.	
No, I visit for other reasons	I have been using the reserve for many years with my grand children and in recent years, walk through the park to catch the light rail to the Fish Markets or Darling Harbour. I was a happy to see if full of family have and when we children were children playing soccer, a family playing cicket and up to picture rugs whe pople. The playground was full with fittle children. Then a goorgo come down with a large dog and let him certa the more and wry from the grassed area. This playing cicket and not him dogs that a to of people dont see. They are unpredictable. I don't feel safe when I walk to the light rail along the path as dogs can just run over. I also fear for my grandchildren who face this every day when leaving their home from the gate into the park.	From what I saw on Monday people don't seem to care about the mine restrictions. They obviously feel their dog is in control but dogs are animels and are unpredictable. It don't has long for people to move away from the grass and back to the playground area.	When I exercise my dog I walk him around the neighborhood. Vee one that for years. If he needed to socialised then I would the a large dog park to socialise thim. I would never impose his baking on people who live on topo id a colled dog park. There must be somewhere away from people's homes and a children's playgound.	
No, I visit for other reasons	Unsuccessful	Nothing - time limits are insufficient	Johnson Park?	
No. I visit for other reasons	As a resident of the apartments that open on to Laxton Reserve it has spoilt any peace and quiet we may have had. In fairness to the dog owners our peace was already ruined by the adjacent playing field being in use 6 days per week thanks to the astro-turf. Combine the noise of the dogs constant barking and fighting with the shouting. Screaming & filthy language from the playing field and I think you see my point.	Council appear to have totally missed fis not the hours that are the issue as such; some dogs are more socialised than though that reason above would have such; some dogs are more socialised than though that reason above would have others and some dog wornes are more dogs that appear to have missed around og park, considerate than others. The very large have obviously lack the trainin every surrounding area, are very loud and fighting, they obviously lack the trainin- solution and the dot lack over the park mange a large og in that struttom - tils most tumeworking to fight each other, we are considently on edge when this starts. Were there are prise are survived of each other, we have have been been when the both and children are pres- dogs are trying to fight each other, we have both any and children are pres- torstantly on edge when this starts.	Council appear to have totally missed the point that. Textons is in feftor the garden of the adjoining apartments. I would have the adjoining apartments. I would have dreemed it unstrable for a do gark. Thus withnessed some dag owners completely, they textuable for a do gark. Thus withnessed some dag owners are completely and or of control with an adjoint of the textuable for a completely and the textuable for a completely and the textuable for a second some of a second and a name and a second adjoint that we where a textuable for the textuable for a second and a second adjoint that count good when small children are present. Is cound not avare that on any given weekend the text is full of the with no garden of their own?	
No. I visit for other reasons	Which success? As a consequence of the dogs off leash trials I am not able to enjoy Lavton Reserve as I did before for playing games with my boy and enjoying the occassional picnic on unsolled grass. I can't see this as success!	Can't say as i am not there during the working hours.	As I don't have a dog I can't make any suggestores here. All can say is that I don't believe that an off leash area without a proper fence works. There are examples along the Cooks River towards Cantebury where the actual off leash area has been fully fenced. Just thinking about it, why san't the Goff Course give back some land? Just an ideal	
No. I visit for other reasons	Very poor. Marrickville Council did not consult with local residents at all - instead choosing to consult only with interest groups and informing residents once the decision had already been made. This has resulted in significant community states that the control of the park Indited and consult and the control operater and intervention of the solar community with park - shifted and consult of the back control operater and intervention and already been made. This has resulted in significant foregomets from all the value and the control the back control operater and intervention of the solar community with the park - shifted and the park - shifted and the control operater and intervention of the park and the subtrol operation of the solar community. When is park a law is a destruction of dogs property as a supervised to the back common and the park - shifted and the park - shifted and the back control operater and the action of dog property as a supervised the back community. When is not the park is a shift and the park - which is completely unhygienic & unacceptable in such a small shared space.	Reduced some of the pressure on residenced some of the pressure on resident barding control barding control barding of the pressure of the pressure of the provident barding of the provident provident of the provident provident of the provident provident of the provident provident of the eventy with control providence of the provident of the eventy of the provident provident of the eventy of the provident of the eventy of the provident provident of the eventy of the provident of the eventy of the provident of the eventy of the provident	One of the reasons stated for using Laxion Reserve over Johnson Priva are the need to protect the bandicotos. While I support this, the map provided of the of Lassa area at Laxion Reserve also sthows Bandicotot habitats. Johnson Park has a large area in the middle, away the bandicotot habitat the rould be used with time restriction habitat that could be used with time restriction habitat that could be used with time restriction habitat that could be used with time restriction habitat ther could be used with time restrictions that could be used with time restrictions the timat "Perce have a second demarke is collaborating with school would not be impacted, nor would reschon would not be impacted, nor would reschon a sub would not be impacted, nor would reschon would not be impacted, nor would reschon a sub reschool and the advection school would not be impacted, nor would reschon a sub a much more open & appropriate space then Laxion Reserve.	
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WEST COUNCIL

Extraordinary Council Meeting 5 July 2016

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LAXTON RES	LAXTON RESERVE - NON-DOG USERS		
Do you usually visit Laxton Reserve to exercise a dog or dogs?	You've answered no. I visit for other reasons. How would you rate the success or otherwise of the trial?	Haifway through the trial, a time restriction for dogs off leash was introduced due to incident in the reserve, what (if any thing) changed in the park after the time restriction was brought in?	Do you have any suggestions for an alternative dog off leash area to Laxton Reserve?
No, I visit for other reasons	Not successful. My son attends St Paul of the Cross primary school. The school is now unable to use the park for students at lunchtime due to doc faeces on the grass. No gate separating the children's play area from off leash dogs clangerous. Dicintentive for families to use the park. There is a percentage of dog owners that don't do the right thing is pick up dog faeces, blase about dogs around people, especially children. Dangerous.	I think the time restriction is open to dog owners to manipulate . Most people do the right thing, but not all .	The closest alternative is Johnson park - at least the area is bigger than the small space at Laxton .
No, I visit for other reasons	I rate it poor	People still bought their dogs out of the time zone	Yes, the end of Johnson Park where it could be completely fenced off,but still plenty of room for the yellow bus.
No, I visit for other reasons	TERRIBLE. I use to take my grandchildren to the park after school. My grandchildren and I don't feel safe.	This made no difference. People ignore the time restrictions.	No. We should be encouraging children to be outdoors and exercise in a safe environment without the fear of being attacked. This generation is becoming so until and overweight. Parke neourago resilience, coordination, communication skills, problem solving and enjoyment.
No, I visit for other reasons	Very mixed. Some dog owners are very responsible and provide their dogs with appropriate supervision and attention. There's a significant number which simply let their dogs run free in a park that is neither fully fenced nor a single purpose dog off leash park. The disruption to other users of the park was noticeable.	A slight drop in dogs off leash during the day. but many owners ignored the changed arrangements. especially in the late afternoon when they appeared to wont to test the limit of the "after dayfight hours" restriction.	Fully fence part of Johnson Park (backing onto the rear fences of the houses in Terry Road). This would provide a proper of leash environment
No. I visit for other reasons	The frial was a surprise to our community. The school was made avare by a parent who contracted us to inform us. Children from St Paul of the Cross Primary used to play in the area each day and play dates would happen after school. Sadly the children are now in an unsafe environment due to the frial not abiding by the Companion Animat's Act NSW. The school community is unable to enjoy the usual time in the park as the children are placed in a dangerous situation and any possible risk should be avoided as per Child Protection regulations.	The time restrictions have not improved the studino as people are still allowing their days to be of leash outside the restricted times. Thave noticed that council rangers are monitoring from time to time however, the council is still in breach of the Companion Ahmals Act NVV regarding children and days whitout proper fencing. It is without a doubt the worg park for a dog off leash park.	Marrickville Council has set up other dog off leash areas witch are proving to be succestive and the possible set up of Johnson Park might be worth considering.
No. I visit for other reasons	Ok but not all dog owners following the rules. It's hard to have your kids playing in the playground when dogs are off leash on the grass between the foolpath and play area and then coming into the play area	Better when dog owners follow the rules unfortunately not all do	Laxton reserve is still the best site and good to have a large area for the dogs to run around. I think the issues would be worse if moved to Johnson park.
No, I visit for other reasons	I do not think the trial has been a success. I rate it poorly. I believe the area is not effectively set up for off-leash dog exercise due to its proximity to children's playground and famity picnicing area.	The change in time/restriction has addressed the key issues I am concerned about I castely of children and lamilies, use of area for children's play. I believe this component is crucial for the benefic of all peoples in the community including dog owners and families.	
No, I visit for other reasons	I have not been heppy with the dogs off leash. Last veek when I was walking through the park, a very large dog excreted when his owner was not looking. I pointed the fact out to his owner, but he was unable to find the dogs wase. The previous week 1 stephen of body control while walking through the park! I do not feasine now waying through the park - it also has a purid small.	Was not aware of this.	Johnston Park
No, I visit for other reasons	The trial was poorly conceived and implemented before reasonable due diligence was undertaken by the council. The trial was unsuccessful. It failed to consider the needs and safety of any other park users besides the dog owners and resulted in a loss of amenity and safe play area for children, the elderly and families. We lived in an apartment adjoining the park and our dog was attacked in her yard by other dogs. She had other dogs barking at her and distressing her all day. Thanks to this poorly conceived trial (which we were not consulted about) we had to move. We loved the area but your poorly conceived trial made the conditions for us and our dog unbearable. For counseliors who like to think the impact of this was just some inconvenience please be aware for us is has caused immese upheaval and stress. To think that your own dog is no longer safe in it's own yard is territying.	If the changed conditions were policed and if doy owners halo yo owners have that was sensitive to the fact that the park addins people's homes where children and others were sleeping it might have worked. But dog owners would come and allow their dogs to run close to the	People were already using Johnston park as an informal the least peotor the stari. In that worked well. Why not formalise that, the area the dogs used was away from homes.
No, I visit for other reasons	Not successful. After the incident I don't use the park anymore.	apartitient order and ban incessaring. No changes since I will go after the incident	No off leash at all. Young kids use the park and it's not appropriate for off leash. If a reckless owner lost control of their dog will council take responsibility?
No, I visit for other reasons	Trial was a good idea but unfortunately has been unsuccessful. It has created an unnecessary division between dog and non dog owners. Poorly thought out really, however understand the need to trial	Unfortunately a body of people ignored the time restrictions and removed the signage coundi coundin to the oreseen such behaviour. Human nature would suggest if the trial was made permanent this sort of behaviour would only increase	Along cooks river, the area unofficially used in Johnson Park or park on Fraser St



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Do you have any suggestions for an alternative dog off tessin area to Laxton Reserve?	Any park which is large enough to accommodate a comprofive frame of more accommodate a comprofive frame of more off-assh dags. A good example is the off-assh area in team. Park in the suburb of Hurktone Park This. I believe, comes under Hurktone Park This. I believe, this. I believe, comes under Hurktone Park This. I believe, comes under Hurktone Park This. I believe, comes under Hurktone Park This. I believe, the this is the this state the the	There are enough parks already in the area but if another is needed I would say Johnson Park.		Not sure, the dog park on cooks river in Haberliefd is great Big and purpose built for dogs, very seprate for excreation/play area nearby: therein has a care which the a prounds. This is a great example of a dedicated dog park that is completely chesed of that works well for dogs and community. Sturg there is somewhere in Dit that can
Halfway through the trial, a time restriction for dogs off leash was introduced due to an incident in the reserve, what (if anything) changed in the park after the time restriction in the park abrought in?	Some improvement, but the Pandora's box has been operated and not all dog owners obey the time restrictions. Signage is not promutent enough. When Council Rangers see the time restrictions being ginored they have to be tim. It's not an easy job and can lead to updescast controllations. but that is the might be the answer.	Many dog owners ignore the time restrictions and just lenki odgs off the restrictions and just lenki odgs off the stath whenever they article 1 lasto hand stopped the dog mess being everywhere and dogs being quite aggressive. The final, even with restricted times, is still in breach of the Companyon Adminus Act as the a senal area and not tenced fully. The consequence is that the children's job area is much more restricted. Children's play, schold take priority and dogs off leash should not restrict this.	People are continuing to bring dogs to the part during daylight hours and exercise them off leash.	There is still poo about but at least less dogs during the day.
Do you usually Do you usually Reserve to exercise a dog or dogs?	Lake my grandchildren to Laxton Reserve to the playground and to play games in the open grassed area. I no longer feel it is safe for them. There have been incidents of children being bowled over by dogs, as Marickville Council veal knows. At three there are have been as many as twelve dogs in Laxton. Large and same well behaved and come not. Lussed to like just to sit, enjoying the open space, and the benches provided by the Council I dalike doss coming up to me and safer are more and the pay are dangerous or not. The incident a file just to sit, enjoying the open space, and so the benches provided by the responsible Council I dalike dose in the tabia immediate. The number of non-dog rowners using the park have a start of the park the tabia immediately. The number of non-dog rowners using the park have a row of the applies to a larger calchment area than the properties droug to up is the park. Laxton Reserve, a small park with a children's phaground. Is totally unsultable as an off-teash dog exercise space.	Unsuccessfull Children are no longer free to play on the park without disturbance from dogs, fear of dogs, lots of dog mess around. Dog owners are not socialising - they just take the leash off and let the dogs run while the owner stars, on the phone or even sits in their car. There is no proper fending so the playground equipment is no longer safe to use. Children have said that they feel unsafe and scared of the dogs fun around. Laxion Reserve is unsultable for a 'dogs off leash' area	The use of Lakton Reserve as an off leash dog park has ignificantly reduced my enjoyment of using this park facility. I am a local resident of the immediate area, and would regularly use the parks variant as three vertuands a factor mereature of the stark we have carrently reduced my enjoyment of trains. Since the commencement of the tail of the reserve as a park area, we have rarely use the same trains and test the barbecus areal of social events with ranhy and trains. Since the commencement of the tail of the reserve as a park area, we have rarely use the park and my observation passing the park, multiply and tables there area (latter is barbecus areal) and tas the barbecus areal dogs run up to the park and my observation passing the park and my observation passing the park and my observation passing the park and my variant and value that and value tare were used a stark and my and table stressed. We own dogs unserves, and have tited many techniques to reduce the mark and my adapter sho will more an the same the playgound facility. The table stressed were used a stark and my observation passing the park and and the many techniques to reduce the analy and value that and value tare and the park and the maxy techniques to reduce the analy and value that and value tare and the maxy and dogs untiput tare as a storgs are becoming increasingly affect to us to value park and the maxy techniques to reduce the analy and value that in a dote the playgound facility. The table area as a dogs the endower and the park area and the maxy techniques to reduce the analy and value tack and my and dogs on the playgound and the park area and as our value got the park and as our value got the park and and the park and as our value got and the park and and the play and the space. This hill area was an integral part of the function of the tare and and the park and and the play and the play and the play and the space and and the play and to the play a	No. I visit for other Terrible, dog facese teft all over the grass and I don't like taking my son to play there anymore. It has completely changed the look and feel of this community park. People used to picnic there all the time bit not anymore. My son reasons
Do you usually visit Laxton Reserve to exercise a dog or dogs?	No, I visit for other reasons	No. I visit for other reasons	No. 1 visit for other reasons	40, I visit for other easons

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LAXTON RES	LAXTON RESERVE - NON-DOG USERS		
Do you usually visit Laxton Reserve to exercise a dog or dogs?	You've answered no, I visit for other reasons. How would you rate the success or otherwise of the trial?	Haltway through the trial, a time restriction for dogs off leash was introduced due to an incident in the reserve, what (if anything) changed reserve, what the time restriction in the park after the time restriction was brought in?	Do you have any suggestions for an alternative dog off leash area to Laxton Reserve?
No. I visit for other reasons	Ĩ	People still use it al different times anyway and also the same for Johnson Park. Also desart really deal with the overall risk.	As a parent and dog owner, I think children and dogs can cossis of thesh at both Laxton and Johnson parks, not just Laxton However I think the smartest way to do it would be to enclose the children form any possible issues from dogs that also provide a possible issues from dogs that also provide a more manageable ply environment for perents with escapist toddlers. Johnson park is ridiculous in that the main phoroundinate is meters away from the phyground and in theory, as per the signs. The playground virbut of getting fined for all Domortunity to make the entire area (Creat Domortunity to make the entire area
			more realistic for all parties to use. Simple gated children play areas work effectively at many other parks across the inner west.
No, I visit for other reasons	Its been terrible. Many of the children are now scared to go to the park. The dogs wander everywhere. Many of the owner of the dogs take them off leash through the childrens playground to get to the oval area. Many of the owner make their dogs go to the outle rest in on union steed before getting to the oval area (so they don't have to pick it up there). Some of the dogs are unsultable for any off leash threas - for instance. I have withersead stafty built terriers running freely with their owners stifting on the benches. I have seen a number of children at risk from the dogs in the playground area - they come up to it and because the owners do not lead they need to control them (because its off leash) they run amongst the children.	Many owners ignore the times. I have witnessed many running around at lunch time there.	Yes. Back at Johnston street park in the oval area. Also, oggs that are admogenus should be barned form all parks. Thave seen many stiffies etc running around. Another Sydenham green incident is only around the comert in out.
No. I visit for other reasons	Cood - please give the local dogs a place to have fund Humans are not the only species in Duhvich Hill I	l don't know, wasn't paying attention	I do think the area for dogs and kick should be facted of fin a more prantament lashion as they are so close logather. I am really happy that or dogs of lashin area has been introduced but I concede that II had a small function of the ab thir revue should paying sootooc close to the of fleash area - unless sootoo close to the of fleash area - unless areas. Desarth need to be hardcore, just not as ad hoc as at the moment
No. I visit for other reasons	It hink this final has been an absolute disaster. Larkon reserve is not a suitable place for an off leash dog park. It is simply too small to be a shared space. There have been several children ntecked by off heash dogs. Mireculously one such incident was filtened as hard evidence of the potential threat to non-dog park users. The back applied or a community threat park to pictor, gather with the fired sand country groups (ego mothers' groups and pick courps), meet for brinthay parties and simply play with their children. (If dog walking was number 2 recreational activity, surely taking dids to the park would be number 7 - or was thin to the set of the park of the park users. If the solved awy from the staded graves read would be number 1 - or van that non-tilesed in yours (so mothers' groups and pack courps), meet for brinthay parties and simply play with their children. (If dog walking was number 2 recreational activity, surely taking dids to the park would be number 1 - or van that non-trave stade any from the staded graves are any how used daily fort years. If the solved date with damine that non-dog owners are "dog notes are "agreester" when simply requesting that owners try to control their dogs notes levels. Residents have to face dog notes and place of the fort dog owners nor dog heart : not to mention the dogs that come bounding onto residents private property, with their owners often trespassing behind them.	time restrictions would have improved the situation somewart, hower many dog owners have not belyed or are not aware due to Council's poor signage and bendicentent. Deriver and the park after the dogs have gone. The off leash have gone.	The off leasth dog park for this area needs to be elecicated veo park to nd Cametrury Rd is very big and an adequate enclosed fenced france and work. Also binson park for worked as an unofficial dog park for years. It is also big and a section could be fenced off for the dogs, whe still porter that the and the section could be fenced off for the dogs, whe still porter that bandicoots (Re bandicoots: I note here that Laxorin also bas bandicoots in note here that Council allowed masker housing developments to go shead mext to Johnson part clear a sin
No. I visit for other reasons	It is a shame that consultation occurred after an incident and that visits from council officers did not occur before the trial to see who actually uses the park	The initial trail opened the gates for dog owners and unfortunative some take no covers and adheming to times provide the source or for them to use - have not observed or ware council is addressing the non compliance.	The example i can suggest is in canterbury an unused grass area along the costs river has been asigned and A space is sectioned of just for dogs, children and recreational space has not been sacrificed. Bigger parks in CAC could definibly accommodated A specific mar i am a dog your, however like all pest they will be unpredictable and a play space. Recreational space for all ages thesis to ensure that dogs are not in the same space. As more units go up evident with new construction under now - children, adults and the aged need to know they can visit a local platk any time and not restrict because dogs are there of leash.

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LAXTON RE	LAXTON RESERVE - NON-DOG USERS		
Do you usually visit Laxton Reserve to exercise a dog or dogs?	y You've answered no, I visit for other reasons. How would you rate the success or otherwise of the trial?	Halfway through the trial, a time restriction for dogs off leash was introduced due to an incident in the reserve, what (if anything) changed in the park after the time restriction was brought in?	
No, I visit for other reasons	^s l I han tmade a difference or affected my use	There is a fence dividing the playground and oval which serves no purpose in my opinion	Canterbury council have a dog park which is gated on close street. Perinaps a similar gated escution for dogs in the front part of laxton reserve as it can be big enough for dogs to run around.
No. I visit for other reasons	Many park users who do not own a dog have been disadvantaged by this Ital. The sense of community has eroded – rather the disputes have become frequent and. At times, aggressive. The tial has not been successful.	The fact that the off leash area is limited to 'before Sam and artic drylight hours in the eventry'. Is problematic: Firsty, the after drylight hours: a problematic: Firsty, the after drylight hours: a problematic. Firsty, the owners with Landment ways. Some odg owners with Landment ways. Some dog owners with Landment ways. Some dog owners with Landment ways. Some dog owners with Landment events, the me between 5 and 6pm certainly does not constitute after drylight hours'. Secondry, some dog owners have blatantly disregated dot wates these enstitions. Additorn outd safely play in Landon Reserve in the middle of the day without an off thesi dog poing present Unfortunately, this is not the case. The settlorised off is and objend reseant or flaash in the middle of the day, but these estications are also been applied. Finally, there are problems with the profimity of the off leash in the middle of the day. but the stated as a sub one signed. Finally, there are a problems with the partmints.	
No, I visit for other reasons	I have been quite happy with it and I enjoy the fact that dogs and people are brought together in this space. It creates a community atmosphere.	utilisation of the park went down.	No - I am quite happy for laxton reserve to be used as off leash area
No. 1 visit for othe	10 Vitron it may concent. 10 Vitron it may concent. 11 Vitron it may concent. 12 Vitron it may concent. 13 End a dot of grash area. 14 For a dot of grash area. 15 For a dot of grash area. 14 For the end of grash area. 15 For a dot of grash area. 16 For a dot of grash area. 17 Learnin reserves its the wong grant for this activity. 18 For a dot of grash area. 19 For any first predention is the more grant with the council regarding "Evaluation of Dog Off Leash Area Trial – Laxton Reserve Dulvich Hill. I would respectifully ask that the Council ends this trial ASAP and removes the inappropriate grant with the more state wong grant for this activity. 19 For any this breakers is the wong grant of the activity. 10 For any this breakers is a stable for different and family filtoredy park site that the Council Goals of update of the activity. 10 For any this breakers is a stable for different and tamping activity is a doal of the value for states of update of upd	No. the dog owners kept coming breaking the twant crusting conflict between people with dogs and those without dogs.	b Upgrade Marrickville Park, Hawthorne Canal or Yee Park, In marking

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LAXTON RES	LAXTON RESERVE - NON-DOG USERS		
Do you usually visit Laxton Reserve to exercise a dog or dogs?	You've answered no, I visit for other reasons. How would you rate the success or otherwise of the trial?	Halfway through the trial, a time restriction for dogs off leash was introduced due to an incident in the reserve, what (if anything) changed in the park after the time restriction was brought in?	
reasons	grup resident we conference of the mark and other park were considered for this thread of the formation has been provided for the community are over experiment and mark assessments or community in pract and selecy task to children of the dop-of fleash area. Further, no information has been provided for the community are over approach and what is has area of the park is place. The mark is place to the place of the park were considered for this thread and sleety mark and enter park were considered for the splace of the place mark is place and the mark is assessment criteria that has been docided upon to extension or the resident's larger values there and the mark is place and the mark is assessment criteria that has been docided upon to extension or place place in the interval file mark and is a mark and system and exact mark mark assessment criteria that has been docided upon the state of the practice mark and is a mark and the completed or mark and the area interval place place in the interval interval and short mark and the completed of the community and the completed of the interval mark and the completed of the interval mark and the completed of the interval mark assessment of mark and the mark and and the completed of the interval mark and the state is and short any constant extension the mark and the area mark and the mark and the completed of the interval on the community of society place bed and and the interval on the community and any constallation. The mark and the state is the mark and the area will work on the mark and the area will work on the area and will work on the area and will work on the area at the content the mark assessment and the area. The area content are area of the extent the warea of place be at the earth and the area and well place be at the earth and the area and well place be at the earth and the area at the earth. How can place be at the earth and the area at the earth area will and the area and well place be at the earth and the area at the earth. How can place be at the earth	Council then sends rangers down to council and 5 min later dog owners return.	don't need extra of fleash area. Ashfield and Leichhard have plenty.
No, I visit for other reasons	Using the playground, having parties and relaxing. The trial has been a disaster and completely changed the way people use the park. People have been put off by the risk of having dogs so close to the playground and hanging around the park. You don't see as many parties anymore: I don't want dogs coming up to us when I'm playing with my Kids. I don't want to listen to them baking and carryforg on with their owners calling out to them. Then there are the squeeky toys. I moved into my home because of the quiet outlook from my balcony and now dogs owners are using this park to their owners calling out to them. Then there are the squeeky toys. I moved into my home	Nothing has changed. People still use the park during the day. If anything there is nore barking at inght because they all curp together. I can be in the playground in the alternoon and people come down with their dosp. Firstly have keep them on leasts and then look around and release them. The the colonion effect, another them. Then the colonion effect, another adog owner comes and the same happens. No one reads the signs.	Anywhere but here, Just come and look at the reserve. It's not a big place to accommode everyone and twes around here and the needs of dogs. It's just too dangerous near a playground.
No, I visit for other reasons	If we next to the park and used to meet up there with friends who five at Villiams Parade, so I object to rules for the use of the area, which seems very exclusive to those with dogs or children. I don't want to sit anywhere dogs have been pooping nor in the vicinity of the children's play area. I watch people with their dogs and often they are on their mobile phones and don't see when the dogs are pooping.	I don't know as I have stopped using the park as dogs still poop there morning and manual and and and and and and and the are to sit on the grass where they have been.	Johnston park which is much bigger and could even be fenced off a little for a dog area.
No, I visit for other reasons	Absolute disaster! The dog park has lead to at least 4 children being attacked by dogs (as defined by the Office of Local Government - one bowled over in the playground, another knocked over in the park, one pinned down (by a great dame) and one charged at in her own backy. There have been many dogs in the playground. For the bowled over in the playground. There have been many dogs in the playground. The play dogs in the playground, the play dogs in the playground over in the play plant. There have been many dogs in the playground. The play dogs in the play down over the play dogs and the play over the play play the compared through and food stock and the play dogs on the play dogs in the play dogs on the play dogs on the play dogs on the play dogs on the play over the control of the play. There have been there are dogs entering private properties that to poin into the park. The dog support the play dogs on the play dogs on the play many the play and the play dogs on the play the community, not created it Residents in the adjoining apartments have been threatened, included, had their tyres slashed and been defamed (even their children) by some callous dog owners in the park and anonymous cowards online. It is like a Maxican stand off in the late afternoon. Many families no longer will risk using the park for play-dates or parties for fear of the dogs.	Still many dags off-leash during restricted hours. Still day facers. Still the school can't use the park for both of those reasons: hais '256 dutien that the casaons: hais' 256 dutien that the conducted facht even know about having conducted for due dignore or consultation prior. There is also now a particularly 6-spm (which is during restricted hours at this time of year).	The bottom part of Johnson Park that was always used, that is preferred by many dog owners, that is not used by anyone, that is away from everyone, that was originally petitioned for back in 2011.
No, I visit for other reasons	I loved watching the dogs playing in Laxton Park. I live next to the park with my balcony overlooking the park. I think the trial was a success and I did not see an impact on others using the park or the playground.	Dogs were not allowed off leash in certain times which was sad to watch. The time restriction did not make sense to me	No. There should be more areas like this, not alternatives
No, I visit for other reasons	Unsuccessful. The park is unsultable to be a dog park, because of size number is exits and proximity to a children's playground. Fencing off any area will ruin the functionality and flow of the park which is used by families for playtime exercise, picnics and parties and an it is also used by local schools for recreation and exercise. Must be exercise, picnics and parties and a flow of the park which is used by families for playtime exercise, picnics and parties and. It is also used by local schools for recreation and exercise. Must be access have occurred as a result of this during the triat. Every time I walk across the park I find dog excrement left on the grass. My children have been chased by dogs and our picnic has been raided by dogs.	Very little. The notices explaining the new rules are thy, and have been either taken down or fallen down. Every day I walk through the park there is an off-leash dog during 8 00am to sundown. The dog poo continues.	The area at the back of Johnston park has been a defacto of feash area for the last 7 years. Have lived in Dukwch hill. Dog worrers I speak to say they prefer this area.
No, I visit for other reasons	Ok. Dogs should be on the leash	No. Dogs should be on leash it is a small park.	A bigger park within the council like Sydney park. Not a small park where there are residents and a primary school nearby.
No, I visit for other reasons	Play dates with children and birthday parties. My children used to use it for school but sady no longer can!	Nothing, the dogs are still not a good fit for the park.	There are many off leash areas in the LGA. Bottom of Jonhson Park is better suited.



Total have a served yes. Total have a served yes. Total have a served yes. Total have a served yes. Total have a served yes. Total have a served yes. Somewhat Somewhat Somewhat Soutor Soutor			PETERSHAM PARK - DOG USERS	5 USERS	
Presente Presente		You have answered yes. How supportive are you of conncil making the trial off leash area permanent in Petersham	You have answered supportive. OPTIONAL - you have the option to add further comment here. (500 word limit).	You have answered somewhat supportive. OPTIONAL - you have the option to add further comment here. (500 word limit).	You have answered somewhat supportive. option Have the ls there anything else you'd like to add about the trial of the off leash area in Petersham option to add further comment here (500 word limit).
Somewhat 1. would love Petersham Park Somewhat 1. owoid love Petersham Park Supportive 1. owoid love Petersham Park More dog and community firendly spaces. 0 avoid, we must be on the park. Jiresportshee dog owners whole their vicious dogs of thack socons a third went stangibil for my loge strat as soon as hyborid were stead of avoid so more dogs and community firendly spaces.	< es	Somewhat supportive		The current area designated for the of-leash area is a very poor choice. It has no proper all on the other two. The picno- to be located three would have to be relocated. A number of the plants in the area are very dangerous spikes at the base that dogs could run nito and dangerous spikes at the base plant beds are too high as the plant beds are too high as the allow animals to hide and owners to see their animals at all limes, as they should do. It bag dispenser is aloo.	Council absolutely MUST patrol the Park regularly to ensure that owners are using the designated area only when letting their dogs off-leash. Currently, too many people just let their dogs off anywhere in the Park, including the oval. In 2 and half years of visiting the Park, and fifterent times of the day, weekdays and weekends, I have seen what might have been a Countk, and fifterent man of the palygound be that the hind the their dogs warder where they like, including the playgound despite that being clearly forbidden. I strongly believe that the regular presence of Rangers will send clear message to dog owners to use the Park properly and not just as an extension of their backyards.
Supportive More dog and community finendly spaces. Not only does this benefit the animals, but it builds a much stronger sense of community. There are Petersham residents I	s es	Somewhat supportive		I vould love Petersham Park to have a permanent off leash problems with Petersham Park having an off leash area. Townes with oppore the designated area and have petersham Park. I would not care except some of these petersham Park. I would not care except some of these dog faces in a particular area dog soft leash. My dog was dogs off leash. My dog was several weeks ago and I've peter back since. 2 young worn straight for my dog was some with straight for my dog and I bean back since. 2 young worn straight for my dog and I bean to carch him and carry him out of the park.	It would be great to get it fenced off.
Not only does this benefit the animals, but it builds a much stronger sense of community. There are Petersham residents I	Yes		More dog and community friendly spaces.		How will the kids in the playground be protected?
Supportive would otherwise not have engaged with had it not been for this off leash area.	Yes		Not only does this benefit the animals, but it builds a much stronger sense of community. There are Petersham residents I would otherwise not have engaged with had it not been for this off leash area.		Maybe more poo bags.

Attachment 4



		PETERSHAM PARK - DOG USERS	USERS	
Thinking about Petersham Park, do you usually visit to exercise a dog or dog?	You have answered yes. How supportive are you of Council making the trial off leash area permanent in Petersham	You have answered supportive. OPTIONAL - you have the option to add further comment here. (500 word limit).	You have answered somewhat supportive. OPTIONAL - you have the option to add further commet here. (500 word limit).	ls there anything else you'd like to add about the trial of the off leash area in Petersham Park?
Yes	Supportive	The off-leash area is well-located away from the main park. It has provided a good space for local dog owners to meet in a safe and accessible park. Access to water and bins is also appreciated. Thank you Marrickville Council.		
Yes	Supportive	The off-teash area at Petersham Park has been great - we've never had any problems there with other dogs all being well controlled and behaved. I would suggest that the off-leash area be expanded further.		Great start, some more infrastructure would be great - a slightly higher fence/wall especially near the roadside would be reassuming. Also, I don't think there's been anything in the way of waste bag dispensers installed which we understood would be part of the trial. Also there's a casual arrangement that a bucket of water is available - something more permanent would certainly look nicer.
Yes	Supportive	Think it is beneficial to have off lead areas for exercising pets. Also good for the park usage and people contact. Encourages neighbourhood development. We have wanted such a move for many years it		It seems to be working well. I have only had positive feedback.
Yes	Supportive	Excellent space for dogs to run around and I have had no incidents of bad pet responsibility/behaviour. Owners generally are aware of their dogs personality and usually move to groups where the dogs enjoy each others company.		Am very appreciative of the council allowing this trial period to take place and look forward to it becoming a permanent doggy area of Petersham Park.
Yes	Supportive			keep it permanent
Yes	Supportive	It's a great community space where members of the community and their dogs come together. Where the park is very busy to walk around, it utilises an area of the park that was once not used as often as other areas of the park.		
Yes	Supportive	It is somewhere for the big dogs to run around. Now there are less big dogs running freely around the rest of the Park and the oval. Littler dogs can also roam freely in that area, of course!		
Yes	Supportive	In my opinion off leash should be extended to the whole park between the hours of 6am and 9am. I walk my dog at about 0645. There are no chindren in the park at this time and incar very tree work prepeate other than those walking dogs, the ogos are always accomparied and would proven to neisk to bandicools which I note are no chindra the very adding the park for a number of years and have never seen a bandicoot. I am informed that unaccompanied animals such as cash and dogs for a bandicoots. I have lived adjoining the park for a number of years and have never seen a bandicoot. I am informed that unaccompanied animals such as cash and dogs form the greatest threat to the bandicoots. Concollos should come down to the park in the early moming to note that the greater majority of people in the park around 0700 are dog walkers.		Extend off leash to the whole of the park between 0600 and 0900 every day.
Yes	Supportive	Finally Council has realised that pet ownership in the area is huge! After 11 years of walking my dog around the Park on a lead he can now run free and socialise with other dogs! This means I'm able to stand around and chat to other locals. There is a great community atmosphere in Petersham and I think the off-leash area only enhances it. Thank you.		
Yes	Supportive			There never observed any problem. It is clear there is a small number of people who claim to be affected by the trial because they live adjacent. As far as I can see they invite trouble by leaving their gates open and generally being unhelpful and antiagonistic.
Yes	Supportive	I wholeheartedly support the off-leash area However, there should be an extension to time dependent off-leash access to the rest of the park (before 8am and after 5pm, for example). I like to walk my dogs around the oval and at these times, there are minimal people in the park, leadone on the park that around the oval. I strongly urge the council to consider this extension. Thatk you		
Yes		As a vertering or the strong of the three processions of the strong of t		
Yes		I use the park often for exercise, to meet people and to allow the dog to play and I have always only seen positive interactions with users of the park and dogs. It is enjoyable to see the park being used in this way. I have enjoyed meeting people in my community as a result of the new offleash area.		
Yes	Supportive			
Yes	Supportive	Please please keep this precious area open to dog, pupples and all things canine off leash to play and socialisel We do not have any other space to exercise our dogs properly. And, our dogs are now socialised with each other, which means they do not growt and snart areach other when passing on the leash! And, we have met so many other canine owners (and non canine owners - kids love to come and play with the dogs and learn to also handle them without being constrained on a lead).		So many reasons for it to stay - not many reasons for it not to. This part of Petersham Park is rarely used by other groups - it would be a waste not to use it for our canines. Thank youll
Yes	Supportive	There is something for everyone at Petersham park, and having a space to let dogs have a run is invaluable for pet owners. This park is walking distance from my home and makes walking the dog very easy.		

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Petersham C Park, do you usually visit to exercise a dog or dogs?	You have answered yes. How supportive are you of the trial off the trial off the stral off permanent in Petersham Park?	You have answered supportive. OP TIONAL - you have the option to add further comment here. (500 word limit).	You have answered somewhat supportive. OPTIONAL - you have the option to add further comment here. (500 word limit).	ls there anything else you'd like to add about the trial of the off leash area in Petersham Park?
Yes	Supportive	It's great to have an off-leash area in Petersham Park. It would be helpful to have poo bags more readily available to help ensure everyone cleans up after their pets. A lot of people still walk on the path around the oval with their dogs off-lead which can be problemate for those with dogs on-lead as the different dynamic between the dogs (on-lead vs. off-lead) while near the prost serves. It would be good to see plenty of visible presence from the Rangers to ensure everyone is sting the various areas responsibly.		
Yes	Supportive	I strongly support making the off-leash trial permanent. Not only has the park become a popular and important area for our dogs to exercise. It's also become important for community engagement. Dog owners meet there regularly to chat and cath up. I can say I've made many friends there in the last couple of years. These are the things that make a cohesive, fittendly and successful community. The same applies to Henson Park.		
Yes	Supportive			Can you please repair the picket fence around the oval? Sometimes dogs get onto the oval through the big gap in the fence at the southern end of the field.
Yes	Supportive	It will be much appreciated if there was provision of dog poo bags. Thank you. Petersham Park is a jewel in the Marrickville council crown and it is great that dog owners can now participate along with		Of course I would love to see the area but being realistic I would say that it has been great to see so
Yes		other ptark users. If thas been great having an off leash area walking distance from home. We use it regularly, however have seen that there are many dog owners still unaware that the off leash area was even there, with their dogs in other areas of the park. Perhaps more signage to educate dog owners as I do notice many people have their dogs off leash in other areas of the	_	nany park goers now using what was an under-utalised area of the park.
Yes	Supportive	Thank you so much for setting up this trial. It has been great meeting other dog owners and our dog now loves his time in the park, which is great as there are not many other spaces nearby for him to run around. I really hope other dog owners continue to be responsible and ensure they are following the rules on locations for fleashes etc. It has helped create a great sense of community in the park while the families and kids and odgs interacting, and I've never once witheesed any kind of problem. The kids and wakers love seeing the dogs out too. Please instate it permanently.		
Yes	Supportive	Why not expand the off leash area in the early morning and late evening when there are very few users of the park apart from dog wakers. It is a wonderful way to encourage healthy exercise for both humans and dogs. With the restricted off leash trial area people haven't got the opportunity to walk around and it has created conflict with park rangers when dog leases rany outside the specified area.		
Yes	Supportive	Since inception of the trial my husband and I have walked our 8 month old in the off leash area twice a day. Without this area her would not be the well socialized, beautifully natured happy dog he is today. The off heath area provides the dogs a chance to interact with each other, the young dogs especially benefit by being abl to learn valuable life skills off the older dogs, which otherwise would be actremely hard to learn. These skills are what makes the dogs the well natured beings they are, being able to interact with all members of the community in an appropriate way.		The inclusion of the signs and the poo bags has been especially useful for dog and non dog owners alke.
Yes	Supportive	Since inception of the trial my husband and I have walked our 8 month old in the off leash area twice a day. Without this area her would note the well socialized, beautifully natured happy dog he is today. The off leash area provides the dogs a chance to interact with each other, the young dogs especially benefit by being abl to learn valuable life skills off the older dogs, which otherwise would be actremely hard to learn. These skills are what makes the dogs the well natured beings they are, being able to interact with all members of the community in an appropriate way.		signs and poo bags extremely useful
Yes	Supportive	It's a very nice place for dog owners often with large dogs and small houses to meet and exercise their animals close by		It's hard to keep an unleashed dog from crossing the boundaries of such a small area, bordered by Brighton St which gets heavy traffic at times and poses potential risks for dogs and cars
Yes	Supportive			
Yes	Supportive	It helps me meet people in my community and I use local businesses while walking dog.		
Yes		We got a new dog a few months ago and have found the off leash area to be excellent area for him and for us to meet with other responsible owners.		Adding fencing or a wall to ensure the dogs do not run off into other areas would make sense. Some owners are not responsible by sticking to the off leash area and the penalties for doing so should be noticed.
Yes		Would like it to be a bit larger it is very small. Park use on weekdays mainly dog walkers. Perhaps make whole park off leash except for weekends?		
Yes	Supportive Supportive	Could we look at extending the off leash area please?		It has been successful thank you.





		PETERSHAM PARK - DOG USERS	ISERS	
Thinking about Petersham Park, do you usually visit to exercise a dog or dogs?	You have answered yes. How supportive are you of Council making the trial off leash area permanent in Petersham	You have answered supportive. OPTIONAL - you have the option to add further comment here. (500 word limit).	You have answered somewhat supportive. OPTIONAL - you have the option to add further comment here. (500 word limit).	You have answered somewhat supportive. OPTOMAL - you have the ls there anything else you'd like to add about the trial of the off leash area in Petersham option to add further comment here. (500 word limit).
Yes	Supportive	It has been fantastic to walk my dog off leash huge benefit to the area. I really hope it becomes permanent.		
Yes		It's very important to have this small, decircated space for dog owners. The number of people making use of the space daily (it's offen cowded) indicates the need. With increasing high density hiving more people will want to use our open spaces for more purposes I important to get the mix right.		The Petesham park off leash area is good and necessary. However an off leash ar is also needed in Morton park
Yes	Supportive			
Yes	Supportive			
Yes		The off leash area for dogs provides a great exercise area, but it is still separate from the kids playground where there are often kids parties and other gatherings. The park is large enough support both uses		
Yes	Supportive			
Yes	Supportive			
Yes		I have been to the park every day to walk my dog and for picnics and walks at other times. I was very sceptical about the off leash area at first but it really works. It allows an opportunity for families with kids to teach them some socialisation with dogs in a teached area as well as letting dogs get property exercised. Dogs who are well exercised do not bark when their owners go to work.		i sincerely hope that the trial will become permanent. I also notice in the off leash area of the park that everyone picks up after their dog.
Yes	Supportive	It is working well. 1) The old task is very important because people are filling up the containers which provides water for all the park birds as well as for the dogs. (2) Dog owners seem to be picking up dog poo which is great. (3) The space is large enough for ball throwing and so far three is little damage to the grass and plants (4) It is a good space as it is well away from the main activities of the park and seems to keep dogs off the oval.		Please make it permanent.
Yes	Supportive	Petersham park is a big part of the reason I live in Petersham and why friends of mine with dogs are moving to the area. There is a great culture and sense of community around dog walking and other events at the park.		There are always challenges with off leash areas and it's inevitable that there would be a few discumbled people. However, the joy of seeing a small furny friends bounding across the grass in unparalleled.
Yes	Supportive	We were using the trial with our dogs on weekends until the hours changed, then it was no longer practical, as one of us would be with the dogs while the other would be with our daughter in the playground, and the new of leash hours weren't conductve to playground use. So ideally the dog area would be fenced with unrestricted hours, so we could use the dog area and playground systematic and playground systematic and playground and playground use the dog		
Yes	Supportive	The trial appears successful. I have not observed any negative impacts as a consequence of having off-leash area in place.		Sharing of such spaces is quite common in other LGA's and seems to be the way to go.
Yes	Supportive			
Yes	Supportive			It is the closest park to our house (Crystal St) - a 10 minute walk. All dog owners are very friendly with other dog owners and respective of the rules and regulations of park - we all understand there is wild life. Dogs are very happy as well. We all love that Pereissham Park is off leash! We would love it you could keep it that way ·)
Yes	Supportive			

5		EST COUNCIL	Extra	ordinary	Cou	ncil 5 .	l Meeti July 20
	ls there anything else you'd like to add about the trial of the off leash area in Petersham Park?	I have been very disappointed with the poor levels of communication, direct interaction and consultation between Council staff and park users on this issue. Numerous letters to both Council staff and Ward Councilors have gone unanswered. Whereas residents in the immediate areas have been litterbox dropped about the trial areas residents outside this area, some of whom have communicated an interest circuit areas residents outside this area, some of whom have been litterbox dropped about the trial areas residents outside this area, some of whom have communicated an interest circuit areas residents outside this area, some of whom have bet stands not a single sign promoting this webste and the feedback process has been posted in a featabas not a single sign promoting this webste and the feedback process has been posted in powers or other park users. This this reflects MMC's ambivalence towards the park community – be they dog owners or other park users. The north Rangers whose sole role is to threaten and/or fine them for terestoring in the park with their dogs. This is simply NOT the way a local council should engage with its constituents and local community. The way a local council should engage with the constituents and council Rangers ether unwilling or not allowed to explain the reasons as to why dogs are not allowed off leads. The Rangers only explanation fare fragmers the situation is excercible and year or council would do a great deal more to community group of responsible dog only and fare. To direstorial so whates, and the bount h arrager threadening to fine them, the situation here of frustration, indifference, absurdly weat fare. On only does it support community it also supports council sound fare. The supports council sound and are the responsible dog whetes, and the bount h arrager threaden ing to fine them, the situation be one morning in the park. I CC'd others from Council. Whereas XXXXXX returned my communication no-one else from MMC did.	It is excellent that more off-leash areas are being created, however the move to totally avoid fenced areas is disappointing. Although I understand the desire to create open, shared spaces, that comes at the cost of the peace-of-mind afforded by a tenced area - both to those exercing their dogs, the second if the peace-of-mind afforded by a tenced area - both to those exercing their dogs, and sho to pedestrians and other park users, who may wish to avoid condar dwind dogs. It is especially disappointing given that walking dogs is one of the main and most frequent uses of parks in council, with more reported use than kids playgrounds.	Adding fencing or a wall to ensure that the dogs cannot run off into other areas would be beneficial. I would also like to see greater evidence of punishment of irresponsible owners who allow their dogs off least in other areas, do not clean up after their dogs and allow their dogs onto the oval. There are bignes outlining penalties for these activities, but no evidence of enforcement despite clear regular breaches.	In my experience the off leash park has been very successful and well used by local residents.		i believe that the area closer to the play ground needs further monitoring as off lease dogs have increased around the playground equipment
USERS	You have answered somewhat supportive. OPTIONAL - you have the option to ad further commet here. (500 word limit).						
PETERSHAM PARK - DOG USERS	You have answered supportive. OPTIONAL - you have the option to add further comment here. (500 word limit).	This application is based on a petition that was submitted to MMC last year. From Marrickville Council's website "The use of Council Parks by dog wakers is encouraged and recognised by Marrickville Council as creating a positive sense of council Parks by dog wakers is encouraged and recognised by Marrickville Council as creating a positive sense of council Parks by dog wakers is encouraged and recognised by Marrickville Council as retardation of the restrictions relating to unteasher dogs outside the current of feash trian area. I seek a started use of the whole park (axcept the pronic and children's piley areas) with dogs allowed off leash trian area. I seek a started use of the whole park (axcept the pronic and children's piley areas) with dogs allowed off leash trian area. I seek a started use of the whole park (axcept the pronic and children's piley areas) trian area. I seek a started use of the whole park (axcept the pronic and children's piley areas) to fifer the following points for Council's consideration. These hours will allow people to exercise that dogs off leash both before and after work with no, or very little, impact on other park provides a meeting place for the dog outside those when the park is used by families and children. Faultury in the early moning (perlore Bam) the only ordened webs the park is used by families and children. Faultury in the community to connet. 3 As a responsible dog owner I pick up after mude the Companion Animals Act to more dog on in the park. Loffer the observation that dogs will poor both on and of the leash and it is the responsibility of the owner to pick this up. I would also suprements under the Companion Animals Act to more dog on in the park. Loffer the observation that dogs will poor both on and of the leash and it is the responsibility of the owner to pick this up. I would also suprements whether dogs are not or of leash and it is the responsibility of the owner to pick this up. I would also supples whether dogs are not or of feash and the theres of childre	Petersham park is too far away and unpleasant to walk to. We would like to see a trial off-leash area in Morton Park Lewisham. This is especially the case now that works have begun on Marrickville Park (the only other off-leash park nearby), which has reduced both ease of access (currently, accessing water and bins requires walking all the way around the oval) and the off-leah area available (a sizeable part of the off-leash area is now fenced off). Debase key this off-leash area in the Park, we also use the playground for our kids so with an off leash area the whole	ustimuy can use the park. We got a new puppy a few months ago and have found the off leash area to be an excellent area for him to develop his knowledge of how to sociatise with other dogs and humans alike and for us to meet other responsible owners.	We love the off leash area and would be so disappointed if it was to not be an option anymore. We would appreciate a fence around it to make it safer, however. The off leash area has been fantastic for the atmosphere of the park and provides the opportunity for dogs to be socialised.	da wen as for resonents to reer a sense or community. I lots of dogs living in Petersham and they enjoying the off leash area with humans. Park is always clean and tidy and a Diesavue to be there.	I support off leash area but not too expand the area too the entire park dogs off leash approach dogs on leash and there owners are too far away to control them, because it is a circuit both leashed and off leash dogs walk their, there is no control from owners with off leash and they don't understand the difference. dogs on leash often do not play well, whence the leash, they are not violent dogs just need to be on lead. the loask should allow for this by keronic off leash and a leads.
	You have answered yes. How supportive are you of council making the trial off leash area permanent in Petersham	Supportive	Supportive Supportive	Supportive	Supportive Supportive	Supportive	Supportive
	Thinking about Petersham Park, do you usually visit to exercise a dog or dog?	≺ es	Yes Yes	Yes	Yes	Yes	Yes

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		PETERSH	AM PARK - NC	PETERSHAM PARK - NON-DOG USERS		
Thinking about Petersham Park, do you usually visit to exercise a dog or dog or	You have answered that you visit for other reasons. How supportive are you of Council making the trial off-leash area permanent in Petersham Park	You have answered supportive. OPTIONAL - you have the option to add further comment here. (500 word limit).	You have answered neutral. OPTIONAL - you have the option to add further comment here. (500 word limit).	You have answered somewhat opposed. OPTIONAL - you have the option to add further comment here. (500 word limit).	You have answered opposed. OPTIONAL - you have the option to add further comment here. (500 word limit).	Is there anything else you'd like to add about the trial of the off leash area in Petersham Park?
No, I visit for other reasons	Neutral		The trial has not changed things much. Very few owners exercise their dog in the restricted area.			Some dogs are left unleashed in the rest of the park as before, and others are excercised in the oval or with owners having a rest in the oval while the dog is left to roam, as before.
No. I visit for other reasons	Opposed				This is a VERY BAD IDEA. Small children use the park playground and dogs with irresponsible owners. Only a matter of time before a small child is injured or bitten. Noisy dogs off leash has increased in our street (Seart Street). Dogs without owners running into Brighton Street stopping traffic and the Brighton Street stopping traffic and the Street + the park iself. This is a small part of the park rand can no longer be used for family picnics etc - dogs don't stay with the area.	This is a VERY BAD IDEA. Small children use the park playground and dool Now close to off leash area for large per and a dedicated children's play area. It is not anter of time before a small children suitable for an off-leash area. All dogs should injured or bitten. Noisy dogs off leash area is not a seash at all times if small children are bas increased in our street (Seash bas increased for bas increased for our street (Seash bas increased for our street (Seash bas increased for street stopping traffic and the should priorities safety of children over pet stroet for family picnics etc - dogs don't stay with the area.
No. I visit for other reasons	dp				I regularly see dogs off leash throughout the park. not just in the designated area. This includes the play area. I have been menaced by a dog with the syn only to be menaced by a dog with the owner taking no responsibility for the behaviour. The comments you get are things like. "He's just excited, he wouldn't hurt anyone." I also see dogs far away from their owners and well outside effective control. That's just not good enough. Dogs should be on leashes or in an enclosed area.	It has encouraged dog owners to have their dogs off leash throughout the park. Many dog owners are not responsible and have no concern for the fear their animals cause. I use the park far less frequently.
No. I visit for other reasons	pesoddO				My experience of the park has been people allow dogs to run all over the park they don't take notice of the on leash areas and dogs run hiro the playgound. God forbid you actually raise this with a dog owner they either get very shirty with you your or you get is the same answer from them "my dog is just friendly it won't hurt youyour child' which is irrelevant if youyour child' is created of dogs. Personally I think the off leash area should be fenced in.	

	ls there anything else you'd like to add about the trial of the off leash area in Petersham Park?	I walk the park every morning with by toddler and every day the majority of dogs are off leases in non off leash areas, when I approach council staff, they say if's not my job to intervene. Can you send out the rangers between 6 and 9 am in the morning.		There are too many areas in Marrickville now given over to dogs.
PETERSHAM PARK - NON-DOG USERS	You have answered opposed. OPTIONAL - you have the option to add further comment here. (500 word limit).	 Off leash is a want, not a need at Off leash is a want, not a need at lease spark on Bighton the already a off lease park on Bighton the already a off lease park on Bighton these is non off least hogs are ALWAYS off leash is non off least hogs are ALWAYS off leash c) off least hogs are ALWAYS off leash children play areas. 3: The no off least nees should be extended to grass. Even if pools the and percent or uncli area or and we sole of grass. Even if pools the and percent or uncli area or and we sole of grass. Even if pools the and every day the majority of dogs are off leases children and parents to picnic withey and every day the main park in non off leash areas. When I aports dog poolar prodect ouncli area or the in non off leash areas. When I aports the antipare to the poolar part of the you sent unning the area making the rules area to the the morning. the area making the rules area to the the area area of are not bicking up pool the area area of are not suitable for to use recreationally. 6. Whith the uses area area area area area ar	There are plenty of off leash parks already - please keep peters ham park clean and safe for children . It's not when there are dogs off leash - I think the council has forgotten not everyone has dogs or likes a park where there are uncontrolled dogs running around and increased dog poo Issues	Dogs, elderly people and toddlers don't mix. It is unfair to allow dogs to run around in a park frequented by young children and older clitaens. Not all dog owners are responsible. Dogs Some people own two or three dog and are not able to manage them properly. They given over to dogs. They allow pus to burnee up to other people using the park.
	You have answered somewhat opposed. OPTIONAL - you have the option to add further comment here. (500 word limit).		F 0 0 2 0 0 2 2	
	You have answered neutral . OPTIONAL - you have the option to add further comment here. (500 word limit).			
	You have answered supportive. OPTIONAL - you have the option to add further comment here. (500 option to add further comment word limit).			
	You have answered supportive. OPTIONAL - you have the option to add further comment here. (500 word limit).			
	You have answered that you visit for other reasons. How supportive are you of Council making the trial off-leash area permanent in Petersham Park	pe sod dO	Opposed	besed
	Thinking about Petersham Park, do you usually visit to exercise a dog or dog or	No. I visit for other reasons	No, I visit for other reasons	No. I visit for other reasons

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PETERSHAM PARK - NON-DOG USERS	td. Is there anything else you'd like to add on to about the trial of the off leash area in Petersham Park?	Se Di Fri e	ny eir yrely, ghten n over eces		at is uack is uack is uack sh g and g and ks ks s run s run	ny Make a small area of the park available for off- leash	If the trial is allowed to proceed, clearer markings (in addition to entry signage) needs to be made about restricted and unrestricted areas. Greater enforcement of areas needs to be be made by Rangers.
	You have answered opposed. OPTIONAL - you have the option to add further comment here. (500 word limit).	Atthough I am not frightened of dogs as teuch. I am concerned that not all dog owners take the trouble to train their dogs. This means I am at risk of being knocked over by a dog which is "just being friendly". And the statistics regarding dog attacks on children are frightening.	I have young children, there are many irresponsible dog owners who let their dogs run around the park and very lively, young or poorly trained dogs can frighten young children, and may knock them over - or knock over elderly people. There is also the matter of dogs urine and faeces throughout the whole park.		I am opposed to any off leash are that is not fenced in for the dogs. Sydney Park is a mess of dog poo. I have called Council about it previously, as well as off leash dogs running up to my family and scaring my young children. I am not anti-dog and in fact will get one soon, and my children love our friends' dogs. However, they unless their area is fenced off, as is O'Dea Reserve in Camperdown in CoS Council area. It is not safe to let dogs run free among children, and many dog owmers do not pick up after their dog.	at times too many dogs and too many resulting dog droppings.	
	You have answered somewhat opposed. OPTIONAL - you have the option to add further comment here. (500 word limit).						Unleashed dogs are too frequently allowed by their owners to roam through the park, not just the unrestricted area. Too many dogs are taken into or many dogs are taken playground area, where playground area, where playground area, where playground area by (Brighton Reserve).
	You have answered neutral . OPTIONAL - you have the option to add further comment here. (500 word limit).						
	You have answered supportive. OPTIONAL - you have the option to add further comment here. (500 option to add further comment word limit).						
	You have answered that you visit for other reasons. How supportive are you of Council making the trial off-leash area permanent in Petersham Park	Opposed	Opposed	Opposed	Dposed	Opposed	Somewhat opposed
	Thinking about Petersham Park, do you usually visit to exercise a dog or dog or	No, I visit for other reasons	No, I visit for other reasons	No, I visit for other reasons	No, I visit for other reasons	No, I visit for other reasons	No. I visit for other reasons

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	Is there anything else you'd like to add about the trial of the off leash area in Petersham Park?	The off-leash area is not being enforced. I live on the park and I see daily that the area is not being used. This morning at 7am, 8 dogs were off-leash in the park and NONE of them were in the area. There were no dogs with owners in this off-leash area. Dog owners are not following the directions provided by the council and the council is not enforcing the dog off-leash area rules. Dog owners do not care and like to walk around the oval while their dogs run free. 2 of my children have been jumped on by big dogs. They are terrified. There is dog poo all through whole project has been a complete failure. I awareness that their dog has defecated since they are running off-leash away from them. The whole project has been a complete failure. I agree whole project has been a complete failure. I to instal and implement this off-heash area and it to instal and implement this off-leash area and the schen wasted. Dog owners say they do not care. I saw a large kelpie running through the endiofferent investment on the part of the council to instal and implement this off-leash area and the children's playground this morning. I believe that ensure that the off-leash area on it way designed.	If this is to be come permanent I trust that the area will still be visited by fangers and rules enforced the park is not just for dogs and their owners.	this should be made for all parks	
PETERSHAM PARK - NON-DOG USERS	You have answered opposed. OPTIONAL - you have the option to add further comment here. (500 word limit).				
	You have answered somewhat opposed. OPTIONAL - you have the option to add further comment here. (500 word limit).				
	You have answered neutral . OPTIONAL - you have the option to add further comment here. (500 word limit).				
	You have answered supportive. OPTIONAL - you have the option to add further comment here. (500 option to add further comment word limit).	The off-leash area is not being endrored. This on the park and I see daily that the area is not being used. This morning at 7am, 8 dogs were off-leash in the park and NONE of them were in the area. Dog owners are not following the directions provided by the council and the council is not enforcing the dog off-leash area rules. Dog owners do not care and like to walk around the oval while their dogs trun free. 2 of my children have been jumped on by big dogs. They are terrified. There is dog poo all through the Park because dog- owners have no awareness that their dog has defectuals from them. The whole project has been are complete failure. I agree wholeheartedly with the idea but it is not working in its current form.	We live opposite the off leash area and have found it to be not as bad as we anticipated however owners seem to forget that once they leave this area they need to put a lead on their dogs to go anywhere else in the park. I have seen many dogs off leash in piay area and also on the oval. We have had more noise from barking dogs particularly early mornings.		
	You have answered supportive. OPTIONAL - you have the option to add further comment here. (500 word limit).			I would take my dogs for off leash times as there are not many of leash parks about	
	You have answered that you visit for other reasons. How supportive are you of Council making the trial off-leash area permanent in Petersham Park	Somewhat supportive	Somewhat supportive	Supportive	Supportive
	Thinking about Petersham Park, do you usually visit to exercise a dog or dog or	No. I visit for other reasons	No. I visit for other reasons	No, I visit for other reasons	No, I visit for other reasons

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	Is there anything else you'd like to add about the trial of the off leash area in Petersham Park?	In four years of living in Petersham have only seen Rangers three times so not sure how the on-leash area supervised (and Luse the Park about 4 times per week). Also note that dog to more have enlisted assistance of MP for Summer Hill - Petersham Park is not in her electorate which suggests many of these dog owners visiting Petersham just so their dogs can befoul the area before they return to their own pristine suburb.			
PETERSHAM PARK - NON-DOG USERS	You have answered opposed. OPTIONAL - you have the option to add further comment here. (500 word limit).				
	You have answered somewhat opposed. OPTIONAL - you have the option to add further comment here. (500 word limit).				
	You have answered neutral . OPTIONAL - you have the option to add further comment here. (500 word limit).				
	You have answered supportive. OPTIONAL - you have the option to add further comment here. (500 option to add further comment word limit).	Very supportive of the current off- leash area staying off-leash BUT too many irresponsible dog owners think because they can let their dogs off-leash in that area the areault have scared (or mauled) most of the remaining bandicoots, and dog excrement can be found throughout the Park (and on the "dogs banned" oval as many tirresponsible owners seem to think that "off-leash" means "no responsibility"			
	You have answered supportive. OPTIONAL - you have the option to add further comment here. (500 word limit).		Very supportive of off leash areas in Petersham Park howver I do not use it to howver I do not use it to howver I do not use it to not fenced. In my view off leash areas need to be fenced to ensure proper sparation between dogs and other users of the park who may not be comfortable around dogs. In petricular, I have seen man anticular, I have seen man childran approaching dogs in an inporporiate manner and only narrowly avoiding an incident.	Off leash dog parks need to be fully fenced to protect the dogs and other park users.	Its nice not be followed around the rest of the park by unleashed dogs. Finally, they can have their space to run around and i can enjoy the amenities and not be worried about smithing dogs and being jumped on. I have a fear of them so its good for some space. Much less poop around when the dog is attached to the when the dog is attached to the when you
	You have answered that you visit for other reasons. How supportive are you of Council making the trial off-leash area permanent in Petersham Park	Somewhat supportive	Supportive	Supportive	Supportive
	Thinking about Petersham Park, do you usually visit to exercise a dog or dog or	No. I visit for other reasons	No. I visit for other reasons	No, I visit for other reasons	No. I visit for other reasons



		SYDENHAM GR	JENHAM GREEN - DOG USERS	
Thinking about Sydenham Green, do you usually visit to exercise a dog or dogs?	You have answered yes. How supportive are you of Council making the trial off leash area permanent in Sydenham Green?	You have answered supportive. You have the option comment here. (500 word limit).	to add further You have answered somewhat supportive. OPTIONAL - you have the option to add further comment here. (500 word limit).	Is there anything else you'd like to add about the trial of the off leash area in Sydenham Green?
se	Somewhat supportive		It's not enough. The current fenced off leash dog run is too small for the number of dogs that use it. My dog was attacked there in 2013 and I refused to go back knowing that he is unsafe. Not to mention that I also feel unsafe as people do not monitor their dogs while in the park at all. By fencing the entire St Mary's Church green space gives enough room for all dogs to run and feel safe instead of Jammed into the current small yard. It would also allow for St Mary's Church to be rejuvenated and used as a klosk, rollef facilities and other community based services. There is more than enough space in Sydenham Green for everyone, including the courcil funded skate park, additional basketball court and community the current fenced space and only use the St Mary's Ford courd areo mile the current fenced space and only use the St Mary's frond cont and them. Them Park is only a short walk away for those who don't want dogs around them.	It needs to be fenced. I've already seen one dog get hit by a car on Park Road. If it were mine, I would have sued council for not providing appropriate facilities. Until then I will continue to take my dog to Sydney Park where the needs of all constituents are provided.
Yes	Supportive	Very supportive of off leash areas in Sydenham Green however we only use the fenced off leash area to exercise our dogs? I do not use the new unfenced area but fully support the unfenced area fort those that prefer it providing the fenced aeea is retained. In my view off leash areas need to be fenced to ensure proper separation between dogs and other users of the park who may not be comfortable around dogs. In particular, I have seen many incidents of unsupervised small children approaching dogs in an inappropriate manner and only narrowly avoiding an incident.		
se	Supportive	I'm very supportive of that area being used as off-leash. I have a large dog who is very friendly but the people that go to the current park in Sydenham Green (on George Street) have smaller dogs who aren't socialised to play with the bigger guys. So we need this new area. However, unless if's fenced, it's rather useless. Dogs are just as unpredictable as children. You wouldn't allow a children's playground to be open to a road and if's not safe for dogs either. My boy sees a car across the road (and there are lots in the area) he'll instituctively run for it and that's make the trial park too dangerous until a fence is installed.		
Yes	Supportive	Great initiative. Please keep this going!		
Yes	Supportive	Prease fully tence the area as it is not usable for most dog owners as it is very close to a busy road.		

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		SYDENHAM GR	SYDENHAM GREEN - DOG USERS	
Thinking about Sydenham Green, do you usually visit to exercise a dog or dogs?	You have answered yes. How supportive are you of Council making the trial off leash area permanent in Sydenham Green?	You have answered supportive. You have the option to add further comment here. (500 word limit).	You have answered somewhat supportive. OPTIONAL - you have the option to add further comment here. (500 word limit).	Is there anything else you'd like to add about the trial of the off leash area in Sydenham Green?
, ≺es	Supportive	This is an awesome dog park. There is such a sense of community in the crowd that turns up around sun-down. The fencing is great too-really gives you a sense of security, that your dog is not going to run out onto the road.		We wark 25 mins from marrickville, near the cooks river at Illawarra road, to get here. It's worth itBUT it would be just fantastic if there were a dog park down by the river itself. There is so much green space, some of which is underutilised (e.g. bordering the playing fields at the end of Carrington Road)I AND, so many dogs are walked down there each morningIt would be grand for us, the dogs, and the community, to be able to get a good sprint and play in too.
×es	Supportive	It really is imperative that off leash dog parks are fully fenced and double gated. The fence best suited is the wire mesh type because there is no way the small dogs can escape like they can through the pool type fencing currently being used. If you genuinely want people to actually use these dog parks they MUST be secure. With Railway Rd just 15 meters away and the Princes Hwy only 50 meters away, who in their right mind would let their dog run free.		Its a great idea and we need more areas like this but get someone who has a dog to give some input.
Yes	Supportive			
Yes	Supportive			
Yes	Supportive	I often go there with my dog and child together. We go to the fenced in dog area.		
Yes	Supportive	Could we please extend the current fenced area or provide open off leash areas to allow for the larger dogs. Additionally could some maintenance be applied to the fenced area as quite a few bricks and rubble are coming through the soil. Thanks.		
Yes	Supportive			
Yes	Supportive			
	Supportive	It is a good use of land under flight path		
	Supportive			
Yes	Supportive			Diana maka it a namanant aff land area
Yes	Supportive			rrease make it a permanent on reash area such a nice community vibe among the dog walkers.
Yes	Supportive			
	Supportive			
	Supportive			
Yes	Supportive			

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			SYDENHAM GREEN - NON-DOG USERS	G USERS	
Thinking about Sydenham Green, do you usually visit to exercise a dog or dogs?	You have answered that you visit for other reasons. How supportive are you of Council making the trial off leash area permanent in Sydenham Green?	You have answered supportive. OPTIONAL you have the option to add further comment here. (500 word limit).	You have answered somewhat opposed. OPTIONAL - you have the option to add further comment here. (500 word limit).	You have answered opposed. OPTIONAL - you have the option to add further comment here. (500 word limit).	Is there anything else you'd like to add about the trial of the off leash area in Sydenham Green?
No, I visit for other reasons	Opposed			There is already a huge area for off leash at Sydney Park. Because it is an off leash area I have seen more people walking with unleashed dogs. It would also be good for parks like the small one on Mary St to be monitored as people frequently walk their dogs there off leash.	
No, I visit for other reasons	Opposed			I am scared of dogs and am afraid to walk to the park for exercise in fear of getting Bitten. I live across the road from Sydenham green as well and have lived there for over 20 years. I always see dogs running around and towards me and it frightens me.	The Dogs should only be free in the enclosed area designated!
No, I visit for other reasons	Opposed			Children are our future Let's all work together to keep them safe. Dog Free = Child Safe Let's make the park a dog free park to keep our children safe. Protect our children from the risks of: - Eating dog shit and becoming ill - Being frightened by dogs jumping on them & - Being mauled by vicious dogs	The dog mafia is trying to take over the world. This trial is the thin end of the wedge. Soon all parks will be "DOGS ONLΥ" and humans will be benned
No, I visit for other reasons	Opposed				
No, I visit for other reasons	Opposed			Although I am not frightened of dogs as such, I am concerned that not all dog owners take the trouble to train their dogs. This means I am at risk of being train their dogs. This means I am at risk of being And that exertise regarding dog attacks on children the other areas are safe for everyone. And the statistics regarding dog attacks on children are frightening.	I would have no objection to a fenced off-leash area if council has the resources to ensure that the other areas are safe for everyone.
No, I visit for other reasons	Supportive	There are so many responsible and avid dog lovers in the area, and it's great to see them enjoying our local park! It creates a lovely, (bureaucratic free) community atmosphere.			I think instead of contemplating cancelling the off leash policy, instead place clear signage stating that the park is for everyone to enjoy, so owners must clean up after their dogs or risk fines.
No, I visit for other reasons	Supportive				
No, I visit for other reasons	Supportive	I do not have a dog but love seeing them when I visit the park			
No, I visit for other reasons	Supportive				

Attachment 7

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	Is there anything else you'd like to add about the trial of the off leash area in Sydenham Green?	I live opposite Morton Park which is an on-leash park. Council has made the park very attractive and it is a pleasure to see how families and kids use the park. Over 90% of dog owners disregard council laws and run their dogs Off-Leash through the BBQ and seating areas and the children's playground areas. Many of them drive to the park to do this when there is an off leash park close by (Marrickville), they use these ball throwing devices to run their dogs the length of this small park regardless of whether there are children. Most of them pick up their faceces from the grass but picnickers and children are playing on this grass and they cannot always pick it all up. They may be a vocal - somewhat organised - minority but if they cannot comply with councils laws they are not responsible and cannot be tursted - the limited green space we have is too valuable for children and families to pollute in this manner.	Make a small area of the park available for off- leash					
USERS	You have answered opposed. OPTIONAL - you have the option to add further comment here. (500 word limit).		at times too many dogs and too many resulting dog droppings.					
SYDENHAM GREEN - NON-DOG USERS	You have answered somewhat opposed. OPTIONAL - you have the option to add further comment here. (500 word limit).			I have lived here for 30yrs seeing this beautiful park created. The problem I have is that people make their own rules when griven choice. My husband and I visit the park4 out of 7 days a week with our grand children who are also locals residents and use the park with their parter strates. The dogs ' don't understand children running and playing with balls is off limits. Very scary sometimes Many dog owner unleash the dogs anywhere in the park and neighbouring streets on their way. Unfortunately Sydenham green has become a 'dog park' and not consideration can be taken in this decision. Unleashed dog owners will not stick to a designated area " they don't care"	There is already a large fenced area at Sydenham Green for the local dogs to run and play off leash.			
	You have answered supportive. OPTIONAL - you have the option to add further comment here. (500 word limit).			<u> </u>				
	You have answered that you visit for other reasons. How supportive are you of Council making the trial off leash area permanent in Sydenham Green?	0 D D	Opposed	Somewhat opposed	Somewhat opposed	Supportive	Supportive	
	Thinking about Sydenham Green, do you usually visit to exercise a dog or dogs?	No, I visit for other reasons	No, I visit for other reasons	No, I visit for other reasons	No, I visit for other reasons	No, I visit for other reasons	No, I visit for other reasons	



Item No: C0716 Item 6

Subject: DEVELOPMENT APPLICATION - 412-416 LIVERPOOL ROAD, CROYDON

File Ref: 16/4718/73117.16

Prepared By: Philip North - Specialist Planner, Ashfield

Authorised By: Phil Sarin - Director, Planning and Environment

SUMMARY

Council's consent is sought for demolition of all existing structures and construction of a three storey residential flat building consisting of 22 dwellings over 2 basement levels.

The proposal complies with the provisions of Ashfield LEP 2013 and achieves general compliance with Ashfield Interim Development Assessment Policy 2013. Although the balconies fronting Liverpool Road intrude into the nominal 6m setback zone by up to 3m, it is considered that this provides a better urban design outcome given the scale of the building and the context of the locality and that this will set a suitable precedent for future development on adjacent sites.

The driveway access is located at the south west corner of the site and provides vehicular access via the section of Wetherill Street in the low density zone. This is contrary to the provisions of AIDAP 2013 and would create increased traffic flow through the low density zone and has been the source of considerable neighbour objection. To address this, Council's traffic engineer has recommended a deferred commencement condition of consent requiring the applicant to relocate the traffic island in Wetherill Street so as to redirect traffic flow so that access to the site is from the Liverpool Road end of Wetherill Street.

Although the privacy impacts are generally satisfactory, the upper level south western units (Nos. 102 & 202) include balconies which are located facing south and would overlook the private open space of 15 Wetherill Street. To address this, a deferred commencement condition has been recommended requiring the relocation of these balconies to the northern side of the unit to face into the inner courtyard. This will address the privacy concern and provide these units with improved solar access to their living rooms.

RECOMMENDATION

THAT Council as the consent authority pursuant to Clause 80(3) of the Environmental Planning and Assessment Act 1979 (as amended) grant deferred commencement consent to Development Application No. 10.2015.264.1 for demolition of existing structures and construction of a 3 storey residential flat building comprising 22 dwellings above 2 levels of basement car parking on Lot 100, DP 1124619, known as 412-416 Liverpool Road, Ashfield, subject to conditions.

BACKGROUND

1.0 Description of Proposal

Pursuant to Clause 78A(1) of the Environmental Planning and Assessment (EP&A) Act 1979 (as amended) this application seeks Council's consent for demolition of existing structures and construction of a three storey residential flat building consisting of 22 dwellings with 2 basement levels.

2.0 Application Details

Applicant: Owner: Value of work: Lot/DP:	Mr G Ali Rahman Nominees \$5,812,343 L OT: 100 DP: 1124619
Lot/DP:	LOT: 100 DP: 1124619
Date lodged:	29/12/2015



Building classification:2Application Type:LocalConstruction Certificate:No

3.0 Site and Surrounding Development

The subject site is located on the south eastern corner of the intersection with Liverpool Road and Wetherill Street, Croydon. The site area is approximately 1,208 square metres. An existing car wash is located on the site. Surrounding development comprises commercial development and low density residential. Refer to **Attachment 1** for a locality map.

The site consists of the following lot:

Street Address	Lot No.	Deposited Plan	Title System	Site Area
412-416 Liverpool Road	100	1124619	Torrens	1,208m ²

4.0 Development History

Previous building and development applications submitted to Council for the subject site include:

No.	Determination Date	Proposal	Determination
10.2010.128.1	20.07.2010	24 hour operation for car wash facility	Refused
10.2007.273.1	26.11.2007	Consolidation of 3 lots into one	Approved
10.2006.310	12.06.2007	Car wash facility	Approved
16.06.2014	16.06.2014	Residential flat building	Refused

The following table shows the background to the current application:

Application	Milestones	
Date	Event	File no
16.06.2014	Application lodged as Development Application "As-is" without any amendments to address the issues raised.	10.2014.167.1
04.09.2014	Class 1 Appeal filed with the Land and Environment Court against a deemed refusal.	14.10701
28.10.2014	 Development application refused by Council for the following reasons: 1. The proposed development represents an overdevelopment of the site and is excessive in bulk and scale. 2. The proposed development does not comply with State Environmental Planning Policy No 55 – Remediation of Land, in that no contamination report has been provided despite the use of the adjacent land as a petrol station and the industrial use of the subject site. 3. The proposed development does not comply with State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development, as follows: a. cl. 30(2)(b), Design Quality Principles: The proposal does not comply with: i. Principle 2: Scale: The proposal is of an inappropriate scale, in particular: The provision of a two storey element directly on the boundary with the adjacent property at 15 Wetherill Street; 	10.2014.167.1



 A four storey built form in a location identified by Part C4 of Ashfield Interim Development Assessment Policy for only 3 storey development. ii. Principle 3: Built form: The built form is overly dominating upon the adjacent property at 15 Wetherill Street and is inconsistent with the built form in a location identified by Part C4 of Ashfield Interim Development Assessment Policy which requires a 3m front setback with deep soil planting and a 3m deep soil planting zone on the southern boundary to provide a buffer with the low density residential zone. iii. Principle 6: Landscape: There is inadequate landscaping on the site in respect of: deep soil planting along the street frontages; Rear boundary deep soil zone; and Communal open space. Principle 7: Amenity: The units provide poor internal amenity due to: Many bedrooms obtaining natural light and ventilation only by way of a narrow access corridor to a small balcony. Bedrooms fronting directly onto Liverpool Road unable to open windows without direct exposure to noise and no noise amelioration strategy such as winter gardens. Principle 10: Aesthetics: Inadequate facade detail has been provided to demonstrate that the aesthetic treatment proposed will be realised in the resultant building. The materials and finishes are not low maintenance and include excessive use of painted finishes and aluminium panels at ground level. d. d. 30(2)(.), Residential Flat Design Code: The proposal does not comply with: Part 1, Local Context – Building Separation: The set back of the proposal from the southern boundary is inadequate and fails to provide the recommended setback of 9m between habitable rooms and balconies to 15 Wetherill Street which results in unacceptable overshadowing and priva	
painted finishes which are not durable, easily cleaned, and graffiti resistant.	
4. The proposed development does not comply with State	
Environmental Planning Policy (Affordable Rental Housing),	



as follows: a. cl. 14(1)(c)(ii), Only 13% of the site is landscaped. b. cl. 14(1)(d)(i), Only 12% of the site is provided as deep soil. c. cl. 14(1)(d)(ii), Not all of the areas of deep soil have a minimum dimension of 3m. d. cl. 16A, the proposal is not compatible with the character of the local area, in particular the adjacent Wetherill Street Heritage Conservation Area. 5. The proposed development does not comply with Ashfield Local Environmental Plan 2013, as follows: a. cl. 4.3, Height of buildings: The proposal exceeds the maximum height of 13m on the northern part of the site; b. cl. 4.3(2A), Height of buildings: The proposal includes gross floor area within the top 3m of the height limits for the site; c. cl. 4.6, Exceptions to development standards: the request regarding contravention of clause 4.3(2A) in respect of building height is not well founded and cannot be supported. d. cl. 4.6, Exceptions to development standards: no request regarding contravention of clause 4.3 in respect of building height has been submitted. 6. The proposed development does not comply with Ashfield Local Interim Development Assessment Policy 2013, as follows: a. Part C4, Ashfield West, cl. 2.1, Maximum Building Height: The proposal exceeds the maximum building height of 3 storeys by one storey; b. Part C4, Ashfield West, cl. 2.2, The proposal does not maximise the separation from neighbouring houses; c. Part C4, Ashfield West, cl. 2.3, Building Locations: The proposal does not provide a 6m front setback to Liverpool Road and Wetherill Street; d. Part C4, Ashfield West, cl. 2.4, Building Scale Relationship with Neighbouring Residential Properties: The proposal does not reduce in scale and is inadequately set back from southern boundary. e. Part C4, Ashfield West, cl. 2.5, Northerly Solar Access for Adjoining Residential Properties: The proposal results in unacceptable overshadowing of the northern elevation of 15 Wetherill Street. f. Part C4. Ashfield West. cl. 3.1. Main road frontage and building structure setbacks for front gardens and trees: The proposal does not provide the required 3m deep soil zone along the front boundaries. g. Part C4, Ashfield West, cl. 3.2, Communal Open Space: The proposal does not provide the required minimum of 25% communal open space. h. Part C4, Ashfield West, cl. 3.3, Rear/Side Landscape Buffer Areas: The proposal does not provide a 3m deep soil zone along rear boundary for dense tree planting. i. Part C4, Ashfield West, cl. 3.6, Trees: The proposal does not provide for the required tree planting on site along the street frontages. j. Part C4, Ashfield West, cl. 4.3, Visibility to Street: The proposal does not provide residential lobbies min 5m



	wide	
	 wide. k. Part C4, Ashfield West, cl. 5.6, Landscaped Buffer Areas: The proposal does not provide the required 3m width of deep soil tree planting to southern boundary. l. Part C4, Ashfield West, cl. 8.1, Vehicle Access Points: The proposal does not provide the required driveway access from the Liverpool Road end of Wetherill Street. m. Part C11, Parking, cl. 5.7, Ramp Gradients: The proposal exceeds the maximum permitted ramp gradient of 1:5. n. Part E4, Stormwater Management Policy, No Flood Certificate has been provided to enable adequate assessment of the stormwater design of the proposal. 7. The proposal proposes the removal of a healthy street tree on the Council verge in Wetherill Street. 8. The proposal is not in the public interest. 	
28.04.2015	Appeal dismissed by Court.	14.10701
03.12.2015	Provisional Development Application lodged.	17.2015.354
10.12.2015	 Letter sent to applicant raising following issues: The proposed setback to Wetherill Street should be a minimum of 3m for all the floors whilst retaining the building facade articulation on the corner. The elevational shadow diagrams should be presented at hourly intervals between noon and 3pm on June 21 and nominate the uses of the rooms on the northern elevation. Please provide elevational shadow diagram which clearly show the extent of overshadowing on the adjoining property at No 15 Wetherill Street. The proposed upper level balconies facing south west would result in overlooking of the adjacent properties and should be reconfigured. An arborist report should be provided in respect of the street tree removal and an advanced replacement tree of the same species is to be nominated on the plans in a suitable nearby location. The planting shown on the architectural drawings (plans and elevations) is not representative of either existing or proposed planting and should either be corrected to be consistent with the landscape plan or removed from the drawing altogether. The basement storage for each apartment should be provided in accordance with the SEPP 65. All units must provide a bathroom visitable by people in a wheel chair in accordance with part C1 of AIDAP 2013. Plans showing direct pipe connection to Sydney water canal along Liverpool Road are to be provided. The location of the driveway access is inconsistent with Part C4 of Ashfield Interim development Assessment Policy 2013 which nominates that vehicular access should be provided at the Liverpool Road end of Wetherill Street. The proposal should be amended to comply. The basement ramp grades do not comply with the relevant Australian Standards and should be amended to comply. 	17.2015.354
29.12.2015	Development Application lodged.	10.2015.264.1
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5.0 Zoning/Permissibility/Heritage

The site is zoned B4 - Mixed Use under the provisions of Ashfield LEP 2013. The property is located within the Ashfield West precinct. The site is adjacent a heritage conservation area.

The proposed works are permissible with Council consent.

6.0 Section 79C Assessment

The following is an assessment of the application with regard to the heads of consideration under the provisions of Section 79C of the Environmental Planning and Assessment Act.

- 6.1 <u>The provisions of any Environmental Planning Instrument</u>
- 6.1.1 Local Environmental Plans

Ashfield Local Environmental Plan 2013

Ashfield Local Environmental Plan 2013 (ALEP 2013) was gazetted on 23 December 2013 and applies to the proposal. The following table summarises the compliance of the application with ALEP 2013.

Ashfield Local Environmental Plan 2013 Summary Compliance Table					
Clause No.	Clause	Standard	Proposed	Complies	
2.3	Zone objectives and land use table	Zone B4 Mixed Use	Residential flat building	Yes	
4.1	Minimum subdivision lot size	N/A	No change	N/A	
4.3	Height of buildings	13m	12.6m	Yes	
4.3(2A)	Height of buildings	If a building is located on land in Zone B4 Mixed Use, any part of the building that is within 3 metres of the height limit set by sub-clause (2) must not include any area that forms part of the gross floor area of the building and must not be reasonably capable of modification to include such an area.	The top three metres does not include a habitable floor space	Yes	
4.4	Floor space ratio	1.5:1	1.39:1	Yes	
5.10	Heritage Conservation	Located adjacent: Wetherill Street Conservation Area 	C88		
5.10(5)	Heritage assessment	The consent authority may, before granting consent to any development: (a) on land on which a heritage item is located, or (b) on land that is within a heritage conservation area, or (c)on land that is within the vicinity of land referred to in paragraph (a)	The application is assessed as satisfactory by Council's Heritage Advisor.	Yes	



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	or (b), require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.			
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As demonstrated in the above table, the proposal complies fully with Ashfield LEP 2013.

6.1.2 Regional Environmental Plans

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

An assessment has been made of the matters set out in Clause 20 of the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005. It is considered that the carrying out of the proposed development is generally consistent with the objectives of the Plan and would not have any adverse effect on environmental heritage, the visual environmental, the natural environment and open space and recreation facilities.

6.1.3 State Environmental Planning Policies

State Environmental Planning Policy No. 55 - Remediation of land

The site is located adjacent a service station and, as such, it is likely that it has some degree of contamination. Given this, it is necessary for a preliminary site investigation to be undertaken to ascertain the extent of contamination and the measures required to render the site suitable for residential purposes.

A suitable remediation action plan has been provided and compliance with its requirements will be a condition of consent.

State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development

The proposed development includes a residential flat building as defined by the SEPP in that it comprises 3 or more storeys and 4 or more self-contained dwellings. The proposal is therefore subject to the provisions of the SEPP. The proposal is accompanied by a suitable Design Verification Statement as required by the regulations.

State Environmental Planning Policy No. 65: Design Quality of Residential Flat Development					
Clause	Standard	Proposed	Complies		
28	Determination of Development Ap	oplications			
28(1)	After receipt of a development application for consent to carry out development to which this Policy applies (other than State significant development) and before it determines the application, the consent authority is to refer the application to the relevant design review panel (if	The application has been referred to Council's SEPP 65 review officer for comment.	Yes		



	any) for advice concerning the design quality of the development.		
28(2)	In determining a development appli- development to which this Policy ap take into consideration (in addition to required to be, or may be, taken into (a) the advice (if any) obtained from (b) the design quality of the develop accordance with the design quality (c) the Apartment Design Guide.	oplies, a consent authority is to to any other matters that are to consideration): In the design review panel, and pment when evaluated in	Yes
28(2)(b)	The design quality principles		
1.	 Principle 1: Context and neighbourhood character Good design responds and contributes to its context. Context is the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions. Responding to context involves identifying the desirable elements of an area's existing or future character. Well designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood. Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change. 	The proposal responds appropriately to desired future character of the B4 zone in Liverpool Road. In addition, it provides a suitable transition to the R2 zone to the rear in Wetherill Street which is also a heritage conservation area.	Yes
2.	 Principle 2: Built form and scale Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings. Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation 	The scale is consistent with the LEP and DCP controls for the site and generally appropriate for the context.	Yes



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	of building elements.		
	Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.		
3.	Principle 3: Density Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context. Appropriate densities are consistent with the area's existing or projected population. Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.	The density is consistent with the FSR nominated for the site by ALEP 2013.	Yes
4.	Principle 4: Sustainability Good design combines positive environmental, social and economic outcomes. Good sustainable design includes use of natural cross ventilation and sunlight for the amenity and liveability of residents and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and reuse of materials and waste, use of sustainable materials and deep soil zones for groundwater recharge and vegetation.	The proposal has been accompanied by a BASIX certificate demonstrating compliance with fundamental sustainability requirements.	Yes
5.	Principle 5: Landscape Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood.	 The landscaping satisfactorily addresses the following: Continuous landscaped buffer along Liverpool Road with canopy tree planting; Suitably planted communal open space; Deep soil planting to the rear of the site with canopy trees to allow for a landscaped buffer between the site and the R2 zone; and 	Yes



	Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks. Good landscape design optimises useability, privacy and opportunities for social interaction, equitable access, respect for neighbours' amenity and provides for practical establishment and long term management.	Generous and well appointed areas of communal open space on the roof overlooking Liverpool Road.	
6.	Principle 6: Amenity Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident well being. Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas and ease of access for all age groups and degrees of mobility.	 Residential amenity is adequate: Suitable internal layouts; Adequate solar access and cross ventilation; Adequate visual and acoustic privacy; Suitable site layout. 	Yes
7.	 Principle 7: Safety Good design optimises safety and security within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety. A positive relationship between public and private spaces is achieved through clearly defined secure access points and well lit and visible areas that are easily maintained and purpose. 	Safety and security is adequate due to good passive surveillance of internal circulation spaces.	Yes
8.	Principle 8: Housing diversity and	A suitable range of unit sizes is provided from studios to 2	Yes



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	social interaction		bedroo	ms.	
	Good design achiev apartment sizes, pro housing choice for o demographics, living household budgets.	oviding different g needs and			
	Well designed apar developments response context by providing facilities to suit the future social mix.	ond to social y housing and			
	Good design involve and flexible features different types of co spaces for a broad people and providin opportunities for so among residents.	s, including mmunal range of g			
9.	Principle 9: Aesthet	ics		sthetic resolution is	Yes
	Good design achieve that has good proper- balanced compositive elements, reflecting layout and structure uses a variety of ma colours and textures	ortions and a on of the internal e. Good design aterials,	satisfac	ctory in the context of the	
	The visual appearant designed apartment responds to the exist local context, partic elements and repet streetscape.	t development sting or future ularly desirable			
28(2)(c)	Apartment Design				
Part 3	Siting the develop	ment		Γ	T
3B	Orientation	On merit.		Orientation to the street is appropriate in the context.	Yes
3C	Public domain interface	On merit.		Appropriate in the context	Yes
3D-1	Communal open space	Communal open space: min. 25% site area: 302m ²		34% (409m ²)	Yes
		Solar access to communal ope space		Excellent solar access to rooftop communal open space.	Yes
3D-3	Communal open space is designed to maximise	Safety	_	Ground level communal open space is well observed by	Yes



	safety		surrounding units; Rooftop communal open space is open and well observed.	
3E-1	Deep soil zones	7% min dimension 3m: 85m ²	18% (222m ²)	Yes
3F1	Building Separation (up to four storeys)	6 metres between habitable rooms/balconies and side boundaries	 3m The purpose of this guideline is to ensure adequate privacy impacts and solar access. It is acceptable given that: (subject to application of deferred commencement conditions) no habitable room windows or balconies will have any interface with adjacent properties; and Solar access to adjacent properties is acceptable. 	Acceptable
3F-2	Privacy		Communal open spaces adequately separated from private open spaces and windows.	Yes
3J-1	Car parking • 88m of railway or light rail station; or • In or within 400m of B3/B4 land	Refer to calculations under AIDAP 2013	Refer to calculations under AIDAP 2013	Yes
Part 4	Designing the Bui	lding		
4A-1(1)	Solar & daylight access	70% of living rooms and private open spaces: min. 2 hours solar access between 9am and 3pm in mid- winter.	91%	Yes
4A-1(3)	Solar & daylight access	No direct sunlight at the above time: max. 15%	9%	Yes
4B-3(1)	Natural ventilation	Natural cross ventilation: min. 60% of apartments	77%	Yes



4B-3(2	Natural ventilation	Maximum depth of cross through apartments: 18m glass to glass	17m	Yes
4C-1	Ceiling heights	 Habitable rooms: 2.7m Non-habitable: 2.4m 2 storey: 2.4m 2nd storey Attics: 1.8m at edge of room with 30 degree slope Commercial: 3.3m ground and first floor. 	2.7m	Yes
4D-1(1)	Apartment size and layout	Minimum internal areas: • Studio: 35m ² • 1 bed: 50m ² • 2 bed: 70m ² • 3 bed: 90m ²	All units exceed the minimum areas.	Yes
4D-1(2)	Apartment size and layout	All habitable rooms to have window in external wall min. 10% floor area.	All units exceed the minimum areas.	Yes
4D-2	Apartment size and layout	Max. Habitable room depth: 8m	All units comply.	Yes
4D-3(1)	Apartment size and layout	Min areas: • Master bedroom: 10m ² • Other bedrooms: 9m ²	All units comply.	Yes
4D-3(2)	Apartment size and layout	Min. Bedroom dimension (excl. Robe): 3m	All units comply.	Yes
4D-3(3)	Apartment size and layout	Min. Living room dimension: • 1 Bed Unit: 3.6m • 2 Bed Unit: 4.0m	All units comply.	Yes
4E-1(1)	Private open space & balconies	Min. Balcony size/depth: • Studio: 4m ² /- • 1 Bed: 8m ² /2m • 2 Bed: 10m ² /2m • 3 Bed: 12m ² /2.4m	All units comply.	Yes
4E-1(2)	Private open space & balconies	Min. Courtyard size/depth: • 15m ² /3m	Ground floor units are elevated due to flooding and as such have balconies rather than courtyards. They comply with the balcony	Acceptable



			areas.	
4F-1(1)	Common circulation spaces	Max. apartments off a single core: 8	8	Yes
4F-1(2)	Common circulation spaces	Max. apartments sharing single lift: 40 (10 storeys and over)	22	Yes
4G-1(1)	Storage	Minimum storage: • Studio: 4m ³ • 1 Bed: 6m ³ • 2 Bed: 8m ³ • 3 Bed: 10m ³ 50% to be in apartment (not bedroom/kitchen)	All units comply.	Yes
4H-1	Acoustic privacy	Noise transfer is minimised through the siting of buildings and building layout.	Layout is considered appropriate to address acoustic privacy issues.	Yes
4H-2	Acoustic privacy	Noise impacts are mitigated within apartments through layout and acoustic treatments.	Layout is considered appropriate to address acoustic privacy issues.	Yes
4J-1	Noise and pollution	In noisy or hostile environments the impacts of external noise and pollution are minimised through the careful siting and layout of buildings.	Layout is considered appropriate to address acoustic privacy issues.	Yes
4J-2	Noise and pollution	Appropriate noise shielding or attenuation techniques for the building design, construction and choice of materials are used to mitigate noise transmission.	The acoustic report recommends suitable acoustic treatment which will be included as conditions of consent.	Yes
4K-1	Apartment mix	A range of apartment types and sizes is provided to cater for different household types now and into the future.	A variety of apartment types is provided.	Yes
4L-1	Ground floor apartments	Street frontage activity is maximised .	All ground floor apartments directly address the street.	Yes
4L-2	Ground floor apartments	Private courtyards elevated above the street by 1m-1.5m	All ground floor courtyards are elevated above street level by at	Yes



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			least 1m.	
4M-1	Facades	Building facades provide visual interest and respect character of local area.	The building façade provides a variety of materials and finishes which provides good articulation and a visual character suitable to the existing and evolving context of the locality.	Yes
4M-1	Facades	Building functions are expressed on the facade.	The building functions are suitably expressed on the façade.	Yes
4N-1	Roof design	Roof treatments are integrated into the building design and positively respond to the street.	The roof is appropriate to the context.	Yes
4N-2	Roof design	Opportunities to use roof space for residential accommodation and open space are maximised.	The roof has been utilised for a large area of communal open space which also includes landscaping, BBQ areas, eating areas, covered sitting areas and general open space.	Yes
4N-3	Roof design	Roof design incorporates sustainability features.	The roof includes planting and covered areas which reduce heat gain to the units below.	Yes
40	Landscape design		The landscape design is considered appropriate in respect of its treatment of Liverpool Road and the southern setback. There is no detailed landscape plan and this will be a condition of any consent to determine suitable tree species for Liverpool Road.	Yes
4P-1	Planting on structures	 Min. Soil depths: 12-18m trees: 1.2m deep & 10m x 10m 8-12m trees: 1.0m deep & 6m x 6m 6-8m trees: 0.8m deep & 3.5m x 3.5m 	Soil depths are generally 1m which is adequate for the type of planting proposed.	Yes



				,
		 Shrubs: 0.5m – 0.6m deep Ground cover: 0.3m – 0.45m deep Turf: 0.2m deep 		
4Q-2	Universal design	Adaptable housing in accordance with Council policy.	Only 3 of the units are adaptable whereas Council's policy requires all units to have visitable bathrooms. A condition of consent will be applied to ensure compliance.	No
4R-1	Adaptive reuse	New additions to existing buildings are contemporary and complementary and enhance an area's identity and sense of place.	New construction - not applicable.	N/A
4S-2	Mixed use	Residential uses of the building are integrated within the development, and safety and amenity is maximised for residents.	Residential use only – not applicable.	N/A
4T-1	Awnings and signage	Awnings are well located and complement and integrate with the building design.	No awnings proposed – not applicable.	N/A
4T-2	Awnings and signage	Signage responds to the context and desired streetscape character.	No signage proposed – not applicable.	N/A
4U	Energy efficiency		A BASIX certificate has been submitted which demonstrates compliance with this provision.	Yes
4V	Water management		A BASIX certificate has been submitted which demonstrates compliance with this provision.	Yes
4W	Waste management		The garbage room is of adequate size to accommodate the number of bins required; and The waste	Yes



			management and collection arrangements would be satisfactory.	
4X-3	Building maintenance	Material selection reduces ongoing maintenance costs.	Although much of the proposal is painted render, durable low maintenance materials (i.e. dark coloured face brick) have been proposed at ground level and for fences and dwarf walls.	Yes

As identified in the above table, the proposal generally satisfies the requirements of the SEPP except as noted above where the impacts would be acceptable.

It is noted, however, that the south facing balconies of units 102 and 202 are considered inappropriate as they overlook the principal private open space of the adjacent property at 15 Wetherill Street and are located less than 6m from the common boundary. To address this, deferred commencement conditions of consent will be applied requiring the applicant to switch the balcony to the northern side of this unit where the kitchen is currently located and the kitchen to where the balcony is located. This will permit a north facing balcony and living area which would have no privacy impacts on the property to the south; although it will face towards a small balcony off a bedroom, conditions will be applied requiring a 1.6m privacy screen to on this balcony to address any privacy impacts. In addition, any south facing windows will be required to have a sill height of 1.65m above floor level. With the application of these conditions, the proposal will avoid all adverse privacy impacts on adjacent properties and provided satisfactory amenity in respect of both privacy and solar access internally.

State Environmental Planning Policy (Infrastructure) 2007

The proposal is located on a site with frontage to a classified road and is subject to the provisions of the SEPP.

State Environmental Planning Policy (Infrastructure) 2007 Summary Compliance Table			
Clause No.	Standard	Proposed	Complies
101	Development with frontage to clas	sified road	
101(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:		
101(2)(a)	where practicable, vehicular access to the land is provided by a road other than the classified road, and	Vehicular access is proposed via Wetherill Street.	Yes
101(2)(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	Neither RMS nor Council's engineer have raised concerns with the design of the access.	Yes
(ii)	the emission of smoke or dust from the development, or	No dust or smoke is likely to result from the development.	Yes



(iii)	the nature, volume or frequency of vehicles using the classified road to gain access to the land, and	It is noted that Council's traffic engineer has recommended a deferred commencement condition requiring the relocation of the traffic island in Wetherill Street so that access is via the northern Liverpool Road and not from the southern low-density residential end. RMS has been advised that Council intends to impose this condition and has raised no objection to this or the proposal generally.	Yes
101(2)(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.	If the recommendations of the acoustic report are applied, the proposal will perform satisfactorily in this respect.	Condition

6.2 <u>The provisions of any Draft Environmental Planning Instrument that is or has been</u> placed on public exhibition and details of which have been notified to the consent <u>authority.</u>

No draft environmental planning instruments apply to the site.

6.3 <u>The provisions of any Development Control Plan.</u>

Although the Ashfield DCP 2007 is still in force, it is <u>interpreted</u> by reference to the Ashfield Interim Development Assessment Policy IDAP which specifically addresses how the ADCP 2007 is to be interpreted in the context of ALEP 2013. Please see Section 7.8 below.

6.4 <u>Any matters prescribed by the regulations that apply to the land to which the development application relates.</u>

These matters have been considered as part of the assessment of the development application.

6.5 <u>The likely impacts of that development, including environmental impacts on both the</u> natural and built environments, and social and economic impacts on the locality.

Overshadowing:

The height and configuration of the proposal in relation to the common boundary with 15 Wetherill Street is acceptable, Overshadowing impacts are minimal.

Bulk and Scale:

The proposal is of the scale and form envisaged by Council's development controls for the site and locality.

Privacy:

Provision of the proposed amendments noted above, would result in acceptable privacy impacts.



6.6 <u>The suitability of the site for the development</u>

These matters have been considered as part of the assessment of the development application. There are no natural hazards or other site constraints that are likely to have a significant adverse impact upon the proposed development.

6.7 Any submissions made in accordance with this Act or the regulations

The proposal was notified to all adjoining and nearby affected property owners and occupants, and Councillors from 6 January 2016 until 29 January 2016. Notification was checked during site inspection and was acceptable.

6.7.1 Summary of submissions

28 submissions (**Attachment 3**) were received during the notification of the development application along with 1 petition containing a total of 132 signatures.

Submission
R. Barda
227 Norton Street, Croydon NSW 2132
K. Bryson et al
5 Carshalton Street, Croydon NSW 2132
A. Camatta 15 Wetherill Street, Croydon NSW 2132
V. Carnovale 7 Wetherill Street, Croydon NSW 2132
J. Carnovale 7 Wetherill Street, Croydon NSW 2132
D. Clarke 6 Wetherill Street, Croydon NSW 2132
P. & S. Coulton 233 Norton Street, Croydon NSW 2132
R. Eggleton PO Box A187, Enfield South NSW 2133
T. Robb
Evolution Planning Pty Ltd PO Box 309, Frenchs Forest NSW 1640
On behalf of Caltex Australia (Petroleum) Pty Ltd
D. & G. Fernandes & V. Caradonna
5 Wetherill Street, Croydon NSW 2132
B. Flanagan
14 Wetherill Street, Croydon NSW 2132
B. Heinecke & A. Richardson
237 Norton Street, Croydon NSW 2132
B. & M. Hughes
2 Wetherill Street, Croydon NSW 2132
Mr I. Jeremy & Ms E. McMullen 11 Wetherill Street, Croydon NSW 2132
N. Krisco 8 Lion Street, Croydon NSW 2132
M. N. S. & V. Latsinos
4 & 8 Wetherill Street, Croydon NSW 2132



M. Leung
3 Carshalton Street, Croydon NSW 2132
N. Lewis
2 Carshalton Street, Croydon NSW 2132
D. Mireless & M. Rutherford
8 Carshalton Street, Croydon NSW 2132
J. Nicholson
9 Carshalton Street, Croydon NSW 2132
P. & V. Nube
13 Wetherill Street, Croydon NSW 2132
H. & M. Pappas
1 Wetherill Street, Croydon NSW 2132
K. Ruschen
9 Wetherill Street, Croydon NSW 2132
M. Thomas
16 Wetherill Street, Croydon NSW 2132
D. Trazerra
45 Carshalton Street, Croydon NSW 2132
J. Tulloch 16 Wetherill Street, Croydon NSW 2132
J. & S. Woodward 18 Wetherill Street, Croydon NSW 2132
S. Woodward 18 Wetherill Street, Croydon NSW 2132
Petitions
Petition of 132 names Head petitioner:
K. Ruschen
9 Wetherill Street, Croydon NSW 2132

Submission Issue	Assessing Officer's Comment
Vehicular access for the development via the southern part of Wetherill Street will unacceptably increase traffic in the local residential streets.	A deferred commencement condition has been recommended requiring the applicant to relocate the median in Wetherill Street so that vehicular access to the development is not via the low density southern part of Wetherill Street.
4 storeys instead of 2.	The proposal is for a 3 storey building which is consistent with Council's planning controls for the site.
It is to be built to the boundaries in Liverpool Road and Wetherill Street.	The proposal provides for setbacks of at least 3 metres from both Liverpool Road and Wetherill Street.
Overshadowing of 15 Wetherill Street private open space.	The private open space of 15 Wetherill Street will receive more than the minimum amount of solar access required by the AIDAP 2013.
Overshadowing of 15 Wetherill Street north facing windows.	The north facing windows will receive between one and almost four hours solar access at mid- winter depending on the location of individual windows on the north façade. This is considered generally acceptable.



Location of driveway entry will be noisy for 15 Wetherill Street.	The driveway is located towards the street frontage and is enclosed within the building structure as it enters the site and is also separated from the boundary by screen planting.
Adverse privacy impacts on 15 Wetherill Street.	Agreed. The location of two balconies and various windows would enable overlooking of the private open space of 15 Wetherill Street. Conditions will be applied to address this issue.
Removal of covered balcony structures would increase solar access to the south.	The rooftop pergola structures are not a source of any overshadowing of adjacent properties.
Roof terrace will overlook adjacent low density residential properties and create a noise nuisance.	The communal roof terrace has been located to the front of the site and well away from the boundary with the low density residential zone. Due to the separation, it will not be possible for users of the roof terrace to obtain any view into adjacent properties to the south. The degree of separation should minimise the chances of noise issues arising.
Garbage should not be collected from the southern side of the median barrier in Wetherill Street.	The development will not be permitted to place its bins for collection in front of any other property. Consequently, rubbish collection would only be from Liverpool Road or the Liverpool Road end of Wetherill Street.
Street tree should not be removed.	The street tree must be removed as there is no other realistic option available for the location of the driveway entry. A condition has been recommended requiring the applicant to provide substitute street tree planting using an advanced specimen of the same species in an adjacent location.
Development is on flood prone land.	The proposal has been designed to adequately take account of the flood hazard.
The proposed tree planting along Liverpool Road associated with the development would block view of the Caltex fuel price sign to passing motorists resulting in a contravention of the NSW Fair Trading Regulation 2012. Plantings along Liverpool Road within 10m of the common boundary should be limited to 1m in height or the applicant required to pay for the relocation of the sign.	It is noted that tree planting of any size and density can occur without development consent at any time. Notwithstanding this, it is considered that an appropriate urban design outcome would only be achieved with significantly sized canopy tree planting in the Liverpool Road setback and a condition will be imposed requiring the planting of advanced specimens of canopy trees which would grow to a mature height of at least 8.5m. Nevertheless, it will take some time for these specimens to reach a height which might obscure any signage.
The site plan suggests that the driveway exits into the northern end of Wetherill Street rather than the southern end as is proposed.	The site plan clearly shows the driveway entering into Wetherill Street on the southern side of the median. The misunderstanding may arise from a graphical difference between the location plan (which appears to show the street tree intact - although it notes that it is to be removed) and the ground floor plan which shows more clearly that the tree is to be removed and that access is proposed to the



	southern part of Wetherill Street. The site plan, on the other hand, appears to suggest that there is an opening leading to the northern part of Wetherill Street; in fact, this is not an opening but the median strip. This is simply a difference in the graphical standards used on the drawings. Notwithstanding this, the concern is clearly that the application proposes vehicular movements through the southern low density portion of Wetherill Street. To address this, conditions will be applied to ensure that all traffic exits the northern end of Wetherill Street and then into Liverpool Road without passing through the low density section of Wetherill Street under any circumstances.
Extension requested to period for submissions.	All submissions made up until the writing of this report have been considered.
Number of storeys and height is unclear.	The height of the building and number of storeys is clearly legible on the notification plans.
Location of trees to be removed is unclear.	This is clearly shown on the notations on the notification plans and is consistent with normal architectural graphic standards.
Location of bins not shown on notification plans.	The presentation point for garbage bins will be dictated by conditions of consent.
Traffic report is not accurate.	Council's engineers have made their own independent assessment of the traffic impacts.
Notification plans appear to show a four storey building rather than a three storey building.	The "fourth storey" the objector refers to appears to be the lift and stair core which provides access to the roof as well as the rooftop pergola. It is noted that these elements are both permitted and encouraged under Council's planning controls for the B4 zone.
Potential damage to adjacent properties from excavation.	This concern will be addressed by way of conditions of consent.
Site contamination concerns.	This will be addressed by conditions.
Lack of community consultation.	Community consultation is built into the development application process of which the notification process is a part.



6.8 <u>The public interest</u>

The proposal is therefore subject to the provisions of <u>Ashfield Interim Development</u> <u>Assessment Policy 2013</u>. A summary compliance table follows below:

Ashfield Interim Development Assessment Policy 2013 Part C1: Access, Adaptability and Mobility Summary Compliance Table (Design Checklist 2)				
No.	Standard	Required	Proposed	Complies
Part C1	Access, Adaptabi	lity and Mobility	•	
2.3(iii)	Universal Accessible Design	Residential flat building or shop top housing, 3 storeys or higher with lifts, which may or may not be part of a mixed development, must have all their apartments complying with universal accessible design principles as required by Design Checklist 2.	Residential flat building	Noted
2.4	Adaptable Housing	10%	14%	Yes
2.5	Variations to Universal Accessible Design Requirements	Site conditions	No variations proposed under this clause.	N/A
7.2	Universal Accessible Design	Residential flat buildings higher than 3 storeys with ground level commercial and lifts, shall be "accessible" as required in the Building Code of Australia and in addition have a universal accessible design for the interior design of the dwellings that meets the requirements of Section 7.	All apartments are accessible.	Yes
7.3	Construction	In order to achieve an "implementation principle", that considers design issues at Development Application stage in sufficient detail to	Adequate detail provided.	Yes





	communal garden space	communal open space on the site, it must be accessible from all dwellings required to have a universal accessible design, and by all visitors to the site.	space is readily accessible.	
7.9	Access to Ground Level Commercial areas and circulation within Commercial Levels	Access must be compliant with the BCA.	Compliant access is provided to the ground level commercial.	Yes

Part C4:	Ashfield Interim Development Assessment Policy 2013 Part C4: Ashfield West Summary Compliance Table			
Clause No.	Standard	Required	Proposed	Complies
2	Building Height an	d Location	·	
2.1	Maximum Building Height	3 storeys	3 storeys	Yes
2.2		Design to maximise separation with neighbouring houses.	3m rear setback	Yes
2.3	Building Locations	6m front setback Liverpool Road	6m front setback to face of building and 3m front setback to front of balconies. The dimensions provided will provide a suitable streetscape appearance with scope for landscaping on the street frontage to contribute to the streetscape and moderate noise impacts of traffic on the amenity of residents. The setbacks proposed are considered to provide an acceptable urban design outcome and will set a suitable precedent for adjacent future development.	Acceptable
2.4	Building Scale Relationship with	Building heights to reduce in scale on	Scale relationship on southern boundary	Yes



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	Neighbouring Residential Properties	southern boundary to be sympathetic to building heights on adjacent properties.	satisfactory.	
2.5	Maintaining northerly solar access for adjoining properties	Maintaining northerly solar access for adjoining properties	Proposal maintains adequate solar access to property to the south with the north facing windows progressively receiving full solar access between noon and 3pm.	Yes
3	Landscape			
3.1	Main road frontage and building structure setbacks for front gardens and trees	3m deep soil zone along frontages.	3m	Yes
3.2	Communal Open Space	Must comply with SEPP 65 requirements: 25% - 30% of stie area	34% (409m ²)	Yes
3.3	Rear/Side Landscape Buffer Areas	3m deep soil zone along rear boundary for dense tree planting.	3m deep soil zone provided (expect for small intrusion for driveway).	Yes
3.6	Trees	 Trees to be planted along the frontage of the site: Min. 1.8m high Approved species Regular intervals 	Planting of 6 canopy trees is proposed along the Liverpool Road frontage.	Yes
4	Pedestrian Amenity	/ and Safety		
4.1	Active Street Frontages	Active street frontages to both street frontages.	Lobby entrances and unit entries provided.	Yes
4.2		Upper levels must provide surveillance of the public domain.	All units overlook the street with windows and balconies.	Yes
4.3	Visibility to Street	Residential lobbies to be min 5m wide.	3.6m wide – this is considered acceptable.	Acceptabl e
4.4	Location of Parking	Any at grade parking to be located behind any active street frontage.	All parking in basement.	N/A
4.5	Street Awnings	Street awnings for weather protection to be provided where 0m setbacks are required.	No 0m setbacks required on this site.	N/A
4.7	Security	Residential development facing rear lanes must have windows along that	No rear lane associated with subject site.	N/A



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		frontage to ensure passive surveillance.		
4.8		Minimum requirements for security devices.	To be a condition	Condition
5	Residential Amenity	y		
5.1	Acceptable noise levels	 Maximum noise levels in apartments not to exceed: 40dBA for living areas 35dBA for bedrooms 	Achievable if recommendations of supplied acoustic report implemented by condition of consent.	Condition
5.2	North side of Liverpool Road	N/A	N/A	N/A
5.3	South side of Liverpool Road	Living rooms should be cross-through in design to allow access to the quieter southern side.	Windows to living rooms must comply with requirements of acoustic report.	Acceptable e
5.6	Landscaped Buffer Areas	3m width of deep soil tree planting to southern boundary.	Buffer provided.	Yes
7	Social Consideration	ons and Residential Deve	elopment	
7.1	Smaller apartments	A minimum of 20% of the dwellings should be 1 bedroom or studio apartments.	18%	Acceptable e
8	Development Servi	cing		
8.1	Vehicle Access Points	Driveway access must be provided from the Liverpool Road end of Wetherill Street.	Access provided via the southern end of Wetherill Street. Deferred commencement conditions will be applied requiring the applicant to relocate the traffic island so that vehicular access is via the Liverpool Road end of Wetherill Street.	No
8.2	Driveways to underground parking	Must be designed to minimise noise impact on adjacent residential rooms.	Driveway ramp is completely enclosed.	Yes
8.4	Loading Areas	Adequate provision for loading/unloading.	No commercial component.	N/A
8.5	Service Areas	Garbage areas to be located out of public view ideally in basement with	Garbage room located in basement with suitable access.	Yes



8.7	Service doors	Must be adequately screened from frontage.	No significant service area doors in this proposal.	N/A
8.8	Mail Boxes	Located adjacent main entrance in accessible location and integrated properly into design of building.	Yes	Yes

Part C11:	Ashfield Interim Development Assessment Policy 2013 Part C11: Parking Summary Compliance Table			
No.	Standard	Required	Proposed	Complies
3.3	Parking Credits	Do not apply if more than 50% of the building is being demolished.	100% of the existing buildings are to be demolished and as such no parking credits are applicable.	N/A
4.1	Car Parking for People with Disabilities	5% of required parking spaces to be accessible. TOTAL = 2.5 spaces	3 spaces	Yes
4.2	Bicycle and Motor Cycle Parking	Bicycle spaces: • 1 space per 10 units = 5	Bicycle spaces: • 1 space per 10 units = 16	Yes
		 Motor cycle spaces: 1 space per 25 spaces = 2.56 	 Motor cycle spaces: 1 space per 25 spaces = 3 	
4.3	Parking Rates for Specific Land Uses	Residential spaces: • 1 space per unit = 22 Visitor spaces:	Residential spaces: • 1 space per unit = 24 (incl. 3 disabled spaces)	Yes
		 1 space per 4 units = 6 Car wash bay: 	Visitor spaces: • 1 space per 4 units = 6	
		• 1 space = 1	Car wash bay: 1 space = 1 (to be nominated by condition)	
5.0	Design Requirements	Compliance with relevant Australian Standards and detailed requirements of the Part.	Satisfactory or capable of compliance.	Yes



Ashfield Interim Development Assessment Policy 2013 Part C12: Public Notification Summary Compliance Table				
No.	Standard	Required	Proposed	Complies
Section 2	Notification Process		The application was notified in accordance with this part.	Yes

Ashfield Interim Development Assessment Policy 2013 PartD1: Planning for Less Waste Summary Compliance Table							
No.	Standard	Required	Proposed	Complies			
	Bin Numbers	 Residential (50 dwellings): 1 x 240L garbage bin/2 dwellings=11 bins 1 x 240L recycling bin/2 dwellings=11 bins TOTAL: 22 bins 	 Residential: 22 x 240L garbage bins 25 x 240L recycling bins TOTAL: space for 19 bins 	No but can be enlarged to a suitable size. Condition recomm- ended			
	Bin Presentation		Adequately resolved.	Yes			

It is considered the application complies with the relevant parts of the Ashfield Interim Development Assessment Policy as indicated and achieves the aims and objectives of the AIDP 2013.

8.0 <u>Referrals</u>

Internal Referrals					
Officer	Comments	Support			
Building Surveyor	Supported subject to conditions.	Yes			
Traffic Engineer	Supported subject to conditions including the relocation of the Wetherill Street median strip to ensure access to the development is only via the Liverpool Road end of Wetherill Street.	Yes			
	Note that Roads and Maritime Services was advised of the intention to apply this condition and did not raise any objection.				
Drainage Engineer	Supported subject to conditions.	Yes			



Heritage Advisor	Since this matter was in the Court, the proposal has been greatly improved in its contextual response, and it would appear that the main heritage concern which now remains is the manner and relationship of vehicle entry to Wetherill Street. The amenity and cohesion of the HCA will be adversely affected if the vehicle traffic generated by this development can only arrive and leave through the conservation area. The development opposite across Wetherill Street will be similar in impact and in my opinion, Council's road closure to the conservation area must remain. A redesign of the closure incorporating simple bollards and revised tree planting should be possible and should accommodate both this and the opposing development – when that occurs. Vehicle access to both (access and egress) should be only from Liverpool Road.	Yes
Environmental Health Officer	Supported subject to conditions.	Yes
SEPP 65 Advisor	Supported subject to conditions.	Yes
Waste Management	Supported.	Yes

External Referrals					
Referral Body	Comments	Support			
Roads and Maritime Services	Supported subject to conditions.	Yes			
NSW Police	Supported subject to conditions.	Yes			

7.0 Building Code of Australia (BCA)

Construction Certificate has not been lodged with the development application. However, a referral of the proposal to Council's building surveyor, revealed no objections to the proposed development, subject to conditions (refer conditions of development consent).

A Construction Certificate will be required to be applied for by condition of consent.

FINANCIAL IMPLICATIONS

The proposal will attract a section 94 contribution payment of \$288,375.86.

OTHER STAFF COMMENTS

See 7.0

PUBLIC CONSULTATION

See 6.7



CONCLUSION

The application has been assessed in accordance with the provisions of the Environmental Planning and Assessment Act, 1979 as amended with all matters specified under Section 79C (1) Clauses (a) to (e) having been taken into consideration.

The proposal complies with the provisions of Ashfield LEP 2013 and achieves general compliance with the planning provisions applicable to the site. Although the balconies fronting Liverpool Road intrude into the nominal 6m setback zone by up to 3m, it is considered that this provides a better urban design outcome given the scale of the building and the context of the locality and that this will set a suitable precedent for future development on adjacent sites.

The driveway access is located at the south west corner of the site and provides vehicular access via the section of Wetherill Street in the low density zone. This is contrary to the provisions of AIDAP 2013 and would create increased traffic flow through the low density zone and has been the source of considerable neighbour objection. To address this, Council's traffic engineer has recommended a deferred commencement condition of consent requiring the applicant to relocate the traffic island in Wetherill Street so as to redirect traffic flow so that access to the site is from the Liverpool Road end of Wetherill Street.

Although the privacy impacts are generally satisfactory, the upper level south western units (Nos. 102 & 202) include balconies which are located facing south and would overlook the private open space of 15 Wetherill Street. To address this, a deferred commencement condition has been recommended requiring the relocation of these balconies to the northern side of the unit to face into the inner courtyard. This will address the privacy concern and provide these units with improved solar access to their living rooms.

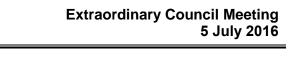
The proposal is acceptable and is recommended for deferred commencement consent.

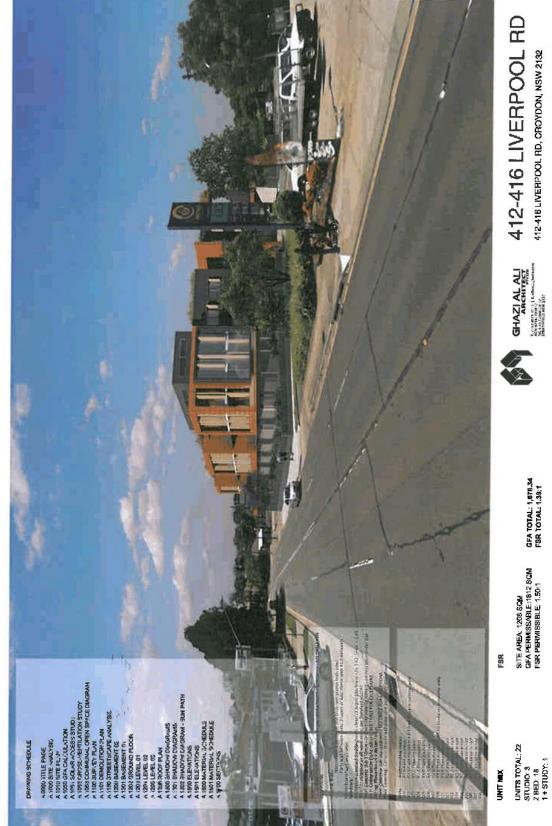
ATTACHMENTS

- **1.**<u>↓</u> Plans
- 2.<u>1</u> Locality Map
- **3.** <u>U</u> Heritage Advice
- 4.1. RMS Comments
- **5. D** Traffic Engineer's Comments
- 6.<u>1</u> Conditions
- 7.<u>1</u> Submissions



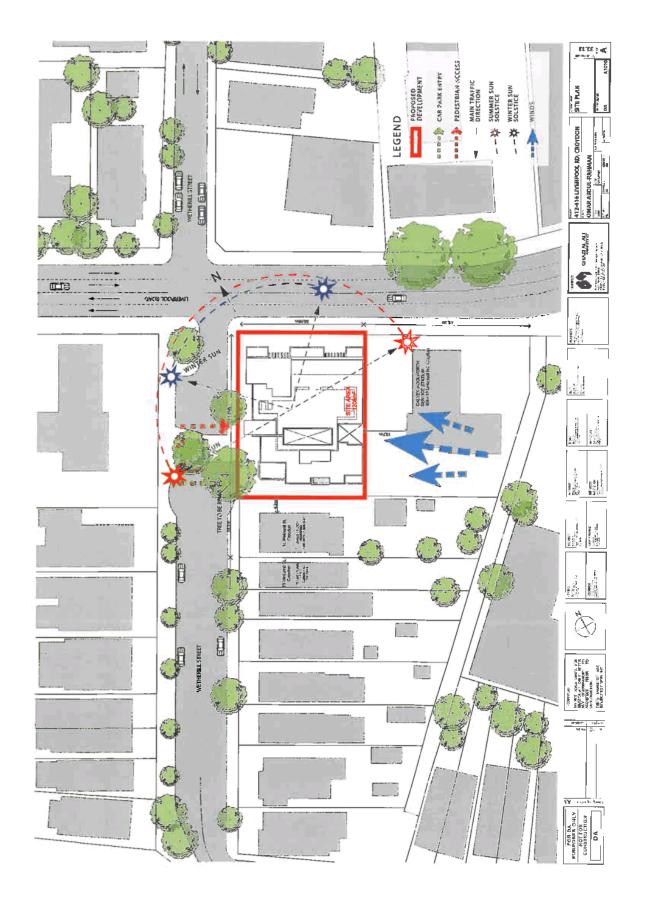
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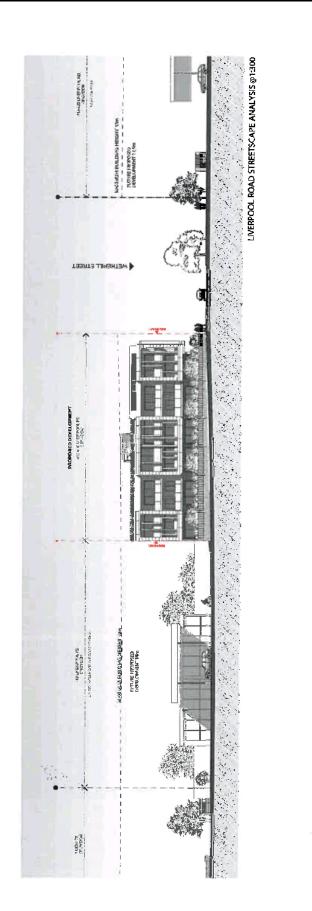
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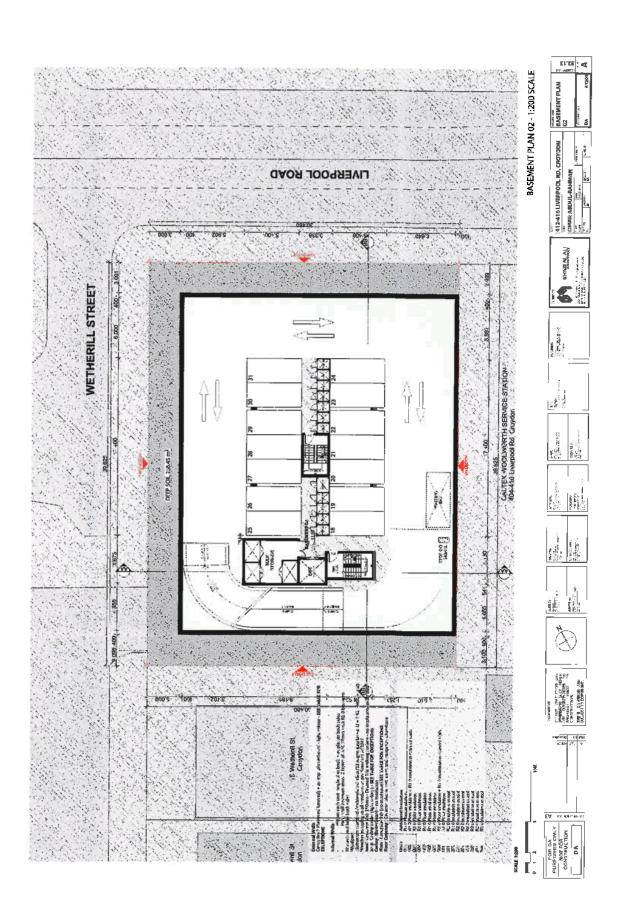
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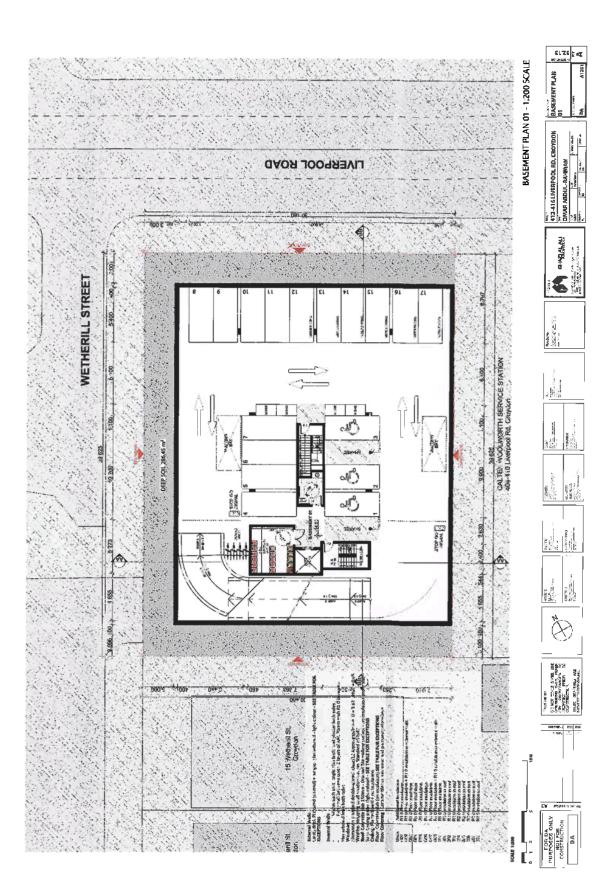






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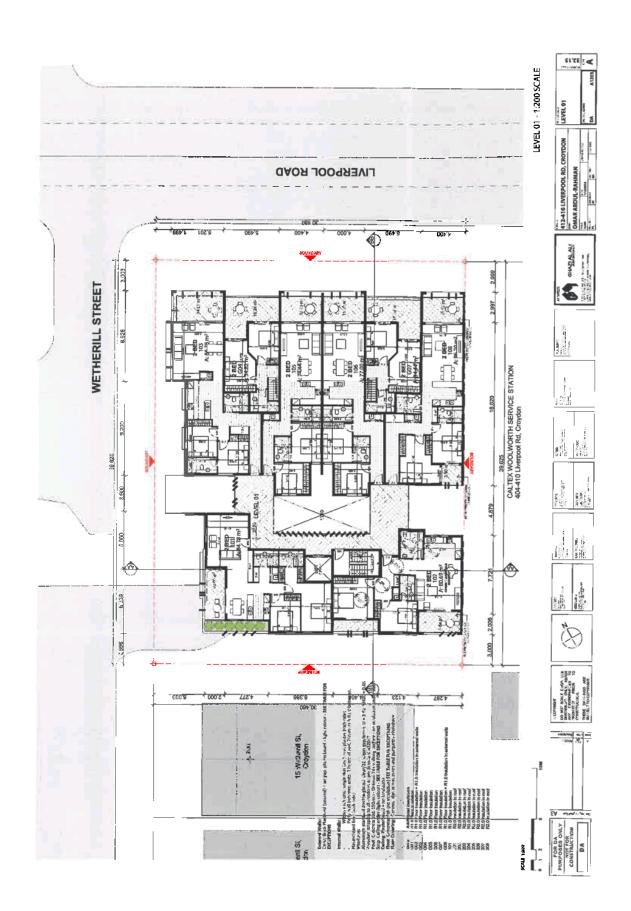




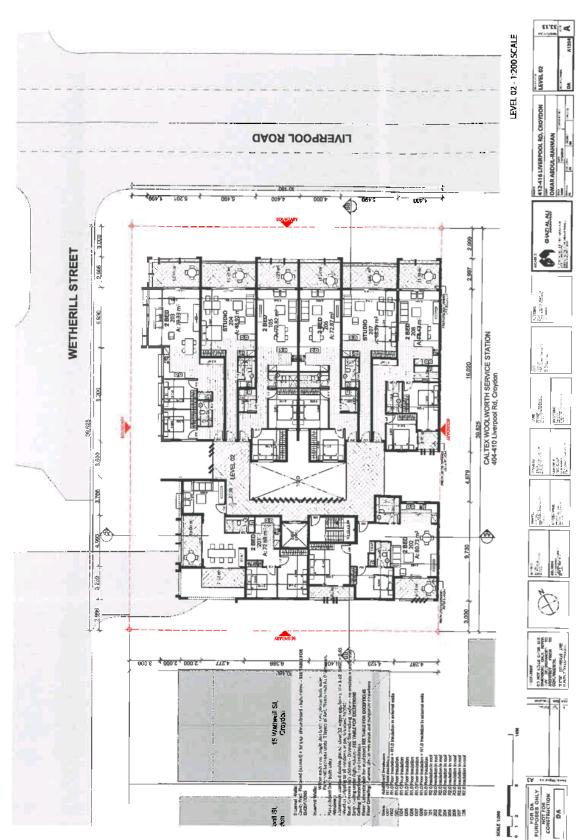




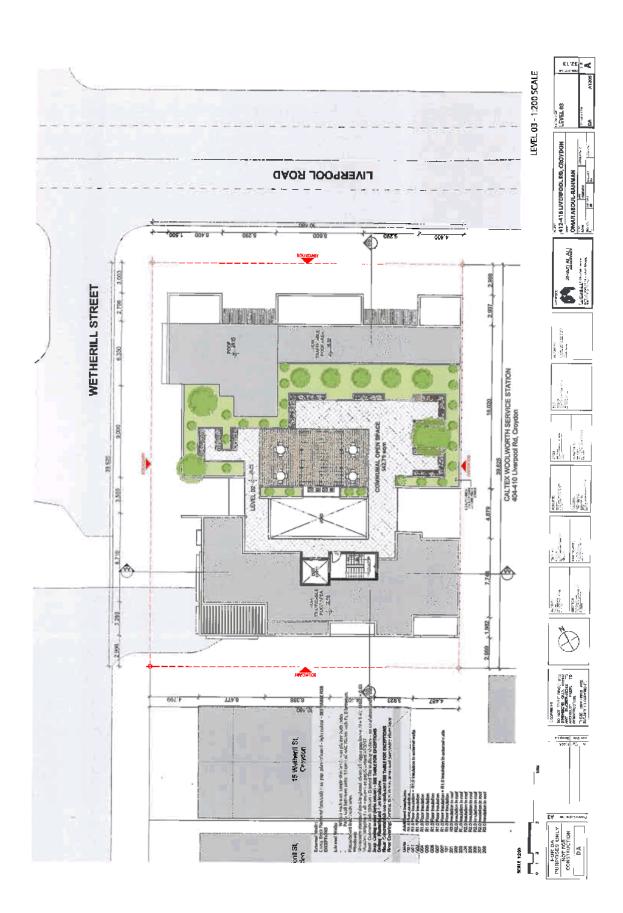




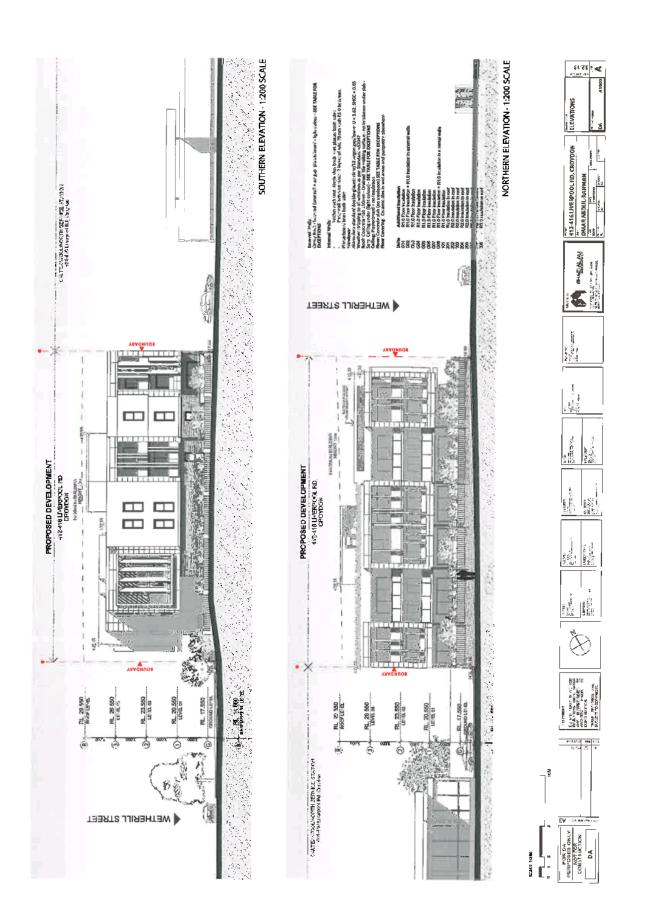




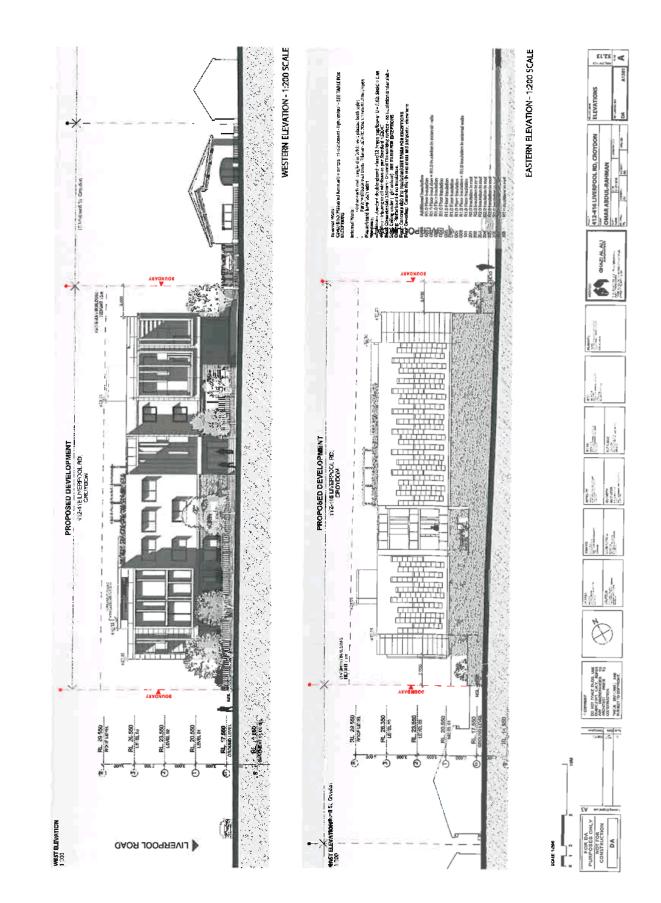






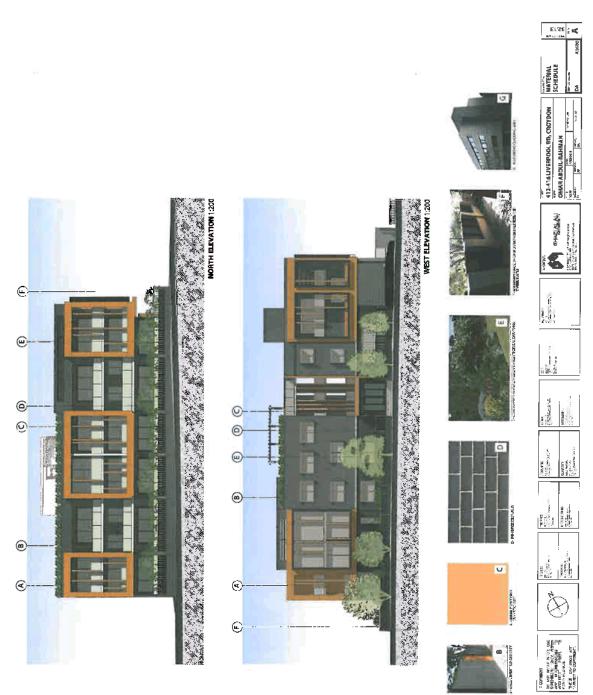






Attachment 1







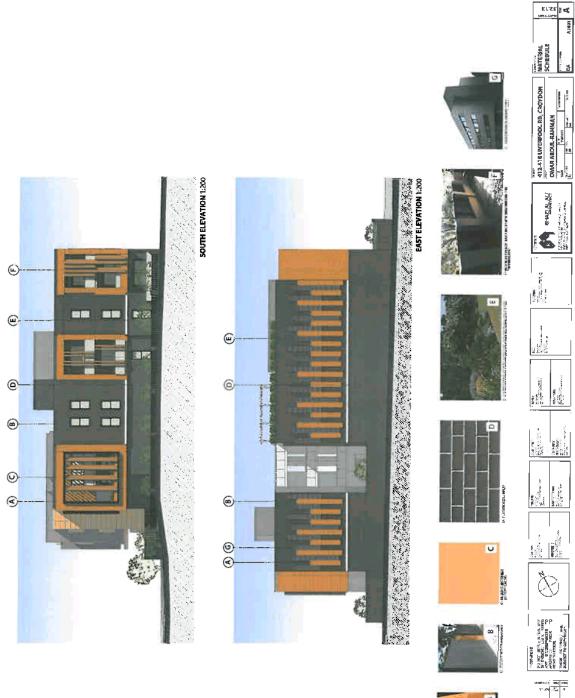
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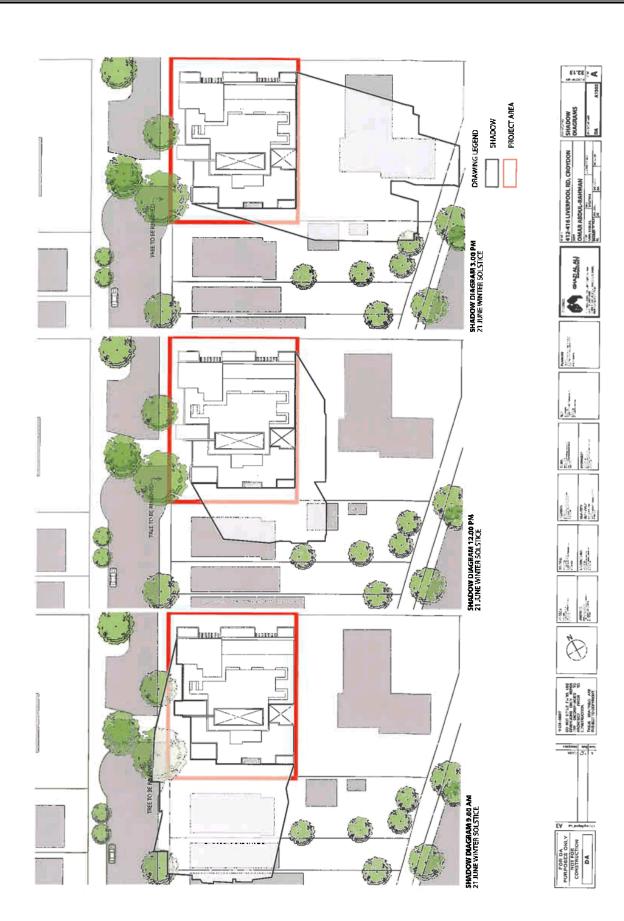




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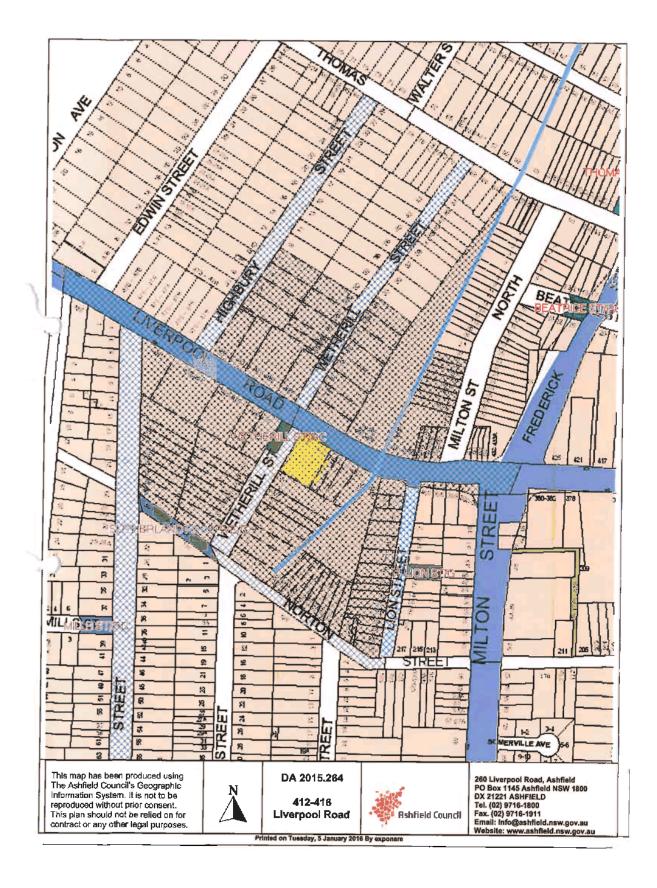




Attachment 1

Item 6









DEVELOPMENT SERVICES HERITAGE ADVISOR'S REFERRAL COMMENTS

ADDRESS:	412-416 Liverpool Road CROYDON	File No:			
ADVISOR	Robert Moore	10.2015.264.1			
DATE	29 February 2016				
STATUS	In the vicinity of Heritage Conservation Area				
DESCRIPTION	Demolition and construction of a Residential flat building				
PREVIOUS	Several on previous DAS				
COMMENTS					
	HIS/CMP recommended for archiving in library				
Note: These comments relate to heritage issues only. They do not include a planning review.					
Planning comments will, however, be provided separately in relation to Pre-lodgement Applications					
or Provisional Development Applications.					

The application has been reviewed in respect of heritage issues and has been assessed as follows:

	Acceptable as lodged			
	Acceptable as louged			
	Acceptable with the following Conditions of Consent Applied:			
\square	Acceptable with the following amendments to the application:			
-	Application to be returned to Heritage Advisor for review after			
	amendments			
	⊠Planner may assess amendments			
	Additional information is required as follows:			
	Not acceptable			
	HIS/CMP recommended for archiving in library			
Dis	cussion:			
res ma the	ce this matter was in the Court, the proposal has been greatly improved in its contextual ponse, and it would appear that the main heritage concern which now remains is the nner and relationship of vehicle entry to Wetherill Street. The amenity and cohesion of HCA will be adversely affected if the vehicle traffic generated by this development can y arrive and leave through the conservation area.			

The development opposite across Wetherill Street will be similar in impact and in my opinion, Council's road closure to the conservation area must remain. A redesign of the closure incorporating simple bollards and revised tree planting should be possible and should accommodate both this and the opposing development – when that occurs. Vehicle access to both (access and egress) should be only from Liverpool Road.

Robert Moore





Roads & Maritime Services

26 April 2016

Our Reference: SYD16/00392 (A12645825) Council Ref: DA 2015.264.1

The General Manager Ashfield Council PO Box 1145 ASHFIELD NSW 1800

Attention: Philip North

Dear Sir/Madam

CONSTRUCTION OF RESIDENTIAL FLAT BUILDING 412-416 LIVERPOOL ROAD, CROYDON

Reference is made to Council's letter dated 10 March 2016, regarding the abovementioned Application which was referred to Roads and Maritime Services (Roads and Maritime) for concurrence in accordance with Section 138 of the *Roads Act, 1993.*

Roads and Maritime has reviewed the submitted application and would provide concurrence to the Section 138 of the *Roads Act 1993* subject to the following conditions being included in any consent issued by Council:

 The redundant driveway on Liverpool Road shall be removed and replaced with kerb and gutter to match existing. The design and construction of the kerb and gutter on Liverpool Road shall be in accordance Roads and Maritime requirements. Details of these requirements should be obtained from Roads and Maritime Services, Manager Developer Works, Statewide Delivery, Parramatta (telephone 8849 2138).

Detailed design plans of the proposed kerb and gutter are to be submitted to Roads and Maritime for approval prior to the issue of a Construction Certificate and commencement of any road works.

A plan checking fee (amount to be advised) and lodgement of a performance bond may be required from the applicant prior to the release of the approved road design plans by Roads and Maritime.

 The developer is to submit design drawings and documents relating to the excavation of the site and support structures to Roads and Maritime for assessment, in accordance with Technical Direction GTD2012/001.

The developer is to submit all documentation at least six (6) weeks prior to commencement of construction and is to meet the full cost of the assessment by Roads and Maritime.

Roads and Maritime Services

27-31 Argyle Street, Parramatta NSW 2150 | PO BOX 973 Parramatta NSW 2150 |

www.rms.nsw.gov.au | 13 22 13

SINNER WEST COUNCIL

The report and any enquiries should be forwarded to: Project Engineer, External Works Sydney Asset Management Roads and Maritime Services PO Box 973 Parramatta CBD 2124.

> Telephone 8849 2114 Fax 8849 2766

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

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

Details should be forwarded to:

The Sydney Asset Management Roads and Maritime Services PO Box 973 Parramatta CBD 2124.

A plan checking fee will be payable and a performance bond may be required before Roads and Maritime approval is issued. With regard to the Civil Works requirement please contact the Roads and Maritime Project Engineer, External Works Ph: 8849 2114 or Fax: 8849 2766.

- All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping. A construction zone will not be permitted on Liverpool Road.
- 5. A Road Occupancy Licence should be obtained from Transport Management Centre for any works that may impact on traffic flows on Liverpool Road during construction activities.

Should you have any further inquiries in relation to this matter, please do not hesitate to contact Hans Pilly Mootanah on telephone 8849 2076 or by email at development.sydney@rms.nsw.gov.au

Yours sincerely,

Pahee Rathan Senior Land Use Planner Network and Safety Management





MEMO

TO:Peter O'sullivanFROM:Boris MuhaDATE:29 February 2016SUBJECT:DA 412-416 Liverpool Road, Croydon.

The following comments are made regard to the renewed DA to this development:

 It is acknowledged that Wetherill Street (from Norton Street) can sustain added generation of traffic from this development. However there has been very strong objection from residents on street environment grounds to introduce traffic from this development in Wetherill Street via Norton Street.

It is of the view that the road closure treatment in Wetherill Street could be altered/modified to have development traffic access in Wetherill Street via Liverpool Road. Should the commercial site opposite 412-416 be re-developed, than the altered/modified road closure treatment could also be considered to have other development traffic access via Liverpool Road.

- 2. The section of the ramps with 1:4 grades shall be re-designed to maximum 1:5 grade with relevant transitions, as required under Council's DCP or IDAP. The 1:5 grade is to be measured from the inside radius of curved sections of the ramps. The headroom, and if necessary floor levels, would need to be adjusted accordingly. Long sectional drawings with ramps and headroom shall be submitted to Council.
- 3. All car park layout is to be designed to AS 2890.1:2004 and AS2890.6-2009.
- Appropriate traffic signal treatment supplemented with mirrors and signage/line marking shall be implemented to guide vehicular movement through the ramp system.
- Sight view clearance for pedestrians and traffic is to established and designed at the driveway exit to Section 3.2.4 of AS 2890.1:2004.
- 6. All vehicles must enter and exit the site in a forward direction.
- 7. A Construction Traffic Management Plan (CTMP) shall be submitted for Council approval detailing how truck movements and deliveries are to be managed during the development-construction process (i.e. demolition, excavation and construction), and how the interface of the site with the road network will be controlled. The CTMP must be submitted prior to any works (which includes demolition, excavation and construction) commencing on site and should ideally be provided with the development application.

In this particular situation the CTMP will also need to address the following requirement by council:

 All vehicles associated with development-construction activity (which includes demolition, excavation and construction) shall be accommodated on-site.

In conclusion, it is recommended that a deferred commencement on the development be undertaken for the developer to provide plans for Council approval (via traffic committee agreement) showing modification and adjustment to the road



closure treatment, and have development traffic access in Wetherill Street via Liverpool Road. Any work on the modification and adjustment to the road closure shall be carried out by the developer with cost borne by the developer.

The plans would also need to address the ramp grade changes per item 2 above. All other items per 3 to 7 can be made conditional.

)

Boris Muha Traffic and Projects Engineer.

Note to planners: Philip North– Normally a road closure of this sought segregates commercial activity from that of residential. Traffic from a residential development of this size could normally integrate with residential traffic in Wetherill Street via Norton Street, however given the controversy by residents on this matter, it would be considered best to pursue the issue of modification/adjusting the road closure so as to bring traffic associated with the development to and from Liverpool Road. The driveway position and design remains as proposed.



CONDITIONS

DA 2015.264.1 412-416 Liverpool Road CROYDON 2132

Description of Work as it is to appear on the determination:

Demolition of existing structures and construction of a 3 storey residential flat building comprising 22 dwellings above 2 levels of basement car parking.

PART A

Deferred Commencement conditions to be satisfied prior to activation of consent:

This consent shall not operate until such time as the following additional/revised information is provided to and approved by Council:

- Plans are to be submitted to, and approved by, Council showing the reconfiguration and relocation of the traffic island in Wetherill Street as follows:
 - To separate from each other (for vehicular access purposes) the following parts of Wetherill Street:
 - i. The southern part of Wetherill Street (terminating roughly in line with the northern boundaries of 15 and 18 Wetherill Street) separate to prevent vehicular access to the development from the southern end of Wetherill Street; and
 - The northern part of Wetherill Street (terminating roughly in line with the southern boundaries of 412-146 Liverpool Road and 418-424 Liverpool Road.
 - b. to allow vehicular access to the development only from the Liverpool Road end of Wetherill Street;
 - c. to prevent through traffic between Liverpool Road and Wetherill Street south of the northern boundaries of 15 and 18 Wetherill Street;
 - to continue to maintain satisfactory vehicular access to 15 and 18 Wetherill Street and 418-424 Liverpool Road without alteration to their existing driveway access arrangements; and
 - e. to provide landscaping in the relocated median including at least two advanced specimens of canopy trees and ground cover.
- 2) Units 102 and 202 are to be reconfigured as follows:
 - a. The kitchen is to be relocated to the position of the current balcony on the south side of the unit; and
 - b. The balcony is to be relocated to the position of the kitchen.
- The windows on the south elevation of Levels 01 and 02 are to be modified as follows:
 a. Sill heights are to be raised to 1.65m above finished floor level;
 - It may be necessary to provide additional window openings to satisfy BCA requirements.
- 4) The disabled access ramp is to be relocated from the Wetherill Street setback area to the main entry where it is to be located parallel to the northern wall of Unit G01.
- 5) The sections of the vehicular ramps which indicate ramps with 1:4 grades shall be redesigned to maximum 1:5 grade with relevant transitions, as required under Council's DCP or IDAP. The 1:5 grade is to be measured from the inside radius of curved sections of the ramps. The headroom, and if necessary floor levels, would need to be adjusted accordingly. Long sectional drawings (scale 1:20) with ramps and headroom shall be submitted to Council.
- 6) Dobroyd Canal is an assets owned by Sydney Water and Liverpool Road is an asset owned by the RMS. This site is required to discharge stormwater via a pipeline across to the street kerb with the pipeline then continuing under the kerb and gutter in Liverpool Road to Sydney Water drainage system. The applicant is required to submit written approval from Sydney Water and the RMS stating that it has no objection to the proposed method of stormwater discharge along Liverpool Road and into the canal.

INNER WEST COUNCIL

- 7) A plan and long section of the proposed Council pipe to be laid in Liverpool Road so as to join the site's stormwater into Sydney Water's canal shall be submitted. This section shall show pipe grade, pipe depth, pipe chainages (10m intervals).
- 8) A Stormwater Drainage Concept Plan demonstrating the proposed stormwater drainage system which shall be disposed of by approved drainage lines discharging to a kerb pipe network and complies with Council's "Stormwater Management Code".
- 9) The landscape plan is to be amended to show:
 - a. The replacement of the single street tree that is to be removed to make way for the driveway access by two trees of the same species. These are to be located in front of the property on Wetherill Street in a suitable location and evenly spaced. They are to be a minimum of 3m in height at planting;
 - b. The landscaping of the redesigned and relocated traffic island (in (a) above) to include suitable groundcover and shrub planting along with at least two advanced specimens of canopy trees consistent with Council's street tree policy.
 - c. Details of fencing along Liverpool Road and Wetherill Street frontages shall be provided.

The above deferred commencement conditions are to be **satisfied** within 12 month from the date of determination of this deferred commencement consent. Failure to satisfy those conditions within the specified time frame will cause this consent to lapse despite any other statement on this consent.

The correspondence issued by Council, once the above conditions are satisfied, and any associated documents submitted to satisfy the deferred commencement conditions are to form part of this consent and the correspondence is to be provided to the Principal Certifying Authority with the Construction Certificate as applicable.

Providing the above matters are satisfied by Council by the specified date, general conditions of consent are:

PART B

A <u>General Conditions</u>

(1) Approved plans stamped by Council

The development must be carried out only in accordance with the plans and specifications set out in the table below and stamped as approved by Council, and in any supporting documentation received with the application, except as amended by the conditions specified hereunder.

No.	Revision	Title	Prepared by	Amendment Date
DA/A1200	В	Basement Plan 02	Ghazi Al Ali Architect	23.12.2015
DA/A1201	В	Basement Plan 01	Ghazi Al Ali Architect	23.12.2015
DA/A1202	В	Ground Floor	Ghazi Al Ali Architect	23.12.2015
DA/A1203	В	Level 01	Ghazi Al Ali Architect	23.12.2015
DA/A1204	В	Level 02	Ghazi Al Ali Architect	23.12.2015
DA/A1205	В	Level 03	Ghazi Al Ali Architect	23.12.2015
DA/A1206	В	Roof Plan	Ghazi Al Ali Architect	23.12.2015
DA/A1500	В	South and North Elevations	Ghazi Al Ali Architect	23.12.2015
DA/A1501	В	West and East Elevations	Ghazi Al Ali Architect	23.12.2015
DA/A1700	В	Sections	Ghazi Al Ali Architect	23.12.2015
DA/A1600	A	Material Schedule	Ghazi Al Ali Architect	01.12.2015

1	ТВА	Landscape Planting Plan	Michael Siu Landscape Architects	ТВА
2	TBA	Landscape Planting Plan	Michael Siu Landscape Architects	ТВА
SW01	ТВА	Stormwater Concept Design: Cover Sheet	S & G Consultants Pty Ltd	ТВА
SW02	ТВА	Stormwater Concept Design: Basement 2 Plan	S & G Consultants Pty Ltd	ТВА
SW03	TBA	Stormwater Concept Design: Ground Floor Plan	S & G Consultants Pty Ltd	TBA
SW04	TBA	Erosion & Sediment Control: Plan & Details	S & G Consultants Pty Ltd	ТВА
SW05	TBA	Details Sheet	S & G Consultants Pty Ltd	ТВА
N/A	N/A	Police Conditions	NSW Police: Ashfield Local Area Command	29.02.2016

Note: The architectural plans take precedence in respect of the built form. Should there be any inconsistency between the built form shown on the architectural and the engineering or landscape plans, the architectural plans take precedence.

Payment of any Additional Fees

If the estimated cost of works for the construction certificate application exceeds the estimate supplied with the development application, an additional fee, any contributions and bonds based on the revised estimate must be paid to Council prior to release of the Construction Certificate.

(2) NSW Police Conditions

The applicant is to comply with the following conditions provided by NSW Police, Ashfield Local Area Command, dated 29.02.2016:-

- a. Surveillance IP Cameras with a minimum of 1.3 megapixels are to be installed and operable 24 hours a day with images kept for a minimum of 30 Days for viewing by police as required. Cameras should be placed in the following areas to maximise security; Foyer entry/exits, driveway entry and letterbox area.
- b. The camera facing the driveway entry/exit should be an Automated Number Plate Recognition camera. This is to be installed and operatable prior to the issue of an Occupational Certificate.
- c. Cameras are to be registered with the NSW Police Force CCTV Register. http://www.police.nsw.gov.au/cctv_register
- d. Install bright sensor lights around the building to provide adequate illumination of all areas around the building where residents and visitors might have access to.
- e. Affix signage on the internal and external walls to reinforce security and deter unauthorised access and trespassing.
- f. Ensure all access points to the building (this would include lifts and stairwells) should be restricted to residents only through a security system. Visitors to the residential complex should be provided with access via the intercom.
- g. Ensure vehicle and pedestrian access to any parking area is controlled by key or key card access only.
- h. Basement car park walls are to be painted in White to increase lux levels and light reflection, aiding in illumination of the area.
- i. Install bicycle storage lockers that will prevent access to any part of the bicycle. Consider 'Crime safe' products, for storage lockers.
- Storage lockers should be covered, so its contents cannot be seen by visitors or residents. Consider 'Crime safe' products, for storage lockers.

INNER WEST COUNCIL

- k. The site is to be treated with anti-graffiti paint to a height level which is usually accessible in order to deter graffiti offenders targeting the building and its perimeter.
- Vegetation surrounding the building should be trimmed to prevent hiding spots for offenders, reducing the risk of personal violence offences as well as property offences.
- m. Mirrors to be placed in the basement car park for drivers to see vehicles entering and exiting the car park.
- Quality safety devices must be installed on all windows above ground floor level. It must stop the window opening more than 12.5cm.
- o. 'Crim safe' or similar should be considered for apartment balcony screen doors.
 p. All access points to the building should be restricted to residents only through a
- g. It is recommended that 'Commercial Waste Bins' with a locking bar be issued.
- This will reduce congestion of rubbish bins lined across the street, on rubbish collection days.
- r. It is recommended that the doorway be widened to garbage bin area.
- s. It is recommended that sensor lights be placed in the communal open area to prevent unauthorised persons loitering at location at night.
- t. It is recommended that a sky light in placed in the roof over the common stairwell to brighten the stairs during the day. Sensor lights to activate in the evenings.
- u. Letter boxes must be fitted with quality 'Radial Pin Locks' to prevent mail theft.
- Letter boxes must be easily accessible to postman from council pedestrian footpaths.
- Secured letter boxes are to be installed which can only be accessed from a secure foyer area

(3) Roads and Maritime Services Conditions

The applicant is to comply with the following conditions provided by Roads and Maritime Services:

a. The redundant driveway on Liverpool Road shall be removed and replaced with kerb and gutter to match existing. The design and construction of the kerb and gutter on Liverpool Road shall be in accordance with Roads and Maritime requirements. Details of these requirements should be obtained from Roads and Maritime Services, Manager Developer Works, Statewide Delivery, Parramatta (telephone 8849 2138).

Detailed design plans of the proposed kerb and gutter are to be submitted to Roads and Maritime for approval prior to the release of a Construction Certificate and commencement of any road works.

A plan checking fee (amount to be advised) and lodgement of a performance bond may be required from the applicant prior to the release of the approved road design plans by Roads and Maritime.

b. The developer is to submit design drawings and documents relating to the excavation of the site and support structures to Roads and Maritime for assessment, in accordance with Technical Direction GTD2012/001.

The developer is to submit all documentation at least six (6) weeks prior to commencement of construction and is to meet the full cost of the assessment by Roads and Maritime.

The report and any enquiries should be forwarded to: Project Engineer, External Works Sydney Asset Management

Roads and Maritime Services



PO Box 973 Parramatta CBD 2124

Telephone 8849 2114 Fax 8849 2766

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

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

Details shall be forwarded to: The Sydney Asset Management Roads and Maritime Services PO Box 973 Parramatta CBD 2124

A plan checking fee will be payable and a performance bond may be required before Roads and Maritime approval is issued. With regard to the Civil Works requirement, please contact the Roads and Maritime Project Engineer, External Works Ph: 8849 2114 or Fax: 8849 2766.

- d. All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping. A construction zone will not be permitted on Liverpool Road.
- e. A Road Occupancy Licence should be obtained from Transport Management Centre for any works that may impact on traffic flows on Liverpool Road during construction activities.

B <u>Design Changes</u>

N/A

C <u>Conditions that must be satisfied prior to issuing/releasing a Construction</u> <u>Certificate</u>

(1) Construction and Site Management Plan

Prior to the issue of a Construction Certificate the applicant shall submit to Council or the accredited certifier a construction and site management plan that clearly sets out the following:

- (a) what actions and works are proposed to ensure safe access to and from the site and what protection will be provided to the road and footpath area from building activities, crossings by heavy equipment, plant and materials delivery, or static loads from cranes, concrete pumps and the like,
- (b) the proposed method of loading and unloading excavation machines, building materials, formwork and the erection of any part of the structure within the site,
- (c) the proposed areas within the site to be used for the storage of excavated material, construction materials and waste and recycling containers during the construction period,
- (d) how it is proposed to ensure that soil/excavated material is not transported on wheels or tracks of vehicles or plant and deposited on surrounding roadways,

(e) the proposed method of support to any excavation adjacent to adjoining properties, or the road reserve. The proposed method of support is to be designed by a chartered Civil Engineer or an accredited certifier.

Where it is proposed to:

- pump concrete from within a public road reserve or laneway, or
- stand a mobile crane within the public road reserve or laneway, or
- use part of Council's road/footpath area,
- pump stormwater from the site to Council's stormwater drains, or
- store waste and recycling containers, skip, bins, and/or building materials on part of Council's footpath or roadway,

An Activity Application for a construction zone, a pumping permit, an approval to stand a mobile crane or an application to pump water into a public road, together with the necessary fee shall be submitted to Council and approval obtained before a Construction Certificate is issued.

Note: A separate application to Council must be made for the enclosure of a public place (hoarding).

(2) Erosion & sedimentation control-management plan

Prior to issue of a construction certificate the applicant shall prepare an erosion and sedimentation control plan in accordance with Part 4 of the guidelines titled "*Pollution Control Manual for Urban Stormwater*", as recommended by the Environmental Protection Authority.

Any stormwater runoff collected from the site must be treated in accordance with the Guidelines, before discharge off the site to comply with the *Protection of the Environment Operations Act 1997* or other subsequent Acts.

Where sedimentation control basins are provided discharge shall be to the requirements of the Environment Protection Authority.

Applicants are further advised to refer to the following publications for additional information:

- (a) "Sedimentation and Erosion Control" Department of Conservation and Land Management.
- (b) "Soil and Water Management for Urban Development" Department of Housing.

The plan must be submitted with the application for a construction certificate.

Further information may be obtained from:

Environment Protection Officer Environment Protection Authority Inner Sydney Region Locked Bag 1502 BANKSTOWN NSW **22**00

(3) Home Building Act 1989 Insurance

Compliance with Part 6 of *Home Building Act 1989* is required. A copy of either the Builders Home Warranty Insurance OR a copy of the Owner-Builder Permit shall be submitted to Council.

(4) Long service levy

Compliance with Section 109F of the Environmental Planning and Assessment Act 1979 - payment of the long service levy under Section 34 of the Building and Construction Industry



Long Service Payments Acts 1986 – is required. All building of \$25,000.00 and over are subject to the payment of a Long Service Levy fee. A copy of the receipt for the payment of the Long Service Levy shall be provided to the Principal Certifying Authority (PCA) prior to the issue of a Construction Certificate. Payments can be made at Long Service Payments Corporation offices or most Councils.

(5) Access and services for people with a disability – flats/mixed development

Detailed plans drawn to the scale of 1:50 shall be submitted detailing compliance with the requirements of AS4299 and AS 1428 Part 1 and the provisions of Ashfield Development Control Plan for Access and Mobility (tel. 9716 1800 for a free copy) prior to the issue of a Construction Certificate, showing a minimum of adaptable and accessible units within the development and details of complying levels, ramp slopes, door widths, circulation spaces within the development as follows .

(7) Section 94 Development Contributions

In accordance with Section 80A(1) of the *Environmental Planning and Assessment Act 1979* and the Ashfield Council Development Contributions Plan, the following monetary contributions shall be paid to Council Prior to issue of a Construction Certificate to cater for the increased demand for community infrastructure resulting from the development:

Community Infrastructure Type	Contribution
Local Roads	\$7,599.54
Local Public Transport Facilities	\$14,980.49
Local Car Parking Facilities	\$0.00
Local Open Space and Recreation Facilities	\$241,129.67
Local Community Facilities	\$12,696.63
Plan Preparation and Administration	\$11,969.53
τοτα	L \$288,375.86

If the contributions are not paid within the financial quarter that this consent is granted, the contributions payable will be adjusted in accordance with the provisions of the Ashfield Development Contributions Plan and the amount payable will be calculated on the basis of the contribution rates applicable at the time of payment in the following manner:

Where:

\$Cc

- \$ Cc is the amount of the contribution for the current financial guarter
- \$ CP is the amount of the original contribution as set out in this development consent
- CPIc is the Consumer Price Index (Sydney All Groups) for the current financial quarter as published by the ABS.
- **CPI**_P is the Consumer Price Index for the financial quarter at the time of the original consent.

Prior to payment of the above contributions, the applicant is advised to contact Council's Planning Division on 9716 1800. Payment may be made by cash, money order or bank cheque.

Council's Development Contributions Plan may be viewed at <u>www.ashfield.nsw.gov.au</u> or a copy may be inspected at Council's Administration Centre.

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(8) Remediation

(a) Unconditional Remediation

The site shall be appropriately remediated to be suitable for the purposes of residential use. The proposed remediation works shall be unconditional and details shall be submitted to Council prior to release of the Construction Certificate.

(b) Remedial works

The remedial works recommended in the submitted Remediation Action Plan (prepared by Benviron Group, No. E350/2-1, dated December 2014), shall be completed under the supervision of the consultant who prepared the Remediation Action Plan. Validation reporting from an appropriately qualified person verifying that the site has been fully remediated in accordance with the Remediation Action Plan (prepared by Benviron Group, No. E350/2-1, dated December 2014), must be completed and submitted to Council within 30 days of completion of remediation works.

(c) Disposal of site soils

All soils excavated from the subject site are to be classified under the NSW DECC Waste Classification Guidelines (2008). Testing is required prior to offsite disposal. All waste materials must be removed to appropriately licensed waste facilities by a suitably qualified contractor in accordance in accordance with NSW DECC (2008) Waste Classification Guidelines. Details of soil excavation, transportation and disposal works must be reported to Council by a suitably qualified consultant. This is to be submitted as part of the validation reporting for the development.

(d) Soils to be used on site

Any soil to be reused on site must be tested for contaminants by a suitably qualified consultant. Soils imported onto the subject site for the purpose of backfilling excavation, must be of a standard that is suitable for the receiving site. Documentation indicating the suitability of these soils must be provided to Council as part of the validation reporting for the development.

(e) Removal and disposal of storage tanks

Storage tanks removed from the site must be removed and disposed of in accordance with the Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2008 and Australian Standard 4897- 2008: The design, installation and operation of underground petroleum storage

systems. Documentation will be required in order to demonstrate compliance with the above documents and must be included in the validation reporting **as** part of the proposal.

(f) Validation

Validation reporting from an appropriately qualified person verifying that the site has been fully remediated in accordance with the recommendations of the Remediation Action Plan (prepared by Benviron Group, No. E350/2-1, dated December 2014), must be completed and submitted to Council within 30 days of completion of the remediation works.

(10) Surveillance

A surveillance system, for the building, open space and basement car park is to be designed by a professionally recognised security firm, which include the following:

- o a closed circuit television (surveillance cameras);
- the Manager's office having the relevant control panels; and

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 Tapes/digital data 'on disc' to be properly stored and retained on site for a minimum of twenty-one (21) days for the availability of Council or NSW Police.

Details to be shown on the construction certificate and provided to Ashfield Police prior to occupation.

(11) Lighting to basement/pedestrian routes-safety

Lighting which meets the relevant Australian Standard of 40 lux., spaced at appropriate intervals to provide the required surveillance shall be provided to the vehicular basement parking area and along pedestrian access routes for safety and security purposes during the evenings.

Details to be shown on the construction certificate.

(12) Vibration damage assessment

To minimise vibration damage and loss of support to buildings in close proximity, a report shall be prepared by a qualified Geo-technical engineer detailing the maximum size of hammer to be used where a hydraulic hammer is to be used within 30 metres of any building (other than a path or a fence). The report is to be submitted to Council prior the issue of a Construction Certificate.

(13) Street numbering

An application for street numbering shall be lodged with Council for approval, prior to the release of a Construction Certificate, or Subdivision Certificate, which ever occurs first.

(14) Sydney Water - Section 73 Compliance Certificate

A Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained from Sydney Water Corporation.

Application must be made through an authorised Water Servicing Coordinator. Please refer to the "Your Business" section of the web site <u>www.sydneywater.com.au</u> then follow the "e-Developer" icon or telephone Sydney Water 13 20 92 for assistance.

Following application, a "Notice of Requirements" will advise of water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to the release of an occupation or subdivision certificate.

(15) Entry control - safety

At the entry to the resident basement car park, the following shall be provided:

- a security gate or shutter; and
- an intercom system between visitors and residents to enter and exit from the car park.

Each ground level entry area to the building shall have an intercom system whose purpose is to contact residents or the manager/caretaker to allow entry to visitors Details to be shown on the application with the construction certificate.

(16) Exhaust fumes from car park

Any exhaust ventilation from the carpark is to be ventilated away from the property boundaries of the adjoining dwellings, and in accordance with the provisions of AS1668.1. details demonstrating compliance are to be provided with the Construction Certificate.

(17) No external service ducts

Service ducts shall be provided within the building to keep external walls free of plumbing or any other utility installations. Such service ducts are to be concealed from view from the street. Details demonstrating compliance are to be provided in the Construction Certificate.

(18) SEPP 65 – Design Verification

Prior to release of the Construction Certificate design verification is required to be submitted from the original designer to confirm the development is in accordance with the approved plans and details and continues to satisfy the design quality principles in State Environmental Planning Policy No – 65 Design Quality of Residential Flat Building Development.

(19) Damage deposit/footpath, road, kerb and gutter

A Damage Deposit of \$50,000 is to be submitted prior to any of the following:

- commencement of works or
- demolition or
- excavation upon the site or
- the release of the Construction Certificate

whichever may come first, covering repair and/or replacement of adjoining footpath, road shoulder, road pavement, kerbing and guttering both outside the subject site and the surrounding area. This is to be paid to Council and may be refunded subject to satisfactory completion of construction or demolition.

This Damage Deposit covers <u>unforeseen damage</u> to the above property by construction vehicles, skip bins, construction methods etc. Note: Should repair works or maintenance be required on Council land, a Road Opening Permit must be obtained before those works take place.

Bank Guarantees are accepted in lieu of any Council security deposit/bond subject to the following:

It must be an **original with no end date** and issued in favour of Council, details of the proponent's address shall be included.

A charge equal to the value multiplied by the current "overdue rates interest charge" be levied, per month or part thereof, with a minimum charge of three months is to be paid upon lodgement.

Any remaining charge is to be calculated at the prevailing "overdue rates interest rate" for each month or part thereof beyond the original three months that the Bank Guarantee was held, and paid prior to its release.

Any costs incurred in the acceptance, administration or release of such Bank Guarantees be on-charged to the entity claiming the release of such Bank Guarantee, and that these amounts be paid prior to its release.

At the time of lodgement, Council will seek verification of the Bank Guarantee. Please provide contact details for the branch (phone number and officer) to assist with verification of the bona fides of the Bank Guarantee.

Until all items above are completed, no documents or usage sought from Council by the party lodging the Bank Guarantee can be issued. Please allow a minimum of 2 business days for this process.



The return of the Damage Deposit shall not be refunded until all conditions of Consent have been completed and the Occupation Certificate has been released.

(20) Footpath/laneway- photographs to be submitted

<u>Prior to the release of the Construction Certificate</u>, the applicant shall lodge with Council photographs of the roadway and footpath at the property indicating the state of the relevant pavements. At the completion of construction, again at the expense of the applicant, a new set of photographs is to be taken to determine the extent, if any, of any damage, which has occurred to the relevant pavements. If any damage has occurred, the applicant shall meet the full cost to repair or reconstruct these damaged areas to Council's relevant standard. Failure to do this will result in the applicant being held accountable for the cost of all repair works in the area near / at the site.

(21) Design and construction of car parking area

The car park layout is to be designed and constructed in accordance with Australian Standards AS 2890.1 2004 "Off Street Car Parking" as well as AS2890.6 -2009 Parking Facilities - Off-street parking for people with disabilities.

This shall include but not be limited to the following design aspects being included prior to the release of the Construction Certificate:

- (1) All vehicles must enter and exit the site in a forward direction.
- (2) Appropriate traffic signal treatment supplemented with mirrors and signage/line marking shall be implemented to guide vehicular movement through the basement ramp system.
- (3) The driveway entre/exit at Council's footpath is to be kept visually clear of vegetation and walls are to be splayed to view pedestrians in accordance to "Minimum Sight Lines for Pedestrian Safety" AS2890.1:2004 Section 3.2.4.

(22) Services adjustment or relocation

The applicant shall meet the full cost for Telstra, Sydney Electricity, Sydney Water or Natural Gas Company to adjust/relocate their services as required. The applicant shall make the necessary arrangements with the service authority. (For information on the location of these services contact the "Dial before you Dig" service on 1100.)

Documentary evidence from the public utility authorities confirming that all of their requirements have been satisfied shall be submitted to Council with the <u>Construction</u> <u>Certificate</u> under Section 68 of the Local Government Act, 1993, for construction of the development

(23) Connection to Council's street drainage

Details and a Long section of the proposed street drainage line in Liverpool Road shall be prepared by a suitably qualified professional civil engineer in accordance with Council's Stormwater Management Code, and submitted and approved by Council prior to the release of the Construction Certificate.

The depth and location of all services within the area affected by the new 375mm stormwater pipeline to be laid in Liverpool Road (i.e. gas, water, sewer, electricity, Telstra, etc) shall be confirmed by the applicant on site prior to the release of the Construction Certificate.

(24) Stormwater disposal-calculations

(a) Calculations and details of the proposed method of stormwater disposal shall be prepared by a suitably qualified professional civil engineer in accordance with Council's Stormwater Management Code and submitted to, and approved by, Council or Certifier prior to the release of the Construction Certificate.



The <u>Construction Certificate plan</u> to be submitted to Council must consist of the following items:

Separate catchment areas within the site draining to each collection point or surface pit classified into the following categories:

- (i) Roof areas.
- Paved areas.
- (iii) Grassed areas.
- (iv) Garden areas.
- (v) The percentages of Pre-development and Post-development impervious areas
- (b) At each pit and or bend, a level of pipe is to be shown (the minimum grade for pipes is 1%.).
- (c) All flow paths both internal and external, which pass through or around the proposed development site, are to be shown on the <u>Construction Certificate plan</u>
- (d) Calculations and details are to be provided to Council showing that provisions have been made to ensure runoff from all storms up to the 100 year ARI, which cannot be conveyed within the piped drainage system (including pits and including overflows from roof gutters) is safely conveyed within formal or informal overland flow paths to the detention storage facility. Where it is not practicable to provide paths for overland flows the piped drainage system should be sized to accept runoff up to and including the 100-year ARI.
- (e) All garbage and waste areas must drain to the sewer and not the stormwater system.

(25) Stormwater detention storage facility

- (a) On-site Stormwater Detention storage (separate from any Basix requirements) shall be provided in conjunction with the stormwater disposal. This storage shall be designed in accordance with Council's Stormwater Management Code the minimum storage required for this site shall be 21m3. Details of the storage shall be submitted to and approved by Council or Certifier prior to the release of the <u>Construction</u> <u>Certificate</u>.
- (b) <u>Prior to the release of the Construction Certificate</u>, a maintenance schedule is to be prepared which clearly outlines the routine maintenance necessary to keep the OSD system working, this information is to be included in the Positive Covenant required for this development. Some of the issues that will need to be addressed are:
 - where the storage and silt arrestor pits are located
 - which parts of the system need to be accessed for cleaning and how access is obtained
 - description of any equipment needed (such as keys and lifting devices) and where they can be obtained
 - the location of screens and how they can be removed for cleaning
 - who should do the maintenance (i.e. commercial cleaning company)
 - how often should it be done

The abovementioned maintenance schedule is to be submitted to and approved by Ashfield Municipal Council prior to the release of the Occupation Certificate.

(26) Pumpout system specifications

A pumpout system may be permitted to discharge small volumes of stormwater from the basement car parking area. Full details of the pump size, capacity, performance curves,

5 July 2016



friction losses etc from the manufacturers specifications must be submitted with the stormwater drainage calculations demonstrating that the pump will function in accordance with the manufacturer's specifications for the required volume of stormwater at the subject total head. Minimum pump capacity allowable is for a 5 minute 1 in 20 ARI storm.

The drainage sump storage area for the pump shall be a bunded area able to cater for a 1 hour 1 in 20 ARI storm to minimise flooding in the event of a power blackout during a storm.

A dual pumpout arrangement will be necessary, these pumps will be required to be connected in parallel and alternate automatically, with each pump being capable of emptying the holding tank or holding area at the permissible site discharge rate. (All pumps must be Class 1 Zone 2, if the pumps are located within a building (i.e. in the basement).

The stormwater volumes discharged from the pumpouts are to be included in the permissible amount of stormwater discharged from the site as stated in other relevant conditions.

(27) Flood levels for Finished Floor Levels (FFL)

The Finished Floor Levels (FFL) of all habitable rooms fronting Liverpool Road shall be a minimum of 500mm above the 1:100 ARI flood level identified as 16.78m Australian Height Datum in the Flood Study. As such, the minimum finished floor level for habitable rooms fronting Liverpool Road shall be 17.28m AHD.

The Finished Floor Levels (FFL) of all habitable rooms fronting Wetherill Street shall be a minimum of 500mm above the 1:100 ARI flood level identified as 17.03m Australian Height Datum in the Flood Study. As such, the minimum finished floor level for habitable rooms shall be 17.53m AHD.

The ramp to the underground garage (prior to descending) is to be a minimum of 500mm above the 1:100 ARI flood level. As such, the minimum ramp level to the underground garage (prior to descending) is to be 17.54m AHD.

(28) **Building Component**

A Construction Certificate will not be issued until a detailed report from an Engineer, having qualifications acceptable for membership of the Institution of Engineers Australia, certifying that the building has been designed to be capable of withstanding all flooding conditions, including impact of standing water on foundation, forces of flowing water during a 1% AEP flood, debris, loading and buoyancy forces has been received.

(29)**Building Foundations**

The building footings are to be constructed of concrete and piered to existing ground. Details are to be submitted prior to the issue of a Construction Certificate. If the building footings are not piered to the existing ground, a report from an engineer whose qualifications are acceptable for the membership of the Institution of Engineers Australia, certifying that the building foundation has been designed to withstand a 1% AEP flooding conditions is to be provided. The report is to include an analysis of the soil characteristics of the ground and its impact on foundation during flooding.

(30) **Public Art**

Detailed design for public art proposed to be located in the front setback area is to be submitted to Council for its approval prior to the issue of any construction certificate or a monetary payment can be made in accordance with Council's Public Art Policy.

(31) Public Art Completion

The approved public art or monetary payment shall be completed/made prior to the issue of any occupation certificate.

(32) Construction Traffic Management Plan

A Construction Traffic Management Plan (CTMP) be submitted to Council for approval prior to issue of any construction certificate. The CTMP shall address issues such as truck routes and frequencies during various stages of development, loading/unloading strategies, locations of any Work Zones or other temporary traffic restrictions, truck waiting areas, size of delivery vehicles, site worker parking etc. The CTMP should discuss in detail the location, duration and intent of any anticipated road or lane closures during the construction process. Associated traffic control plans and strategies to maintain vehicular access to neighbouring properties during those periods should also be outlined.

All vehicles associated with construction including demolition, excavation and construction, shall be accommodated on the site and may access the site only via the southern part of Wetherill Street (ie south of the northern boundaries of 15 and 18 Wetherill Street).

(33) Car park layout

All car park layout shall be designed in accordance with AS 2890.1:2004 and AS 2890.6:2009. Traffic signal treatment and signage/line marking shall be implemented to guide vehicular movement through the ramp system.

Sight view clearance for pedestrians and traffic is to be established and designed at the driveway exit to Section 3.2.4 of AS 2890.1:2004.

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

D Conditions that must be complied with before work commences

(1) Notice of Commencement – Notification of Works

Work must not commence until the Principal Certifying Authority or the person having the benefit of the development consent has given <u>Notification in Writing to Council</u> no later than two days before the building work commences.

(2) Requirement for a Construction Certificate

In accordance with the provisions of Section 81A of the *Environmental Planning and Assessment Act 1979* the erection of a building and/or construction works must not commence until:

- detailed plans and specifications of the building have been endorsed with a Construction Certificate by:
 - (i) Council; or
 - (ii) an accredited certifier; and
- (b) a principal certifying authority (PCA) has been appointed and the Council has been notified in writing of the appointment, and
- (c) at least two days notice, in writing, has been given to Council of the intention to commence work.

The documentation required under this condition shall show that the proposal complies with all development consent conditions and the *Building Code of Australia*.

Note: If the principal certifying authority is the Council, the appointment will be subject to the payment of a fee for the service to cover the cost of undertaking building work and / or civil engineering inspections.



WARNING: Failure to obtain a Construction Certificate prior to the commencement of any building work is a serious breach of Section 81A(2) of the *Environmental Planning & Assessment Act 1979.* It is a criminal offence that attracts substantial penalties and may also result in action in the Land and Environment Court and orders for demolition.

(3) Inspections required by Principal Certifying Authority

Inspections shall be carried out at different stages of construction by Council or an accredited certifier. If Council is **se**lected as the Principal Certifying Authority (PCA) the inspection fees must be paid for in advance which will be calculated at the rate applicable at the time of payment.

(4) Building location - check survey certificate

To ensure that the location of the building satisfies the provision of the approval, a check survey certificate shall be submitted to the Principal Certifying Authority either prior to the pouring of the ground floor slab or at dampcourse level, whichever is applicable or occurs first, indicating the: -

- location of the building with respect to the boundaries of the site;
- level of the floor in relation to the levels on the site (all levels are to be shown relative to Australian Height Datum);
- (iii) site coverage of the buildings on the site.

(5) Crane permit

Should the applicant need to use a crane during the course of building, it will be necessary to first obtain a "Crane Permit" from Council's One Stop Shop. A fee of is payable for the permit. The approval of other authorities (eg Police Department, RTA) may be required for the use of a crane.

(6) Site fencing/security

The site must be appropriately secured and fenced to the satisfaction of Council during demolition, excavation and construction work to ensure there are no unacceptable impacts on the amenity of adjoining properties. Permits for hoardings and or scaffolding on Council land must be obtained and clearly displayed on site.

(7) Sydney Water approval

The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements and if further requirements need to be met. Plans will be appropriately stamped. For Quick Check agent details please refer to the web site: <u>www.sydneywater.com.au</u>, see Your Business then Building & Developing then Building & Renovating or telephone Sydney Water 13 20 92.

(8) Structural Engineering Details

Structural engineer's details prepared and certified by a practising structural engineer for all reinforced concrete and structural members is to be submitted to the Principal Certifying Authority for approval.

(9) Dilapidation Reports

A Dilapidation Report on the current structural condition of the existing buildings at 404-410 Liverpool Road and 15 Wetherill Street must be prepared by a practicing structural engineer. The Dilapidation Report must be completed and submitted to the owner of the subject property and to Council prior to the commencement of any demolition, excavation or construction works. At the completion of the works, a second Dilapidation Report recording the structural condition must be prepared. That Report must be submitted to the owner of the subject property and to Council.

(10) Sanitary facilities - demolition/construction sites

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

The provision of toilet facilities in accordance with this clause must be completed before any other work is commenced.

(11) Haulage route information

Full details of proposed haulage routes, estimated number of vehicle movements and trip locations related to demolition/construction activities are to be submitted to Council prior to work commencing.

(12) Public liability insurance – Works on Council/public lands

The applicant or any contractors carrying out works on public or Council controlled lands shall have public liability insurance cover to the value of \$10 million and shall provide proof of such cover prior to carrying out the works.

(13) Traffic Management Plan

A Demolition and Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hour of operation, access arrangements and traffic control will be submitted to Council, for approval, prior to the commencement of any works on site.

(14) On site detention system – check survey

Prior to the construction of an on-site detention system and above the underground garage involving permanent construction work (eg construction of concrete slabs, walls, pipe-systems or pits etc, and prior to the placement of any concrete for ground floor, car park or garages) a "check survey from a registered surveyor" must be forwarded to the Council indicating compliance with the approved plans before any concrete pour is approved by the relevant Council building surveyor or Authorised Certifier.

(15) Erosion, dust, topsoil and sediment control

Temporary measures shall be provided during construction eg. bunding, shade cloth to prevent dust leaving the site, sandbags around Council/private stormwater pits etc. in order to prevent sediment, dust, topsoil and polluted waters discharging from the site. Plans showing such measures shall be submitted to Council and approved <u>prior to the release of the Construction Certificate.</u>

(16) Wetherill Street Traffic Island Completion

The traffic island in Wetherill Street must be reconfigured and relocated (entirely at the developer's cost including any associated authority's fees and charges) as follows prior to the commencement of any building work on site to satisfy the following requirements: (1) To separate from each other (for vehicular access purposed) the following requirements:

- To separate from each other (for vehicular access purposes) the following parts of Wetherill Street:
 - a. The southern part of Wetherill Street (terminating roughly in line with the northern boundaries of 15 and 18 Wetherill Street) separate to prevent vehicular access to the development from the southern end of Wetherill Street; and

- b. The northern part of Wetherill Street (terminating roughly in line with the southern boundaries of 412-146 Liverpool Road and 418-424 Liverpool Road.
- (2) to allow vehicular access to the development only from the Liverpool Road end of Wetherill Street;
- (3) to prevent through traffic between Liverpool Road and Wetherill Street south of the northern boundaries of 15 and 18 Wetherill Street;
- (4) to continue to maintain satisfactory vehicular access to 15 and 18 Wetherill Street and 418-424 Liverpool Road without alteration to their existing driveway access arrangements; and
- (5) to provide landscaping in the relocated median including at least two advanced specimens of canopy trees and ground cover.

E Conditions that must be complied with during construction or demolition

(1) Plans to be available on site

The Council stamped approved plans, Development Consent and Construction Certificate shall be held on site to be produced unobliterated to Council's officer at any time when required.

(2) Building materials and equipment - storage/placement on footpath/roadway -Council approval

All building materials and equipment shall be stored wholly within the property boundaries and shall not be placed on the footpath, grass verge or roadway without prior written approval of Council.

Bulk refuse bins shall not be placed on the grass verge, footpath or roadway without Council permission. Application forms and details of applicable fees are available from Council's One Stop Shop telephone 9716 1800.

(3) Signs to be erected on building and demolition sites

- (1) A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
 - (a) stating that unauthorised entry to the work site is prohibited; and
 - (b) showing the name and address of the contractor for the building work and the person in charge of the work site and a telephone number at which the person may be contacted outside working hours; and
 - (c) showing the name, address and telephone number of the Principal Certifying Authority appointed for the building works.
- (2) Any-sign shall be maintained and not removed until work has been finished.

(4) Demolition/excavation/construction - hours of work

Demolition, excavation and construction work, including loading and unloading of materials and machinery, shall be restricted to between the hours of 7.00 am to 6.00 pm, Monday to Friday and from 7:00 am to 1.00 pm on Saturday. Work is prohibited on Sundays, and on public holidays.

(5) Demolition requirements/standards

Demolition of is to be carried out in accordance with the following:

(a) Australian Standard 2601 and any requirements of the Workcover Authority.

- (b) The Waste Management Plan submitted with the Development Application.
- (c) The property is to be secured to prohibit unauthorised entry.
- (d) All precautions are to be exercised in the handling, removal and disposal of all asbestos materials. Licensed contractors and the disposal of asbestos is to be carried out in accordance with the requirements of the Work Cover Authority.
- (e) All other materials and debris is to be removed from the site and disposed of to approved outlets.
- (f) Any demolition on the site is to be conducted in strict accordance with, but not limited to, sections 1.5, 1.6, 1.7, 3.1 and 3.9 of the AS 2601 - 1991, demolition of structures. The following measures must be undertaken for hazardous dust control:
- (g) Prior to demolition, the applicant shall submit a Work Plan prepared in accordance with AS 2601 by a person with suitable expertise and experience to the Principal Certifying Authority. The Work Plan shall identify any hazardous materials, the method of demolition, the precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.
- (h) Hazardous dust must not be allowed to escape from the site or contaminate the immediate environment. The use of fine mesh dust proof screens, wet-lead safe work practices, or other measures is required.
- (i) All contractors and employees directly involved in the removal of hazardous dusts and substances shall wear protective equipment conforming to AS 1716 Respiratory Protective Devices and shall adopt work practices in accordance with WorkSafe Requirements (in particular the WorkSafe standard for the *Control of Inorganic Lead At Work* (NOHSC: 1012, 1994) and AS 2641, 1998).
- (j) Any existing accumulations of dust (eg; ceiling voids and wall cavities must be removed by the use of an industrial vacuum fitted with a high efficiency particulate air (HEPA) filter and disposed of appropriately.
- (k) All dusty surfaces and dust created from work is to be suppressed by a fine water spray. Unclean water from the suppressant spray is not be allowed to enter the street gutter and stormwater systems.
- Demolition is not to be performed during high winds that may cause dust to spread beyond the site boundaries without adequate containment.
- (m) All lead contaminated material is to be disposed of in accordance with the NSW Environment Protection Authorities requirements.
- (n) Construction and demolition waste, particularly timber, bricks and tiles, concrete and other materials need not be disposed of- they can be recycled and resold if segregated properly from any hazardous waste contamination.
- (o) Following demolition activities, soil must be tested by a person with suitable expertise to ensure the soil lead levels are below acceptable health criteria for residential areas. Full certification is to be provided for approval by the Principal Certifying Authority.

(6) Waterproofing materials/installation - BCA/Australian Standards

Approved products that are impervious to water shall only be used as a substrate or as a lining and as a finish to floors and walls of wet areas (i.e. bathroom/shower room, WC compartment and laundry). Floors and cubicles shall be properly graded and drained to approved outlets.



The wet areas in the building shall be impervious to water as required by Part 3.8.1 of the Building Code of Australia (BCA). The junction between the floor and wall and the construction of the bath shower recess, basin, sink or the like shall be in accordance with the BCA & AS 3740:2004 'Waterproofing of wet areas within residential buildings'.

On completion of the waterproofing of the wet areas, the Principal Certifying Authority shall be furnished with a certificate from the person responsible. This is to state that the materials are suitable for the situation and that the application and/or installation has been carried out in accordance with the manufacturer's instructions, the BCA and AS 3740.

(7) Safety Glazing - BCA

Safety glazing complying with B1 of the Building Code of Australia (BCA) is to be used in every glazed door or panel that is capable of being mistaken for a doorway or unimpeded path of travel. The glazing must comply with AS 1288:2006 'Glass in Buildings – Selection and Installation'.

Framed panels or doors enclosing or partially enclosing a shower or bath shall be glazed with "A" or "B" grade safety glazing material in accordance with AS 1288 and Part 3.6.4 of the BCA.

(8) Fire Detection/Alarm System installation and certification

Smoke alarms must be installed in dwellings in accordance with Clause 3.7.2.3 of the Building Code of Australia (BCA) and AS 3786 on or near the ceiling in -

- (a) any storey containing bedrooms -
 - between each area containing bedrooms and the remainder of the dwelling, including any hallway associated with the bedrooms
- (b) any storey not containing bedrooms.

Smoke alarms must be connected to the consumer mains power and have a stand-by power supply.

The licensed Electrical Contractor shall on completion of the installation of the smoke alarm system, submit to the Principal Certifying Authority a certificate certifying compliance with AS 3000 and AS 3786:1993.

(9) BASIX Requirements

The new works shall be constructed in accordance with, and comply with the undertakings given on the BASIX (Building Sustainability Index) Certificate as obtained from the Department of Infrastructure, Planning and Natural Resources. For more information visit www.basix.nsw.gov.au.

(10) Visitor car parking identification

Visitor car parking shall be clearly identified by signposting and/or linemarking and must be accessible by the general public.

(11) Vehicle wash bays

All vehicle wash bays shall be provided with a tap connected to a continuous supply of water and the wash bays shall be bunded and graded to a floor waste connected to the sewer.

(12) Ausgrid Requirements

Ausgrid shall be consulted and its requirements be met in the construction of the development. Details to be provided.

(13) Building location - check survey certificate

To ensure that the height of the building complies with ALEP 2013 and satisfies the provision of the approval, a check survey certificate shall be submitted to Council prior to the pouring of the ground floor slab including :-

- (i) The RL and height of the top most level ensuring that no GFA is located above Xm at any point; and
- (ii) The overall height of the building does not exceed Xm at any point

(14) Noise transmission - stair shaft - BCA

The walls of the stair shaft to have a Sound Transmission Class of not less than 45 and to be constructed in accordance with the relevant provisions of Part F5 of the *Building Code of Australia.*

(15) Noise transmission - dividing walls - BCA

The walls dividing bathrooms, laundries and kitchens in one flat from habitable rooms in an adjoining flat having a Sound Transmission Class of not less than 50 and being constructed in accordance with the provisions of Part F5 of the *Building Code* of *Australia*.

(16) Noise transmission - soil/waste pipes - BCA

Soil and waste pipes, including those that pass through a floor shall be separated from the rooms of any flat immediately adjacent thereto by construction having a Sound Transmission Class in accordance with Part F5 of the *Building Code of Australia*.

(17) Footpath, kerb and gutter reconstruction

The public footpath and kerb and gutter outside the site shall be completely reconstructed to the requirements of Council's Works & Infrastructure Department at the applicant's expense.

This shall necessitate the following works being carried out by the applicant:

- All new footpath works on Council land shall be reconstructed using the type of pavers and pattern that have already been used in the surrounding area on Liverpool Road. (Pebblecrete pavers 400 x 400 x 60 honed, acid etched PPX540:400D and PPX49:400D or of similar type.)
- 2. All pavers shall be laid on a 100mm concrete sub base.
- A permit to carry out these works on Public land will be required to be obtained. In order for Council to grant approval for these works plans and details shall be submitted to Council for approval.
- 4. A minimum of five trees consistent with the requirements/specifications of the street tree strategy and the Ashfield Town Centre Study shall be planted in front of the site. Each tree shall have a minimum 45 litre root ball and have a tree guard placed around it and porous paving located at the base. Council shall approve all the above items mentioned above prior to installation.
- 5. All kerb works shall be to the satisfaction of both Council and the RMS.

This work shall be carried out prior to the release of the Occupation Certificate.

(18) Footpath, kerb and gutter protection

The applicant is to take all precautions to ensure footpaths and roads are kept in a safe condition and to prevent damage to Council's property.

Pedestrian access across this footpath must be maintained in good order at all times during work. Any damage caused will be made good by Council at Council's restoration rates, at the applicant's expense

(19) Redundant vehicular crossings-removal and replacements

All redundant vehicular crossings both on Liverpool Road and Wetherill Street shall be removed and replaced with concrete footpath, concrete kerb and concrete gutter at no cost to Council at the applicant's expense. This work shall be carried out prior to the release of the Occupation Certificate.

(20) Vehicle access driveways

A new vehicular access driveway shall be constructed in accordance with Council's standard drawing and specifications. The driveway shall be located a minimum of 1.0m clear of any existing stormwater pits, lintels or poles and 2m clear of any trees within the road reserve. The driveway shall also be located a minimum of 0.5m clear of any utility service opening such as Telstra, Sydney Electricity, Sydney Water or Natural Gas Company.

This work shall be carried out prior to the release of the Occupation Certificate.

(21) Road opening permit- Council controlled lands

A "road use-opening permit" shall be obtained for all works carried out in public or Council controlled lands. Contact Council's Works and Infrastructure Department for details.

(22) Traffic control on public roads

Where works are undertaken on public roads, adequate traffic control in accordance with AS 1742.3 1996 "Traffic Control Devices for work on Roads", particularly regarding traffic movement controllers, advance warning signs and directions to motorists, shall be provided. Where such measures are not satisfactorily provided to this Australian Standard, Council may provide such and recover the costs from any bonds held.

(23) Engineering staff to inspect roadworks/drainage

An inspection by Council's staff will be required for (kerb/gutter/crossing etc) at the following stages:

- (i) After excavation.
- (ii) After the erection of formwork and the placement of reinforcement and prior to pouring of concrete.
- (iii) After placement of road base course.
- (iv) After pipes have been laid and prior to backfilling.
- (v) On completion of works.

A minimum of 24 hours notice is required to be given to Council to obtain an inspection. Work is not to proceed until the works or activity covered by the inspection is approved.

(24) Finished ground surface levels at property boundary

Finished ground surface levels shall match existing levels at the property boundary.

(25) Spoil and building materials on road and footpath

Spoil and building materials shall not be placed or stored within any public roadway or footpath.

(26) Stormwater runoff-collection/discharge

Stormwater runoff from all roof and paved surfaces shall be collected and discharged by means of a gravity pipe system to the street drainage system in Liverpool Road to Sydney Water drainage system at a maximum stormwater discharge of 74 L/s.

NOTE: As this site is required to connect directly into Sydney Water drainage system, Sydney Water's approval may vary in above stormwater discharge requirements, therefore the above Council stormwater discharge condition will <u>not</u> be enforced.

(27) Connection to Sydney Water drainage

The connection to Sydney Water drainage system shall be constructed at the applicants expense. It shall consist of a pipeline across to the street kerb with the pipeline then continuing under the kerb and gutter in Liverpool Road to Sydney Water drainage system.

The pipes shall be 375 mm diameter reinforced concrete spigot and socket with rubber ring joins. A pit shall be constructed at the property boundary and at the kerb line as well as at the connection to Sydney Water drainage system.

Any adjustment required will be at the applicant's expense. The relevant authority's written consent for any adjustments or works affecting their services shall be obtained prior to works commencing.

Prior to works commencing a Council " Road Opening Permit" must be obtained.

(28) Stormwater runoff

Allowance shall be made for surface runoff from adjacent properties, and to retain existing surface flow path systems through the site. Any redirection or treatment of these flows shall not adversely affect any other properties

(29) Front fence material

The front fences are to be constructed from the face brick specified in the schedule of materials and finishes and are not to be rendered or painted. Metal infill is permitted between the brickwork piers.

(30) Construction vehicle movements

No vehicles associated with the construction of the development (including delivery vehicles) may access the site via the southern part of Wetherill Street (ie south of the northern boundaries of 15 and 18 Wetherill Street).

(31) Tree Planting

The 12 tristaniopsis laurina to be planted in the Liverpool Road setback, the Wetherill Street setback and to the southern setback are to be a minimum of 3m in height at planting.

(32) Vehicle wash bays

All vehicle wash bays shall be provided with a tap connected to a continuous supply of water and the wash bays shall be bunded and graded to a floor waste connected to the sewer.

(33) Provision of wash bays in basement



A minimum of one (1) car was bay shall be provided in the basement level

F <u>Conditions that must be complied with prior to installation of services</u>

nil

G Conditions that must be complied with before the building is occupied

(1) Approval to use/occupy building

The building or any part thereof must not be used or occupied until an Occupation Certificate has been obtained from the Principal Certifying Authority.

Note: If Council is chosen as the Principal Certifying Authority a fee is applicable prior to the release of the Construction Certificate.

(2) Sydney Water - Section 73 Compliance Certificate

A Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained from Sydney Water Corporation.

Application must be made through an authorised Water Servicing Coordinator. Please refer to the "Your Business" section of the web site <u>www.sydneywater.com.au</u> then follow the "e-Developer" icon or telephone Sydney Water 13 20 92 for assistance.

Following application, a "Notice of Requirements" will advise of water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to the release of an occupation certificate.

(3) Landscaping completion

All site works and landscaping are to be carried out in accordance with the approved landscaping plans prior to the issue of the occupation certificate.

(4) Street Number

A street number appropriately designed to complement the character of the must be displayed in a position clearly visible from the street, in numbers having a height of not less than 75 mm. The number must be in place before the premises can be occupied.

(5) Boundary fencing replacement

The existing boundary fencing along the southern boundary is to be replaced with solid fencing at the applicant's/owner's cost to a height of 1.8m (except within the front 5m setback of Wetherill Street where it must be no more than 1.2m and the front 3m setback of Liverpool Road where it must be not exceed the height of the front boundary fencing).

(6) Residential car park

All residents shall be provided with minimum of one (1) car parking space and be indicated on the plans with the construction certificate.

(7) Surveillance

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A surveillance system, for the building, open space, site link and basement car park is to be designed by a professionally recognised security firm, which include the following:

- a closed circuit television (surveillance cameras);
- A room having the relevant control panels; and

Digital data 'on disc' or similar to be properly stored and retained on site for a minimum of twenty-one (21) days for the availability of Council or NSW Police.

Details to be shown on the construction certificate and provided to Ashfield Police prior to occupation.

(8) Engineering conditions to be satisfied prior to the issue of occupation certificate

<u>Prior to the release of the Occupation Certificate</u> when the on-site building works are completed there are three (3) conditions that must be satisfied.

They are:

(a). Work-As-Executed Plans

A "Work-as-Executed" plan prepared and signed by a registered surveyor is to be submitted to Council's Engineering Department at the completion of the works showing the location of the detention basin with finished surface levels, contours at 0.2 metre intervals and volume of storage available. Also the outlet pipe from the detention basin to its connection to Council's drainage system, is to be shown together with the following information:

- location
- pipe diameter
- gradient
- pipe material i.e. PVC or EW etc
- orifice size
- trash screen at orifice
- all buildings (including floor levels) and finished ground and pavement surface levels
- (b) Engineer's Certificate

A qualified practising Civil Engineer shall certify on the completion of drainage works in respect of:

- the soundness of the storage structure;
- the capacity of the detention storage;
 - the emergency overflow system being in place;
 - the works being constructed in accordance with the Council approved plans; and
- the freeboard from maximum water surface level to the finished floor and garage levels are at or **a**bove the minimum required in Council's Stormwater Code.

*

(c) Restriction-As-To-User

A "Restriction-as-to-User" is to be placed on the title of the subject property to indicate the location and dimensions of the detention area. This is to ensure that works, which could affect the function of the stormwater detention system, shall not be carried out without the prior consent in writing of the Council.

Such restrictions shall not be released, varied or modified without the consent of the Council.

Attachment 6



(9) Positive Covenant-stormwater detention/surface flow paths-occupation certificate

A Positive Covenant under Section 88E of the Conveyancing Act shall be created on the title of the property detailing the

- (a) surface flow path
- (b) finished pavement and ground levels
- (c) prevent the erection of any structures or fencing
- (d) on-site stormwater detention system
- (e) stormwater culvert

The wording in the Instrument shall be submitted to and approved by Ashfield Municipal Council prior to lodgement at the Land Titles Office and prior to the release of the Occupation <u>Certificate</u>. The Instrument shall be registered prior to the completion of development.

(10) Street tree replacement

The single street tree to be removed to make way for the driveway access it to be replaced prior to the issue of any occupation certificate by two trees of the same species. These are to be planted in front of the property on Wetherill Street in a location shown on the amended landscape plan. They are to be a minimum of 3m in height at planting.

H Conditions that are ongoing requirements of development consents

(1) Garbage bin storage/placement for collection - strata title plan

All garbage/recycling bins are to be kept in the garbage bin storage area in the main block. Bins are only to be placed in the designated pick up area on the day of garbage collection and are to be returned to the storage area immediately after collection. This requirement is to be incorporated into the Strata Title of the property.

(2) Landscape Maintenance

The landscaping approved as part of this application is to be maintained to the satisfaction of Council.

(3) Air conditioners

To preserve the streetscape, air conditioners or any plant equipment shall not be placed along the street façade or any place/part of the building that is visible from the public domain.

(4) Vehicular access to the development

Vehicular access to the development shall at no time take place via the southern part of Wetherill Street (south of the northern boundaries of 15 and 18 Wetherill Street). Access shall at all times be via Liverpool Road (north of the northern boundaries of 15 and 18 Wetherill Street).

I Advisory Notes

(1) Other approvals

This development consent does not remove the need to obtain any other statutory consent or approval necessary under any other Act, including:

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- an Application for Approval under Section 68 of the Local Government Act 1993 for any
 proposed activity under that Act, including any erection of a hoarding. All such
 applications must comply with the Building Code of Australia.
- an application for an Occupation Certificate under Section 109(C)(2) of the Environmental Planning and Assessment Act 1979.
 Note: An application for an Occupation Certificate may be lodged with Council if the applicant has nominated Council as the Principal Certifying Authority.
- a development application for demolition approval under the *Environmental Planning and* Assessment Act 1979 if consent for demolition is not granted by this consent.

(2) Works and requirements of other authorities

- Sydney Water may require the construction of additional works and/or the payment of additional fees. Other Sydney Water approvals may also be necessary prior to the commencement of construction work. You should therefore confer with Sydney Water concerning all plumbing works, including connections to mains, installation or alteration of systems, and construction over or near existing water and sewerage services.
- Contact Sydney Water, Rockdale (Urban Development Section) regarding the water and sewerage services to this development.
- Australia Post has requirements for the positioning and dimensions of mail boxes in new commercial and residential developments. A brochure is available from your nearest Australia Post Office.
- Energy Australia/AGL Electricity/AGL Retail Energy or other alternative service/energy providers have requirements for the provision of connections.
- Energy Australia has a requirement for the approval of any encroachments including awnings, signs, etc over a public roadway of footway. The Engineer Mains Overhead Eastern Area should be contacted on 9663 9408 to ascertain what action, if any, is necessary.
- Telstra has requirements concerning access to services that it provides.

(3) Application for a Construction Certificate

The required application for a Construction Certificate may be lodged with Council. Alternatively, you may apply to an accredited private certifier for a Construction Certificate.

WARNING: Failure to obtain a Construction Certificate prior to the commencement of any building work is a serious breach of Section 81A(2) of the *Environmental Planning & Assessment Act 1979*. It is also a criminal offence which attracts substantial penalties and may also result action in the Land and Environment Court and orders for demolition.

(4) Modifications to your consent - prior approval required

Works or activities other than those authorised by the approval including changes to building configuration or use will require the submission and approval of an application to modify the consent under Section 96 of the *Environmental Planning & Assessment Act 1979*. You are advised to contact Council immediately if you wish to alter your approved plans or if you cannot comply with other requirements of your consent to confirm whether a Section 96 modification is required.

Warning: There are substantial penalties prescribed under the *Environmental Planning and Assessment Act 1979* for breaches involving unauthorised works or activities.



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Petition to Ashfield Council to refuse Development Application No. 10.2014.167 in respect of development site 412-416 Liverpool Road, Croydon (Lot 100 DP 1124619).

Petition to the General Manager and Councillors, Ashfield Council

We, the undersigned, petition Ashfield Council to refuse DA No. 10.2014.167 in respect of development site 412-416 Liverpool Road, Croydon for the reasons set out below.

The proposal for vehicle exit/entry into the basement level parking to be located at the end of, and within, the Wetherill Street Cul-de-sac (a conservation area) will:

- Have a significant impact on traffic flow and create road safety issues in local streets, including Wetherill Street, Lion Street and Norton Street. These streets would be unable to cope with additional through traffic into Wetherill Street. In particular, Lion Street, a narrow, one way street would be burdened by the diversion of additional traffic from Liverpool Road into Wetherill Street. Safety issues would arise, in particular at the corners of Lion and Norton Streets and Wetherill and Norton Streets.
- Burden local streets with additional street parking. Neither Lion Street nor Wetherill
 Street would be able to cope with the additional parking that would occur from potential
 occupancy of 80 plus with only 37 proposed parking spaces and the likelihood of street
 parking being opted for out of convenience and to accommodate visitor parking.
- Impact on the community value currently provided by the Wetherill Street Conservation Area Cul-de-sac, including the current ability for children in the neighbourhood to play safely within the Cul-de-sac. The additional traffic entering and travelling to the end of the Cul-de-sac would place children's lives at risk.
- Reduce the useability of the Wetherill Street Cul-de-sac as a turn space, particularly for waste and recycling vehicles. Reversing waste and recycling vehicles in particular is unsafe and presents a significant risk for pedestrians and bike riders.

The proposal is not in keeping with, or sympathetic to, other development within the area and the nature of the surrounding community. In particular:

- It proposes 4 storeys rather than 2 storeys. The surrounding community is largely residential family homes of single storey, and units not more than 2 storeys.
- It is not sympathetic to Wetherill Street Conservation Area and has no regard for the heritage of the area, despite the fact it encroaches into Wetherill Street. It has insufficient landscaping.
- It is to be built to the boundaries on Liverpool Road and the adjoining WetherIII Street neighbour, which would set a bad precedent for other future development in the area.

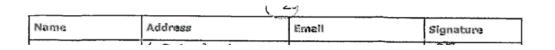
We urge Council to only consider a 2 storey development proposal, with vehicle entry/exit from Liverpool road, or the northern side of the Wetherill Street closure.

Petition initiator: Katherine Ruschen, 9 Wetherill Street, Croydon NSW 2132; email: kruschen@ypol.com.au

Signatures

Name	Address	Email	Signature







Attachment 7

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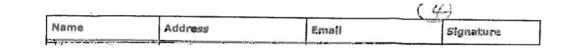


or development site 412-416 Liverpool Road, Craydon (Lot 100 DP 1124619).		(I	$\mathbf{)}$	
Name	Address	Email	Signature	,	7

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59+19 =78



Petition to Ashfield Council to refuse Development Application No. 10.2014.167 in respect of development site 412-416 Liverpool Road, Croydon (Lot 100 DP 1124619).

Name	Address	Email	Signature

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Patition to Ashfield Council to refuse Development Application No. 10.2014.167 in respect of development site 412-416 Liverpool Road, Creydon (Lot 100 DP 1124619).

Name	Address	Email	Signature



(7)

Petition to Ashfield Council to refuse Development Application No. 10.2014.167 in respect of development site 412-416 Liverpoof Road, Croydon (Lot 100 DP 1124619).

Name	Address	Email	Signature	
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Petition to Ashfield Council to refuse Development Application No. 10.2014.167 in respect of development site 412-416 Liverpool Road, Croydon (Lot 100 DP 1124519).

Name	Address	Email	Signature	
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116+15 = 131

Item 6

To: The General Manager Ashfield Council

cc. Philip North-Ashfield Town Planner

Ref. Development Application

412-416 Liverpool Road, Croydon

Lot: 100 DP: 1124619

Application No: 10.2015.264

Dear Sir,

As a resident who would be affected by the latest Development Application for the site at 412-416 Liverpool Road, Croydon, if it is approved in its present form, I register my objection to

*the latest traffic control measures in the latest DA; and

*apparent discrepancies within the latest DA's traffic report.

Traffic Control

Following rejection of the initial DA by the Land and Environment Court, the developer's second submission was amended to accommodate all residential traffic entering and exiting on the **northern** side of the Wetherill Street closure and then onto Liverpool Road- which reflected the wishes of the community.

I would like to draw council's attention to inconsistencies in the DA's Traffic Report. The report states on page 1 that "Access to the basement is proposed via a two-way ramp that connects with Wetherill Street immediately to the **south** of the exisiting road closure." This is contradicted on page 7 where it states "Access to the basement carpark is proposed via Wetherill Street immediately to the **north** of the existing closure, approximately 30m south of Liverpool Road."

The Traffic Report goes on to state that an estimated 110 car movements per day would be generated by the proposed development. It says that "the existing car wash facility would generate approximately 120 (car movements) across the day" and concludes that the proposed development would present a reduction in traffic. This could only refer to the short section of Wetherill Street to the **north** of the existing road closure which takes all the current car movements for both the car wash and the Raceway Petrol Station- both of which are in a commercial zone. It is patently wrong to claim that by dumping 110 car movements per day into a quiet residential cul-de-sac that has a Conservation zoning would "clearly have little impact on existing traffic conditions....along Wetherill Streets. In the report's conclusion it wrongly states that "the site access arrangements remove the existing entry driveway along Liverpool Road thus reducing turning movements." The last plan to go to council (and to the Land Environment Court) had both entry and **ex**it driveways on the northern side of the Wetherill Street closure and not from Liverpool Road.



Discrepancies

There is a significant discrepancy in the proposed plan mailed to residents in early January compared to the development plan that is lodged with council. The plan sent to residents is labelled Plan P and suggests that traffic flow in and out of the building is to the **north** of the street closure. It also does not include any note regarding the removal of the tree. The plan submitted to council is labelled Plan B and clearly identifies the removal of a Wetherill Street tree plus the movement of traffic in and out of the site to the southern side of the street closure. My neighbours in and around Wetherill Street are concerned that the traffic does not enter and exit on the southern side of the street due to the misleading nature of the plan they have received.

I support the call of many of my neighbours for the development plan submitted to council to be reissued to all residents in the community affected by this proposal and for them to have the time to consider their responses properly.

Norton Street

Croydon 2132



Subject:

@hotmail.com Friday, 29 January 2016 3:32 PM Ashfield Council/Ashfield/AU DA 412-416 Livrpool Road, Croydon

29 January 2016

From: Sent:

To:

The General Manager Ashfield Council Liverpool Road ASHFIELD NSW 2131

Attn: Mr Philip North – Ashfield Town Planner

Dear Sir,

Development Application 412-416 Liverpool Road, Croydon - 10.2015.264 Re: Lot 100 DP 1124619

Thank you for your recent letter inviting our comments on the above development application.

Whilst we are pleased to note that the Council/developers have taken into consideration several of our concerns, there appears to be one glaring conflicting issue, namely the entrance and exit to the complex's carpark - page 1 of the report "Access to the basement is proposed via a two-way ramp that connects with Wetherill Street immediately to the south of the existing road closure". Apparently this is in contradiction to page 7 where it states "Access to the basement car park is proposed via Wetherill Street immediately to the **north** of the existing closure, approximately 30m south of Liverpool Road."

year resident of the immediate precinct of Wetherill Street with As a we have been aware of the traffic tearing down Norton Street looking to access Liverpool Road via the back streets. And we praise the Council for its herculean effort to minimise the risk to the community's safety and wellbeing through the years in that regard. Because as you may be aware, aside from the diverse age and culture of the residents (parents, grandparents, great grandparents pushing babies in prams, walking toddlers and dogs, children on little scooters or tykes learning to cycle) using the Sutherland Park at the end of Norton Street or the little park at Lion's Road, the houses along these side streets are on narrow blocks so many houses do not have off-street parking.

Consequently a two-way ramp carpark connecting the south end of the Wetherill Street would reopen the issues of residents' safety and undo all the good of the past Council decisions in blocking off the Wetherill Street access to Liverpool Road and putting down humps along Carshalton Street.

We also would like an extension to the submission period as the revised proposal was received in early January during the Christmas/New Year holidays when most residents were either away or not aware of the exact location of the two-way ramp (the diagram of the development ramp has



the traffic flow moving out towards the north side of Wetherill Street). This extension will give us an opportunity to give the revised plans its appropriate consideration.

We would be grateful to receive your advice in due course.

Yours sincerely,

Carshalton Street, Croydon

Item 6



	To the General Manager - Ashfield Council				
	We are writing to the Council re the above DA 10.2015 264 at 412-416 Liverpool Road. live at i Wetherill St. We are very against this development going ahead.				
	is the biggest issue as this DA will seriously impact the quality of the amenity of our house. We already do not have , This development has the potential to most of the day in . With a height of 13m				
	Wetherill St. This will mean that me and my neighbours may :				
	This will				
	make				
	this extra expense.				
	Other issues are:				
	 Entry/exit.The 'We are concerned about how noisy will this will be as it will be opened and shut without any restrictions day and night We feel that this entry is and should be put on the other side of Wetherill St, for noise and privacy reasons. Privacy. We are concerned that the 				
 Also, the windows are oversized, and these should be either frosted or placed higher so that they will not have a direct view Sun. We think that if the covered balcony structures on the above south western are eliminated, this would help improve the 					
	4. The roof terrace. The roof terrace will overlook t				
	We are also concerned that				
	this area will be noisy if people choose to party there.				
	5. Traffic. We are a small street, again, we feel that this development is at the expense of the amenity of the existing neighbourhood. We do not think that our street should be become the driveway for these units, especially when there are other options. There are many young				
	families in our street and the reason for the street closure was a traffic issue, as a young child				

We think that this unit block will adversely impact the existing amenity of and we ask the Council to refuse it.

Wetherill St, Croydon 2132

was knocked down by a vehicle.



From: Sent: To: Subject: @yahoo.com.au Tuesday, 26 January 2016 10:49 AM Ashfield Council/Ashfield/AU Development Application

To: The General Manager Ashfield Council

cc: Philip North - Ashfield Town Planner

Ref: Development Application 412-416 Liverpool Road, Croydon Lot: 100 DP: 1124619 Application No: 10.2015.264

Dear Sir,

- We would like to make a submission to council in reference to the third and latest Development Application for the site at 412-416 Liverpool Road, Croydon.
- We would also like to request an extension to the submission period beyond the 29 January 2016.

1) Submission

As residents of the cul-de-sac in Wetherill Street, Croydon, we strongly object to the latest DA which proposes to funnel all traffic from the new development in and out of the cul-de-sac on the southern side of the street closure and via Lion,Norton, and Carshalton Streets.

This proposal is a return to the developer's first plan that has already been before council and has been rejected. It has also been rejected by the Land and Environment Court. The developer's second submission was amended to accommodate all residential traffic entering and exiting on the **northern** side of the Wetherill Street closure and then onto Liverpool Road - which reflected the wishes of the community.

We would also like to draw the council's attention to inconsistencies in the DA's Traffic Report. The report states on page one that "Access to the basement is proposed via a two-way ramp that connects with Wetherill Street immediately to the <u>south</u> of the existing road closure". This is contradicted on page 7 where it states "Access to the basement car park is proposed via Wetherill Street immediately to the <u>north</u> of the existing closure, approximately 30m south of Liverpool Road."

The Traffic Report goes on to state that an estimated 110 car movements per day would be generated by the proposed development. It says that "the existing car wash facility would generate approximately 120 (car movements) across the day" and concludes that the proposed development would present a reduction in traffic. This could only refer to the short section of Wetherill Street to the **north** of the existing street closure which takes all the current car movements for both the car wash and the Raceway Petrol Station - both of which are in a commercial zone. It is patently wrong to claim that by dumping 110 car movements per day into a quiet residential cul-de-sac that has a Conservation zoning would "clearly have little impact on existing traffic conditions...along Wetherill Street south of the site". It would have a massive impact on our community and the surrounding streets. In the report's conclusion it wrongly states that "the site access arrangements remove the existing entry driveway along Liverpool Road thus reducing turning movements.." The last plan to go to council (and to the Land Environment Court) had both entry and exit driveways on the northern side of the Wetherill Street closure and not from Liverpool Road as stated.

In relation to the collection of waste, the report says that "the 240L garbage bins (for all 22 units) to be wheeled to the kerbside for collection." It doesn't indicate which side of the street closure these bins will be located. There is no space to the south of the the street closure to accommodate these bins.

We also object to the proposal to remove one the street's trees adjacent to the proposed entry/exit drive. The tree identified for removal is a fully grown and healthy specimen by an independent arborist and this tree provides an

aesthetic barrier as well as a noise barrier to the Liverpool Road traffic to our north. The Tree provides privacy to the residents of Wetherill St, and will provide privacy to future residents of the unit block.

2) Request for an extension to the submission period

We respectfully ask the council to consider extending the period for submissions for two reasons. The first being that the latest DA was submitted on December 29 at the very start of the holiday period. Many local residents have been absent during the submission period and have only just started to return.

Secondly, we bring to the council's attention a major discrepancy in the proposed plan mailed to residents in early January compared to the development plan that is lodged with council. The plan sent to residents is labelled Plan 'P' and suggests that traffic flow in and out of the building is to the **north** of the street closure. It also does not include any note regarding the removal of a street tree. The plan submitted to council is labelled Plan 'B' and clearly identifies the removal of a Wetherill Street tree plus the movement of building traffic in and out of the southern side of the street closure. Having discussed the new submission with neighbours, most believe the traffic does not enter and exit on the southern side of the street due to the misleading nature of the plan they have received. Attached is the diagram of the unit block with the driveway entry/exit clearly marked as being in Wetherill st South (from the traffic report) to highlight to Council and to residents the confusing placement of the driveway presented in the DA notification dated 6.1.2016.

We would like the development plan submitted to council be reissued to all residents in the community affected by this proposal and for them to have the time to consider their responses properly and with due thought.

Wetherill St Croydon 2132



From:
Sent:
To:
Subject:

@yahoo.com Tuesday, 26 January 2016 10:46 AM Ashfield Council/Ashfield/AU Development Application

To: The General Manager Ashfield Council

cc: Philip North - Ashfield Town Planner

Ref: Development Application 412-416 Liverpool Road, Croydon Lot: 100 DP: 1124619 Application No: 10.2015.264

Dear Sir,

- We would like to make a submission to council in reference to the third and latest Development Application for the site at 412-416 Liverpool Road, Croydon.
- We would also like to request an extension to the submission period beyond the 29 January 2016.

1) Submission

As residents of the cul-de-sac in Wetherill Street, Croydon, we strongly object to the latest DA which proposes to funnel all traffic from the new development in and out of the cul-de-sac on the southern side of the street closure and via Lion, Norton, and Carshalton Streets.

This proposal is a return to the developer's first plan that has already been before council and has been rejected. It has also been rejected by the Land and Environment Court. The developer's second submission was amended to accommodate all residential traffic entering and exiting on the **northern** side of the Wetherill Street closure and then onto Liverpool Road - which reflected the wishes of the community.

We would also like to draw the council's attention to inconsistencies in the DA's Traffic Report. The report states on page one that "Access to the basement is proposed via a two-way ramp that connects with Wetherill Street immediately to the <u>south</u> of the existing road closure". This is contradicted on page 7 where it states "Access to the basement car park is proposed via Wetherill Street immediately to the <u>north</u> of the existing closure, approximately 30m south of Liverpool Road."

The Traffic Report goes on to state that an estimated 110 car movements per day would be generated by the proposed development. It says that "the existing car wash facility would generate approximately 120 (car movements) across the day" and concludes that the proposed development would present a reduction in traffic. This could only refer to the short section of Wetherill Street to the **north** of the existing street closure which takes all the current car movements for both the car wash and the Raceway Petrol Station - both of which are in a commercial zone. It is patently wrong to claim that by dumping 110 car movements per day into a quiet residential cul-de-sac that has a Conservation zoning would "clearly have little impact on existing traffic conditions...along Wetherill Street south of the site". It would have a massive impact on our community and the surrounding streets. In the report's conclusion it wrongly states that "the site access arrangements remove the existing entry driveway along Liverpool Road thus reducing turning movements.." The last plan to go to council (and to the Land Environment Court) had both entry and exit driveways on the northern side of the Wetherill Street closure and not from Liverpool Road as stated.

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We respectfully ask the council to consider extending the period for submissions for two reasons. The first being that the latest DA was submitted on December 29 at the very start of the holiday period. Many local residents have been absent during the submission period and have only just started to return.

Secondly, we bring to the council's attention a major discrepancy in the proposed plan mailed to residents in early January compared to the development plan that is lodged with council. The plan sent to residents is labelled Plan 'P' and suggests that traffic flow in and out of the building is to the **north** of the street closure. It also does not include any note regarding the removal of a street tree. The plan submitted to council is labelled Plan 'B' and clearly identifies the removal of a Wetherill Street tree plus the movement of building traffic in and out of the site to the southern side of the street closure. Having discussed the new submission with neighbours, most believe the traffic does not enter and exit on the southern side of the street due to the misleading nature of the plan they have received. Attached is the diagram of the unit block with the driveway entry/exit clearly marked as being in Wetherill st South (from the traffic report) to highlight to Council and to residents the confusing placement of the driveway presented in the DA notification dated 6.1.2016.

We would like the development plan submitted to council be reissued to all residents in the community affected by this proposal and for them to have the time to consider their responses properly and with due thought.

[']Wetherill St Croydon 2132



From: Sent: To: Subject: © com.au Wednesday, 27 January 2016 1:24 PM Ashfield Council/Ashfield/AU Development Application No: 10.2015.264

Dear Ashfield Council,

I am writing to you today to put forward my objection to the current development application; 412 - 416 Liverpool Rd, Croydon Lot:100 DP:1124619 Application Number: 10.2015.264

For the following reasons;

(A) The DA is attempting to divert all traffic movements for the apartment block through the cul-de-sac in Wetherill street and stating that it would "clearly have little impact on surrounding streets". I strongly disagree to this statement.

The impact of these traffic movements would be felt greatly through not only our quiet cul-de-sac where many children can play in a safe area, but also the surrounding streets where children also play, people wash their cars, walk dogs etc. It is a very social neighbourhood.

A lot of people chose to buy a property in the neighbourhood due to it being a quiet, somewhat secluded spot, and the current DA would have a big effect on the majority of those people.

(B) The area that the proposed development is attempting to be built on is a council designated flood zone. The canal that is the cause of this zoning is located within very close proximity to the proposed development. Is it actually possible for the council to approve any excavation work within a flood zone, or within a certain proximity of that flood zone?

(C) Garbage removal. It is not clear in the DA where the bin's are supposedly going to be serviced. In the past the application stated that the garbage bins will be serviced through Wetherill Street south - even though there is absolutely no room to do so.

Regards

Wetherill Street Croydon, NSW, 2132



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Norton Street, Croydon 2132.

The General Manager, Ashfield Council, Dear Madam, 27 January 2016

Re: DA 10.2015.264 in respect to Lot 100 DP:1124619 We are writing to express our strong opposition to the above mentioned Development Application.

Although the documentation sent to us by Council contained little detail, our understanding is that access to the proposed new development will be via Wetherill Street, along with the nearby roads – Norton Street and Lion Street. We believe that this would have a very negative effect upon the surrounding community and present a significant traffic hazard and risk:

1. Traffic volume along Norton Street between Milton Street and Wetherill Street is already very high, given the character of the street as a narrow one way street through a suburban neighbourhood. It is not uncommon for such traffic to proceed along Norton Street at excessive speeds, and even to travel along Norton Street in the opposite direction to that allowed (unfortunately this is not an infrequent occurrence).

If access to the new development is via Wetherill Street then this traffic flow will significantly increase. Our understanding is that one of the reasons for the rejection of the first DA lodged in respect to the property was because of the traffic issues. The second DA amended this to have traffic accessing the development via Liverpool Road. Why has this third DA now reverted back to the discredited option of access via Wetherill Street?

- Parking is already a significant issue in Norton Street. We already at times cannot find a parking spot in our street and must go to other, just as congested streets, to try to find a spot. The proposed development will significantly increase this problem - the number of parking spaces in the plan is woefully inadequate for the number of cars likely to be generated.
- The character of the neighbourhood is one of single or double story residential homes. A number of them, including our own, have a heritage order on them from Ashfield Council. The construction of a building as proposed is one that is inconsistent with the neighbourhood.

yours truly,



From: Sent: To: Subject: com.au Friday, 29 January 2016 2:36 PM Ashfield Council/Ashfield/AtU Application No; 10.2015.264

The General Manager Ashfield Council

cc: Philip North - Ashfield Town Planner

Ref: Development Application 412-416 Liverpool Road, Croydon Lot: 100 DP: 1124619 Application No: 10.2015.264

Dear Sir,

As a long time resident of Carshalton Street I vehemently oppose the latest DA which sees traffic being channelled to the sth in and out of the cul-de-sac via Lion, Norton, and Carshalton Streets.

As stated in previous letters, the current flow of traffic along these streets is already at breaking point with the over development of our once reasonably quiet neighbourhood.

More and more commuters are using the aforementioned streets along with Arthur St to avoid the overly congested Liverpool and Georges River Rds.

We simply cannot cope with any further increase of traffic on these rds.

The infrastructure is not in place to sustain any further cars in this neighbourhood.

Sincerely,



EVOLUTION PLANNING ABN 75 153 395 030

Evolution Planning Pty Limited PO Box 309 Frenchs Forest NSW 1640

e: konyrobb@napt.net.au m: 0430 007 725



28 January 2016

1

The General Manager Ashfield Council 260 Liverpool Road ASHFIELD NSW 2131

By email: info@asfield.nsw.gov.au

Dear Sir or Madam:

RE: DA10.2015.264 - 412-416 Liverpool Road, Croydon

Thank you for the opportunity to provide this submission with respect to the above Development Application. We act on behalf of Caltex Australia (Petroleum) Pty Ltd, who own and operate the existing service station located immediately to the east of the development site at 404-410 Liverpool Road.

Evolution Planning has previously represented Caltex and made submissions to Council and the Court regarding the earlier proposed development at 412-416 Liverpool Road, (DA10.2014.167).

During the last s.34 conference pertaining to DA10.2014.167, Evolution Planning made verbal representations to the Commissioner objecting to the blocking of views to the main pylon sign associated with the service station. The detrimental impact on the viewing rights of the Caltex signs was a result of the previously proposed nil front and side building setback. Refer to Figure 1 below showing location of sign in relation to boundary.



Figure 1: Existing pylon sign and development site beyond



2

This new design appears to partly address this concern by incorporating a building setback to Liverpool Road of ~3m. However, we respectfully request that Council carefully assess and require the amendment as necessary of the proposed landscaping plan so that Caltex can continue to meet its obligations under the NSW Fair Trading Regulation 2012, an extract of which is provided below:

- "11 Product information standard
- (1) The price of prescribed fuel supplied to retail customers at the petrol station must be displayed at the petrol station on one or more signs that are so positioned and lit that any price and other matter that the signs display will be readily seen by motorists approaching the petrol station at any time that the petrol station is open for business for the supply of prescribed fuel."

The sign will not be visible to motorist approaching the site from the west if the landscaping plan is approved as currently proposed. To overcome this issue we recommend a condition be imposed to amend the landscaping plan so that the plantings at ground floor apartments G07 and G08 be limited to a maximum mature height of 1m.

Otherwise, if the proposed development is approved we request that a condition of consent is imposed to require the relocation of the sign to the north-east corner of the site, at the expense of the developer, prior to the commencement of works on the development site.

Please contact the undersigned regarding any further progress of this matter or to discuss these issues further.

Yours sincerely,

Tong Robo

Tony Robb Principal BA(Hons).UPS, Dip.UPS (Westminster).



APPLICATION NO: 10.2015.2 <mark>64 - Lot</mark> : 100 DP: 1124619	Page 1 of 1
to:	ASHIFIELD COUNCIL
info@ashfield.nsw.gov.au 28/01/2016 10:35 PM	
Hide Details	RECORDS SECTION
From:	SCANNED
To: "into@asntield.nsw.gov.au" <into@ashtield.nsw.gov.au>, To: The General Manager</into@ashtield.nsw.gov.au>	DATE 29/1/16
Ashfield Council	
cc: Philip North - Ashfield Town Planner	

Dear Sir,

- We would like to make a submission to council in reference to the third and latest Development Application for the site at 412-416 Liverpool Road, Croydon.
- 2. We would also like to request an extension to the submission period beyond the 29 January 2016.
- Safety in the street
- 4. Tree near development

1) Submission

As residents of the cul-de-sac in Wetherill Street, Croydon, we strongly object to the latest DA which proposes to funnel all traffic from the new development in and out of the cul-de-sac on the southern side of the street closure and via Lion, Norton, and Carshalton Streets. One of the reasons we bought our property was because the street was a cul-de-sac.

This proposal was part developer's original plan which has already been before council and has been rejected. It has also been rejected by the Land and Environment Court. The 2nd submission was changed to include all residential traffic entering and exiting on the **northern** side of the Wetherill Street closure and then onto Liverpool Road - which reflected the wishes of the community.

Extension of submission

Please note as the submission was made on 29 December 2016, it is not fair to the local community and many people have been away on holidays and will not have had the chance to reply to the submission

3) Safety

There are many children that live and play in this street and due to this being a cul-de-sac many children learn to ride their bikes, play on roller blades and other outdoor activities. We have an active bunch of children that live in the street which utilise this area and it would be a shame to remove this facility as it currently stands and add more traffic to an already busy street.

Tree near development

I oppose the removal of this, the greenery add to the street, living near the city we already have fewer trees and I urge Council to consider this.

I do hope that Council looks at the above points. Thank you.

Wetherill Street Croydon 2132

& also on behalf of our neighbour (English is a second language):-

Wetherill Street Croydon 2132

file:///C:/Users/ninam/AppData/Local/Temp/notesFEEDCE/~web6981.htm

29/01/2016

General Manager Ashfield Council PO 80x 1145 ASHFIELD NSW 1800

Wetherill St

Croydon NSW 2132

27 January 2016

Dear General Manager

I am writing in relation to Development Application No: 2015.264 412-416 Liverpool Rd Croydon.

I am bewildered that the plans sent to local residents do not correlate with the plans that council are considering. This is misleading and the correct plans should be distributed to local residents so that they have the opportunity to comment on the proposed development, particularly since the driveway is drawn as exiting into Wetherill St North of the cul-de-sac on the plans that have been distributed and yet surreptitiously the council is considering alternative plans with the driveway exiting into Wetherill St South side of the cul-de-sac.

This creates a major concern in relation to the proposed development.

I am vehemently opposed to the entrance and exit to the car park being located within the Wetherill St cul-de-sac. This is a quiet residential area and will be adversely affected by the significant increase in traffic in and out of the street. The street was originally closed off to Liverpool Road to decrease traffic flow because it was an accident hotspot with the tight corner entering the street and a child having been knocked off her bike by a car. Allowing an additional 22 cars to be entering and exiting via Wetherill St would prove to be dangerous.

There are 17 children living in Wetherill St, plus many children from adjoining streets who regularly ride their bikes safely in the cul-de-sac. This will reduce the sense of freedom, socialisation and outdoor play that the local children currently enjoy. Many children from the local area have learnt to ride their bike or play cricket in Wetherill St. It is a travesty that this will be destroyed so that a developer can create a high density block using our street as access.

The entrance and exit of the parking area of the development via Wetherill St will certainly ruin the safety of the street for local children and ruin the strong sense of community that exists in this street.

The entrance and exit should be located on the other (Northern) side of the cul-de-sac where the existing driveway entrance is. This would allow for traffic flow to safely enter and exit the apartments without impacting adversely on the surrounding residences.

Further to this point the existing street tree should definitely not be removed as it screens the residents from the visual, noise and pollution from Liverpool Rd. There should be more green planting not less. The developer should have to comply with the regulations in relation to landscaping.

I am extremely concerned about the impact that the proposed 3 storey 22 apartment block will have on the surrounding area. It will have a detrimental effect on the local community, the safety of the street, traffic flow and parking.

Yours sincerely



From: Sent: To: Cc: Subject: ©gmail.com Friday, 29 January 2016 11:56 AM Ashfield Council/Ashfield/AU ©gmail.com 412-416 Liverpool Road, Croydon

Ref: Development Application <u>412-416 Liverpool Road</u>, Croydon Lot: 100 DP: 1124619 Application No: 10..2015.264

Dear sir,

Please find below a submission to council regarding the development application for 412-416 Liverpool Rd, Croydon.

As we reside a Carshalton St, we are close neighbours to Wetherill St and we would like to ensure that the vehicle access to the new development is via the northern part of Wetherill St, north of the traffic closure and out to Liverpool Road, rather than allowing cars to flow in and out of the southern part of Wetherill St and into Carshalton St.

The development will house 22 apartments which will equate to roughly 110 cars coming and going on a daily basis, according to the Traffic Report of the developer. This will impact on our quiet little community which consists largely of families with young children. At the moment the business currently in that location, a car wash, has its exit to the north of the traffic island on Wetherill St which means that cars flow directly onto Liverpool Rd and do not travel through Wetherill and Carshalton Sts.

The traffic island which Ashfield Council installed to block off Wetherill and Carshalton Sts from busy Liverpool Road has turned Wetherill St into a quiet culdesac rather than busy thoroughfare, which has allowed the area to develop a peaceful, family friendly atmosphere, conducive to exploring the local parks on Wetherill and Lion Streets.

Additionally, the development application is unclear on where the apartment complex's rubbish bins will be left out for collection. There is not enough room on the south side of Wetherill St for 22 bins unless they are left in front of existing houses or on the traffic island.

Carshalton St Croydon 2132



Item 6

From:	:
Sent:	Thursday, 28 Janu
To:	Ashfield Council/A
Subject:	412-416 Liverpool
Attachments:	Letter to Commiss
Autachinents:	Letter to Commis

:om.au hursday, 28 January 2016 7:17 AM Ashfield Council/Ashfield/AU H2-416 Liverpool Road, Croydon - Round 3 etter to Commissioner Land & Environment.pdf; DA Plan.pdf

To: The General Manager Ashfield Council co: Philip North - Ashfield Town Planner

Ref: Development Application 412-416 Liverpool Road, Croydon Lot: 100 DP: 1124619 Application No: 10.2015.284

Dear Sir,

- We would like to make a submission to council in reference to the third and latest Development Application for the site at 412-416 Liverpool Road, Croydon.
- We would also like to request an extension to the submission period bayond the 29 January 2016.

1) Submission

As residents of the cul-de-sec in Wetherill Street, Croydon, we strongly object to the latest DA which proposes to funnel all traffic from the new development in and out of the cul-de-sec on the southern side of the street closure and via Lion,Norton,and Carshalton Streets.

This proposal is a return to the developer's first plan that has already been before council and has been rejected. It has also been rejected by the Land and Environment Court. The developer's second submission was amended to accommodate all residential traffic entering and exiting on the northern alde of the Weiherill Street closure and then onto Liverpool Road - which reflected the wishes of the community.

We would also like to draw the council's attention to inconsistencies in the DA's Traffic Report. The report states on page one that "Access to the basement is proposed via a two-way remp that connects with Wetherill Street immediately to the south of the existing road closure". This is contradicted on page 7 where it states "Access to the basement car park is proposed via Wetherill Street immediately to the <u>north</u> of the existing closure, approximately 30m south of Liverpool Road."

The Traffic Report goes on to state that an estimated 110 car movements per day would be generated by the proposed development. It says that "the existing car wash facility would generate approximately 120 (car movements) across the day" and concludes that the proposed development would present a reduction in traffic. This could only refer to the short section of Weitherill Street to the north of the existing street closure which takes all the current car movements for both the car wash and the Raceway Petrol Station - both of which are in a commercial zone. It is patently wrong to claim that by dumping 110 car movements per day into a quiet residential cul-de-sac that has a Conservation zoning would "clearly have little impact on existing traffic conditions...along Weitherill Street south of the site". It would have a massive impact on our community and the surrounding streets. In the report's conclusion it wrongly states that "the site access arrangements remove the existing entry driveway along Liverpool Road thus reducing turning movements..." The last plan to go to council (and to the Land Environment Court) had both entry and exit driveways on the northern side of the Wetherill Street closure and not from Liverpool Road as stated.

In relation to the collection of waste, the report says that "the 240L garbage bins (for all 22 units) to be wheeled to the kerbside for collection." It doesn't indicate which side of the street closure these bins will be located. There is no space to the south of the the street closure to accommodate these bins.

1

We also object to the proposal to remove one the street's trees adjacent to the proposed entry/exit drive. The tree identified for removal is a fully grown and healthy spectmen by an independent experist, and this tree provides an **SINNER WEST COUNCIL**

sesthetic barrier as well as a holse barrier to the Liverpool Road traffic to cur north. The Tree provides privacy to the residents of Wetherill St, and will provide privacy to future residents of the unit block.

2) Request for an extension to the submission period

We respectfully ask the council to consider extending the period for submissions for two reasons. The first being that the latest DA was submitted on December 29 at the very start of the holiday period. Many local residents have been absent during the submission period and have only just started to return.

Secondly, we bring to the council's attention a major discrepancy in the proposed plan mailed to residents in early January compared to the development plan that is lodged with council. The plan sent to residents is labelled Plan 'P' and suggests that traffic flow in and out of the building is to the north of the street closure. It also does not include any note regarding the removal of a street tree. The plan submitted to council is labelled Plan 'B' and clearly identifies the removal of a Wetherill Street tree plus the movement of building traffic in and out of the site to the southern side of the street closure. Having discussed the new submission with neighbours, most believe the traffic does not enter and exit on the southern side of the street due to the misleading nature of the plan they have received. Atteched is the diagram of the unit block with the driveway entry/exit clearly marked as being in Wetherill it South (from the traffic report) to highlight to Council and to residents the confusing placement of the driveway presented in the DA notification dated 6.1.2016.

We would like the development plan submitted to council be released to all residents in the community affected by this proposal and for them to have the time to consider their responses properly and with due thought.

Finally we would also like to remind Council of why the cul-de-sac became a cul-de-sac. Please see attached latter to Commissioner for Land & Environment.

Wetherill Street Croydon 2132

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26 January 2016

The General Manager Vanessa Chan Ashfield Council PO Box 1145 Ashfield NSW 1800

Ref: Development Application Application Number: 10.2015.264



Dear Vanessa

I have been made aware of a development application for 412-416 Liverpool Rd. Croydon that is currently with the council for consideration.

I am very concerned about the impact of increased traffic in Lion St if the driveway to the proposed building is placed on the south side of the Wetherill St road closure. To access this part of Wetherill St, traffic from the north (from Frederick St) will most likely use Lion St as this is the shortest and most direct route.

Lion Street is extremely narrow and is already receiving increased traffic since the No Right Turn sign had been put up on Milton St stopping people turning right into Norton St and is becoming a rat run for people accessing areas west of Milton St and south of Livsrpool Road.

The other concern I have with even more traffic along Lion street is the potential daugers to residents and particularly children who regularly use the play equipment in the park in the center of Lion street. This danger is amplified by the fact that there is no off street parking and cars park on both sides of the street leaving a very narrow road access to Norton Street and there is limited vision to approaching traffic to any pedestrians crossing Lion St.

I am strongly opposed to the proposed design of the driveway exiring into Wetheill St on the south side of the road closure and would ask that the couacil reject this design in favour of reinstating the previous design which exited to the north of the road closure.

Regards.

ALLE OF OCTOUNCIL RECEIP OF DISCTION SA ASINED TRATE OF Jan 16

Lion St Croydon NSW 2132



From:	@yahoo.com	
Sent:	Friday, 29 January 2016 11:39 AM	
To:	Ashfield Council/Ashfield/AU	
Subject:	Development Application 412-416 Liverpool Road, Croydon 1124619 Application No: 10.2015.264	Lot: 100 DP:

To: The General Manager Ashfield Council cc: Philip North - Ashfield Town Planner

Ref: Development Application 412-416 Liverpool Road, Croydon Lot: 100 DP: 1124619 Application No: 10.2015.264

Dear Sir,

- We would like to make a submission to council in reference to the third and latest Development Application for the site at 412-416 Liverpool Road, Croydon.
- We would also like to request an extension to the submission period beyond the 29 January 2016.

1) Submission

As residents of the cul-de-sac in Wetherill Street, Croydon, we strongly object to the latest DA which proposes to funnel all traffic from the new development in and out of the cul-de-sac on the southern side of the street closure and via Lion,Norton, and Carshalton Streets.

This proposal is a return to the developer's first plan that has already been before council and has been rejected. It has also been rejected by the Land and Environment Court. The developer's second submission was amended to accommodate all residential traffic entering and exiting on the **northern** side of the Wetherill Street closure and then onto Liverpool Road - which reflected the wishes of the community.

We would also like to draw the council's attention to inconsistencies in the DA's Traffic Report. The report states on page one that "Access to the basement is proposed via a two-way ramp that connects with Wetherill Street immediately to the <u>south</u> of the existing road closure". This is contradicted on page 7 where it states "Access to the basement car park is proposed via Wetherill Street immediately to the <u>north</u> of the existing closure, approximately 30m south of Liverpool Road."

The Traffic Report goes on to state that an estimated 110 car movements per day would be generated by the proposed development. It says that "the existing car wash facility would generate approximately 120 (car movements) across the day" and concludes that the proposed development would present a reduction in traffic. This could only refer to the short section of Wetherill Street to the **north** of the existing street closure which takes all the current car movements for both the car wash and the Raceway Petrol Station - both of which are in a commercial zone. It is patently wrong to claim that by dumping 110 car movements per day into a quiet residential cul-de-sac that has a Conservation zoning would "clearly have little impact on existing traffic conditions...along Wetherill Street south of the site". It would have a massive impact on our community and the surrounding streets. In the report's conclusion it wrongly states that "the site access arrangements remove the existing entry driveway along Liverpool Road thus reducing turning movements.." The last plan to go to council (and to the Land Environment Court) had both entry and exit driveways on the northern side of the Wetherill Street closure and not from Liverpool Road as stated.

In relation to the collection of waste, the report says that "the 240L garbage bins (for all 22 units) to be wheeled to the kerbside for collection." It doesn't indicate which side of the street closure these bins will be located. There is no space to the south of the the street closure to accommodate these bins.

We also object to the proposal to remove one the street's trees adjacent to the proposed entry/exit drive. The tree identified for removal is a fully grown and healthy specimen by an independent arborist and this tree provides an

aesthetic barrier as well as a noise barrier to the Liverpool Road traffic to our north. The Tree provides privacy to the residents of Wetherill St, and will provide privacy to future residents of the unit block.

2) Request for an extension to the submission period

We respectfully ask the council to consider extending the period for submissions for two reasons. The first being that the latest DA was submitted on December 29 at the very start of the holiday period. Many local residents have been absent during the submission period and have only just started to return.

Secondly, we bring to the council's attention a major discrepancy in the proposed plan mailed to residents in early January compared to the development plan that is lodged with council. The plan sent to residents is labelled Plan 'P' and suggests that traffic flow in and out of the building is to the **north** of the street closure. It also does not include any note regarding the removal of a street tree. The plan submitted to council is labelled Plan 'B' and clearly identifies the removal of a Wetherill Street tree plus the movement of building traffic in and out of the southern side of the street closure. Having discussed the new submission with neighbours, most believe the traffic does not enter and exit on the southern side of the street due to the misleading nature of the plan they have received. Attached is the diagram of the unit block with the driveway entry/exit clearly marked as being in Wetherill st South (from the traffic report) to highlight to Council and to residents the confusing placement of the driveway presented in the DA notification dated 6.1.2016.

We would like the development plan submitted to council be reissued to all residents in the community affected by this proposal and for them to have the time to consider their responses properly and with due thought.

Wetherill Street Croydon 2132

- To: The General Manager Ashfield Council
- cc: Philip North Ashfield Town Planner
- Ref: Development Application
 - 412-416 Liverpool Road, Croydon Lot: 100 DP: 1124619 Application No: 10.2015.264

Dear Sir,

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- We would also like to request an extension to the submission period beyond the 29 January 2016.

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This proposal is a return to the developer's first plan that has already been before council and has been rejected. It has also been rejected by the Land and Environment Court. The developer's second submission was amended to accommodate all residential traffic entering and exiting on the northern side of the Wetherill Street closure and then onto Liverpool Road - which reflected the wishes of the community.

We would also like to draw the council's attention to inconsistencies in the DA's Traffic Report. The report states on page one that "Access to the basement is proposed via a two-way ramp that connects with Wetherill Street immediately to the <u>south</u> of the existing road closure". This is contradicted on page 7 where it states "Access to the basement car park is proposed via Wetherill Street immediately to the <u>north</u> of the existing closure, approximately 30m south of Liverpool Road."

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In relation to the collection of waste, the report says that "the 240L garbage bins (for all 22 units) to be wheeled to the kerbside for collection." It doesn't indicate which side of the street closure these bins will be located. There is no space to the south of the the street closure to accommodate these bins.

We also object to the proposal to remove one the street's trees adjacent to the proposed entry/exit drive. The tree identified for removal is a fully grown and healthy specimen by an independent arborist and this tree provides an aesthetic barrier as well as a noise barrier to the Liverpool Road traffic to our north. The Tree provides privacy to the residents of Wetherill St, and will provide privacy to future residents of the unit block.

2) Request for an extension to the submission period

We respectfully ask the council to consider extending the period for submissions for two reasons. The first being that the latest DA was submitted on December 29 at the very start of the holiday period. Many local residents have been absent during the submission period and have only just started to return.

Secondly, we bring to the council's attention a major discrepancy in the proposed plan mailed to residents in early January compared to the development plan that is lodged with council. The plan sent to residents is labelled Plan 'P' and suggests that traffic flow in and out of the building is to the north of the street closure. It also does not include



any note regarding the removal of a street tree. The plan submitted to council is labelled Plan 'B' and clearly identifies the removal of a Wetherill Street tree plus the movement of building traffic in and out of the site to the southern side of the street closure. Having discussed the new submission with neighbours, most believe the traffic does not enter and exit on the southern side of the street due to the misleading nature of the plan they have received. Attached is the diagram of the unit block with the driveway entry/exit clearly marked as being in Wetherill st South (from the traffic report) to highlight to Council and to residents the confusing placement of the driveway presented in the DA notification dated 6.1.2016.

We would like the development plan submitted to council be reissued to all residents in the community affected by this proposal and for them to have the time to consider their responses properly and with due thought.

Wetherill Street Croydon 2132



From: Sent: To: Subject:)bigpond.com Thursday, 28 January 2016 8:49 PM Ashfield Council/Ashfield/AU Application No: 10.2015.264

To: The General Manager Ashfield Council cc: Philip North - Ashfield Town Planner

Ref: Development Application 412-416 Liverpool Road, Croydon Lot: 100 DP: 1124619 Application No: 10.2015.264

To Whom It may Concern:

Having received the new development application in the mail We wish to again voice our concerns in relation the the entry to this development being from the west of the cul-de sac of Wetherill Street Croydon.

There is no need for the entry to be on the residential side when there is availability for it to be on the northern end.

Again as in my previous letter, we have a large number of children in our street who often place along side each other, ride their bikes, place chase and have the privilege of being able to do this safely, because of the choices and sacrifices their parents have made to buy in such a quite neighbourhood.

Having the entry to the proposed building will increase the number of cars entering and exiting this quite safe street, and possibly placing the children at harm.

We feel not only is this building unacceptable but by far more unacceptable is this proposed entry to this carpark.

Again we strongly oppose this whole development.

Wetherill Street Croydon



27th Jan 2015

To: The General Manager Ashfield Council

cc: Phil Sarin - Director Planning and Environment, Philip North - Ashfield Town Planner

Subject: Development Application at 412-416 Liverpool Road, Croydon Lot: 100 DP: 1124619 Application No: 10.2015.264

Dear Madam,

With reference to a letter from your Director Planning and Environment dated 6th January 2016, I would like to make a submission to object to the development as proposed.

This proposal has the driveway situated near the south side of the development site, meaning cars entering and exiting the carpark will not enter/exit directly from/to Liverpool Road but have to go through local side streets such as Wetherell, Norton, Lion and Carshalton Streets. Currently the development site is a carwash facility with approximately 120 cars movements per day (a figure mentioned in the Traffic Report), but **none of these** car movements passes near my house. If the proposed development were to eventuate, **all car movements** will pass the street corner This is hardly acceptable to me.

Another concern is that there is a children's playground on Norton Street, and many local children going to that playground have to cross the street corner joining Wetherell, Norton and Carshalton Streets, the additional car traffic into and out of the development site will be a potential hazard for these children.

, when the local residents present objections to an earlier proposal by the same developer on the same site, viz. DA ref 10.2014.167.1. Afterwards, the developer revised the proposal so all car traffic in/out of the development site were to go directly in/out to Liverpool Road, but unfortunately this latest proposal reverts back to the first one which the local residents object very strongly.

May I urge Ashfield Council to examine the proposal and take into consideration the potential traffic problems the local residents have pointed out previously for DA 10.2014.167.1 which this latest DA 10.2015.264 seems to have ignored?

ASSERDED COUNCIL RET POSTICTION SCANNED DATE SE JOH (

Address: Phonc Email:

Attachment 7

Street, Croydon 2132



Item 6

Ashfield Council Attn: Vanessa Chan, General Manager Cc: Philip North, Town Planner PO Box 114 ASHFIELD NSW 1800 DX 21221

Carshalton St CROYDON NSW 2132

29 January 2016

RE: DEVELOPMENT at 412-416 LIVERPOOL ROAD, CROYDON Lot: 100 DP: 1124619 DA 10.2015.264

Dear Ms Chan,

I write again to demonstrate my strong opposition to this development, & ask that the council reject this DA. This current proposal is a return to the developer's first plan (2014) that has already been before council and has been rejected. It has also been rejected by the Land and Environment Court.

I believe the development will be to the significant detriment of surrounding streets, our neighbourhood, & the locality overall for a wide range of reasons, key of which I note below.

1) ADVERSE TRAFFIC INCREASE & FLOW

Like the 2014 application that was rejected, this DA's car parking arrangements would see the building's underground car park accessed from Wetherill St, currently a quiet cul-de-sac with limited traffic access via a number of narrow one-way streets. This development will significantly increase the traffic on surrounding streets and increase the numbers of cars parking on-street.

The DA notification residents have received is misleading, as plans appear to have the carpark accessible by the northern side of the Wetherill St closure, which is reflective of the community's wishes. However, the DA's Traffic Report states Access to the basement is proposed via a two-way ramp that connects with Wetherill Street immediately to the south of the existing road closure".

All traffic accessing the car park of the building in Wetherill St would therefore have to use Lion, Norton, Carshalton, and Cromwell Sts. These streets will be unable to cope with additional through traffic, which the Traffic Reports estimates at 110 cars per day. Lion and Norton Sts, both narrow one way thoroughfares, would be unnecessarily burdened by this additional traffic from Liverpool Road.

Safety issues would arise, in particular at the corners of Lion and Norton Streets and the junction of Wetherill, Carshalton & Norton Streets, where my home is positioned. The only exit from the building's car park will be via Wetherill & Carshalton Streets, therefore increasing traffic along the length of Carshalton St.

The last plan to go to council (and to the Land Environment Court) had both entry and exit driveways on the northern side of the Wetherill Street closure and not from Liverpool Road as stated.

2) AMENITY/ LANDSCAPING

The Wetherill Street Conservation Area cul-de-sac adds greatly to local amenity, allowing children in the neighbourhood to play safely within the cul-de-sac. Additional traffic entering and travelling to the end of the cul-de-sac would place local children's lives at risk.



Additionally, increased traffic & a driveway to the proposed car parking area will reduce useability of the Wetherill Street cul-de-sac as a turn space, particularly for waste and recycling vehicles. Reversing waste and recycling vehicles in particular is unsafe and presents a significant risk for pedestrians and bike riders, who use the streets as a safer alternative to the main road.

Landscaping is also an issue. I object to the proposal to remove one of Wetherill street's trees adjacent to the proposed entry/exit drive. The tree identified for removal is identified as a fully grown and healthy specimen by an independent arborist. The DA offers very little in the way of landscaping for the development, & additionally, proposes removal of the existing established trees and shrubbery in Wetherill Street for the car park entry. The existing tree/shrubbery is important to our area because it contributes to offsetting Liverpool Road traffic noise and pollution in the street, & is in keeping with the attractiveness of the local area.

There is nothing noted in the DA that replaces this landscaping or is in any way compatible with the area's local character, & there are insufficient landscaped and garden areas factored into design, considering the scale and bulk of the building proposed.

I urge Council to firstly thoroughly check this DA for inconsistencies, and refuse consent to this current proposal, because the proposed development is not considerate of the existing streetscape, local concerns and community amenity.

Please confirm receipt of my objection by return letter. I look forward to hearing from you.

Yours faithfully,

(by email)



From: Sent: To: Cc: Subject: @bigpond.com Wednesday, 27 January 2016 6:57 PM Ashfield Council/Ashfield/AU ı@hotmail.com RE: DA No: 10.2015.264 - 412- 416 Liverpool Road, Croydon

To: The General Manager Ashfield Council cc: Philip North - Ashfield Town Planner

Ref: Development Application 412-416 Liverpool Road, Croydon Lot: 100 DP: 1124619 Application No: 10.2015.264

Dear Madam,

We, continuously resided at this address since inappropriate and write to the Council to raise the following: Carshalton Street, Croydon and have We advise our concern that the proposed design is still inappropriate and write to the Council to raise the following:

- We would like to make a submission to council in reference to the third and latest Development Application for the site at 412-416 Liverpool Road, Croydon.
- We would also like to request an extension to the submission period beyond the 29 January 2016.
- 1) Submission
- a) As local residents we strongly object to the latest DA which proposes to funnel all traffic from the new development in and out of the cul-de-sac on the southern side of the street closure and via Lion, Norton, and Carshalton Streets. This proposal is a return to the developer's first plan that has already been before council and has been rejected. It has also been rejected by the Land and Environment Court. The developer's second submission was amended to accommodate all residential traffic entering and exiting on the northern side of the Wetherill Street closure and then onto Liverpool Road which reflected the wishes of the community.
- b) In relation to the collection of waste, the report says that "the 240L garbage bins (for all 22 units) to be wheeled to the kerbside for collection." It doesn't indicate which side of the street closure these bins will be located. There is no space to the south of the street closure to accommodate these bins.
- c) We also object to the proposal to remove one the street's trees adjacent to the proposed entry/exit drive. The tree identified for removal is a fully grown and healthy specimen as advised by an independent arborist and this tree provides both an aesthetic and noise barrier to the Liverpool Road traffic to the north. The Tree provides privacy to the residents of Wetherill Street and will provide privacy to future residents of the proposed unit block.

2) Request for an extension to the submission period

We respectfully ask the council to consider extending the period for submissions for two reasons being:



- a) The first being the latest DA was submitted on December 29th at the very start of the holiday period. Many local residents have been absent during the submission period and have only just started returning home.
- b) The second being we bring to the council's attention a major discrepancy in the proposed plan mailed to residents in early January compared to the development plan that is lodged with council. The plan sent to residents is labelled Plan 'P' and suggests that traffic flow in and out of the building is to the north of the street closure. It also does not include any note regarding the removal of a street tree. The plan submitted to council is labelled Plan 'B' and clearly identifies the removal of a Wetherill Street tree plus the movement of building traffic in and out of the site to the southern side of the street closure. The general consensus amongst neighbours is the belief that traffic does not enter and exit on the southern side of the street due to the misleading nature of the plan they have received.

We would appreciate the development plan submitted to council be reissued to all residents of the community affected by this proposal allowing them reasonable time to consider their responses.

Yours Faithfully

Carshalton Street Croydon 2132

02



From:	.com.au
Sent:	Tuesday, 26 January 2016 3:26 PM
То:	Ashfield Council/Ashfield/AU
Subject:	Development Application 412-416 Liverpool Road, Croydon Lot: 100 DP: 1124619 Application No: 10.2015.264
Attachments:	DA Plan.pdf
To: The General Manager Ashfield Council cc: Philip North - Ashfield Towr Ref: Development Application 412-416 Liverpool Road, (Lot: 100 DP: 1124619 Application No: 10.2015.2	Croydon

Dear Sir,

- We would like to make a submission to council in reference to the third and latest Development Application for the site at 412-416 Liverpool Road, Croydon.
- We would also like to request an extension to the submission period beyond the 29 January 2016.

1) Submission

As residents of the cul-de-sac in Wetherill Street, Croydon, we strongly object to the latest DA which proposes to funnel all traffic from the new development in and out of the cul-de-sac on the southern side of the street closure and via Lion,Norton, and Carshalton Streets.

This proposal is a return to the developer's first plan that has already been before council and has been rejected. It has also been rejected by the Land and Environment Court. The developer's second submission was amended to accommodate all residential traffic entering and exiting on the **northern** side of the Wetherill Street closure and then onto Liverpool Road - which reflected the wishes of the community.

We would also like to draw the council's attention to inconsistencies in the DA's Traffic Report. The report states on page one that "Access to the basement is proposed via a two-way ramp that connects with Wetherill Street immediately to the <u>south</u> of the existing road closure". This is contradicted on page 7 where it states "Access to the basement car park is proposed via Wetherill Street immediately to the <u>north</u> of the existing closure, approximately 30m south of Liverpool Road."

The Traffic Report goes on to state that an estimated 110 car movements per day would be generated by the proposed development. It says that "the existing car wash facility would generate approximately 120 (car movements) across the day" and concludes that the proposed development would present a reduction in traffic. This could only refer to the short section of Wetherill Street to the **north** of the existing street closure which takes all the current car movements for both the car wash and the Raceway Petrol Station - both of which are in a commercial zone. It is patently wrong to claim that by dumping 110 car movements per day into a quiet residential cul-de-sac that has a Conservation zoning would "clearly have little impact on existing traffic conditions...along Wetherill Street south of the site". It would have a massive impact on our community and the surrounding streets. In the report's conclusion it wrongly states that "the site access arrangements remove the existing entry driveway along Liverpool Road thus reducing turning movements.." The last plan to go to council (and to the Land Environment Court) had both entry and exit driveways on the northern side of the Wetherill Street closure and not from Liverpool Road as stated.

In relation to the collection of waste, the report says that "the 240L garbage bins (for all 22 units) to be wheeled to the kerbside for collection." It doesn't indicate which side of the street closure these bins will be located. There is no space to the south of the the street closure to accommodate these bins.

Attachment 7



We also object to the proposal to remove one the street's trees adjacent to the proposed entry/exit drive. The tree identified for removal is a fully grown and healthy specimen by an independent arborist and this tree provides an aesthetic barrier as well as a noise barrier to the Liverpool Road traffic to our north. The Tree provides privacy to the residents of Wetherill St, and will provide privacy to future residents of the unit block.

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We respectfully ask the council to consider extending the period for submissions for two reasons. The first being that the latest DA was submitted on December 29 at the very start of the holiday period. Many local residents have been absent during the submission period and have only just started to return.

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We would like the development plan submitted to council be reissued to all residents in the community affected by this proposal and for them to have the time to consider their responses properly and with due thought.

Carshalton St Croydon NSW 2132



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We request that council provide to residents, the correct information with <u>clear communication</u> of the following:

- 1. Number of levels above ground, number of units and height of the building
- 2. Traffic report for the actual proposed location of the drive-way to the car park
- 3. Location of the driveway to the car park
- 4. Location of any trees to be removed
- 5. Location of where bins will be placed for pick up

Preferably, Council will reject any plan that places car park access within the South/Residential side of Wetherill Street.

Yours sincerely



From: Sent: To: Subject: Attachments: :om.au Monday, 25 January 2016 5:07 PM Ashfield Council/Ashfield/AU DA : 412-416 Liverpool Road, Croydon DA Plan.pdf

- To: The General Manager Ashfield Council
- cc: Philip North Ashfield Town Planner
- Ref: Development Application 412-416 Liverpool Road, Croydon Lot: 100 DP: 1124619 Application No: 10.2015.264

Dear Sir,

- We would like to make a submission to council in reference to the third and latest Development Application for the site at 412-416 Liverpool Road, Croydon.
- We would also like to request an extension to the submission period beyond the 29 January 2016.

1) Submission

As residents of the cul-de-sac in Wetherill Street, Croydon, we strongly object to the latest DA which proposes to funnel all traffic from the new development in and out of the cul-de-sac on the southern side of the street closure and via Lion, Norton, and Carshalton Streets.

This proposal is a return to the developer's first plan that has already been before council and has been rejected. It has also been rejected by the Land and Environment Court. The developer's second submission was amended to accommodate all residential traffic entering and exiting on the **northern** side of the Wetherill Street closure and then onto Liverpool Road - which reflected the wishes of the community.

We would also like to draw the council's attention to inconsistencies in the DA's Traffic Report. The report states on page one that "Access to the basement is proposed via a two-way ramp that connects with Wetherill Street immediately to the <u>south</u> of the existing road closure". This is contradicted on page 7 where it states "Access to the basement car park is proposed via Wetherill Street immediately to the <u>north</u> of the existing closure, approximately 30m south of Liverpool Road."

The Traffic Report goes on to state that an estimated 110 car movements per day would be generated by the proposed development. It says that "the existing car wash facility would generate approximately 120 (car movements) across the day" and concludes that the proposed development would present a reduction in traffic. This could only refer to the short section of Wetherill Street to the **north** of the existing street closure which takes all the current car movements for both the car wash and the Raceway Petrol Station - both of which are in a commercial zone. It is patently wrong to claim that by dumping 110 car movements per day into a quiet residential cul-de-sac that has a Conservation zoning would "clearly have little impact on existing traffic conditions...along Wetherill Street south of the site". It would have a massive impact on our community and the surrounding streets. In the report's conclusion it wrongly states that "the site access arrangements remove the existing entry driveway along Liverpool Road thus reducing turning movements.." The last plan to go to council (and to the Land Environment Court) had both entry and exit driveways on the northern side of the Wetherill Street closure and not from Liverpool Road as stated.

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We also object to the proposal to remove one the street's trees adjacent to the proposed entry/exit drive. The tree identified for removal is a fully grown and healthy specimen by an independent arborist and this tree provides an

aesthetic barrier as well as a noise barrier to the Liverpool Road traffic to our north. The Tree provides privacy to the residents of Wetherill St, and will provide privacy to future residents of the unit block.

2) Request for an extension to the submission period

We respectfully ask the council to consider extending the period for submissions for two reasons. The first being that the latest DA was submitted on December 29 at the very start of the holiday period. Many local residents have been absent during the submission period and have only just started to return.

Secondly, we bring to the council's attention a major discrepancy in the proposed plan mailed to residents in early January compared to the development plan that is lodged with council. The plan sent to residents is labelled Plan 'P' and suggests that traffic flow in and out of the building is to the **north** of the street closure. It also does not include any note regarding the removal of a street tree. The plan submitted to council is labelled Plan 'B' and clearly identifies the removal of a Wetherill Street tree plus the movement of building traffic in and out of the site to the southern side of the street closure. Having discussed the new submission with neighbours, most believe the traffic does not enter and exit on the southern side of the street due to the misleading nature of the plan they have received. Attached is the diagram of the unit block with the driveway entry/exit clearly marked as being in Wetherill st South (from the traffic report) to highlight to Council and to residents the confusing placement of the driveway presented in the DA notification dated 6.1.2016.

We would like the development plan submitted to council be reissued to all residents in the community affected by this proposal and for them to have the time to consider their responses properly and with due thought.

Wetherill Street Croydon NSW 2132



From: Sent: To: Subject: Attachments:

.com.au Friday, 29 January 2016 4:32 PM Ashfield Council/Ashfield/AU DA response to 412-416 Liverpool rd 20140715124214377.pdf

Dear General Manager

Development Application 412-416 Liverpool Road, Croydon Lot: 100 DP: 1124619 Application No: 10.2015.264

am the owner and occupier of Vetherill Street, Croydon.

I refer to the above development application and object to it.

In addition to the below, please see **attached** letter from me dated 15 July 2014, which I repeat and rely upon in objection to the above development application.

By Council's letter dated 6 January 2016 I purportedly received a copy of the plans now relied upon by the applicant for the development of the above site. The plans I received indicate the proposal is for traffic to exit/enter the proposed basement car park on the northern side of the Wetherill Street road closure, ie on the Liverpool road side of the closure and not into the cul de sac.

I understand, however, that I may have been mislead by the plans delivered by the Council to my letterbox, as the actual development application asks the Council to approve a driveway in and out of the proposed basement car park that exits and enters to the south of the Wetherill Street road closure, ie into the cul de **sac**. This is obviously a significant point of difference.

I also understand the DA proposes to remove an established mature tree in Wetherill Street and has a communal roof top terrace overlooking into Wetherill Street.

This proposal, particularly the location of the driveway, has been the subject of prior development applications for the same site by the same applicant and should not be allowed to be treated as **a** new application, given the history, including involvement of the Land & Environment Court. It should be rejected outright on the basis it has already been rejected in the form of the previous application, which was the same, or substantially the same.

If my understanding as to what is proposed in the current DA is correct then it raises the same concerns and issues that were raised in response to the previous DA for this site and I repeat in response to the current DA the objections set out in my attached letter dated 15 July 2014. I ask that the attached letter be **re**ad in full in objection to the current DA together with this email. In particular:

- 1. I repeat my objections in the attached letter at paragraphs 10 to 14 regarding waste collection.
- 2. I repeat my objections in the attached letter at paragraphs 15 to 19 in relation to landscaping and removal of established trees.



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- 3. I repeat my objections at paragraphs 20 to 30 regarding car park and traffic management the traffic management report is seriously misleading and should not be relied upon by the Council. At present, the existing car wash on the subject site generates zero traffic into the Wetherill Street cul de sac, as all traffic in and out of the car wash is via Liverpool Road or the northern side of the Wetherill Street road closure. The statements in the traffic report to the effect that the development proposal will have no or minimal impact on existing conditions is blatantly false and misleading when one has regard to the fact that the change takes the level of existing traffic in the Wetherill Street cul de sac from zero cars from the existing carwash to around 120 additional cars per day generated by the proposed development. This is clearly a significant change to current conditions.
- 4. I repeat my objections at paragraphs 31 to 36 regarding solar access.
- 5. I repeat my objections at paragraphs 37 to 40 regarding the proposed communal terrace and its implications for visual and acoustic privacy of surrounding residences – <u>a</u> communal roof top terrace is only appropriate for a cityscape. It is clearly inappropriate in the circumstances of a surrounding suburban area predominantly comprising single storey residential dwellings.

I also raise the following additional matters below.

Future consequences

I implore Council to give very careful consideration to potential future consequences, that are foreseeable, if the driveway is permitted to enter and exit Wetherill Street south of the road closure, as part of Council's due diligence and risk assessment for the DA.

In my view, it would be a very risky move to allow the driveway to be built south of the road closure, as once it is built it cannot be relocated. If it is proven by trial and error that the additional traffic generated by the site has a significant impact on the Wetherill Street cul de sac then the only option might be to reopen the road closure so that cars have the choice of entering and exiting the site both south or north on Wetherill Street. This would be a complete disaster. Even without the additional traffic that the development would generate, history has already proven that having Wetherill Street open to Liverpool Road is extremely dangerous to the health and safety of pedestrians - see paragraph 29 of the attached letter. Having a driveway exiting north and south into Wetherill Street (should this be required as remedial action in the future after it becomes apparent that the driveway to the south of the road closure is problematic) would result not only in half (at least 60 additional car movements per day) or even more of the vehicles going in and out of the site opting to continue to the south on Wetherill Street but it would bring additional through traffic going to/from Liverpool Road. As noted, the risk of this additional through traffic has already materialised in the past with tragic consequences. This can't be permitted to happen again. I feel that the Council must give serious consideration to the foreseeable future consequences to public health and safety, including innocent children, that may arise if the current proposal is allowed.

Roof height

Although the plans suggest the development is restricted to 3 storeys, it appears it is in fact four by virtue of the fact that it seems to be proposed that the building height is staggered in a way such that parts of the building extend to a four storey height – the building height is not uniform, it appears to comprise a mix of 3 storeys and 4 storeys. As per my objections at paragraphs 1 to 9 in my attached letter regarding restricting the development to 2 storeys. At most, this development should not, even in part, be allowed to extent beyond 3 storeys. The southern and northern elevations on the letterbox delivered plans do not seem to match (in fact, I'm not certain all 4 elevations depict the same thing and this may well be another discrepancy between the plans delivered to residents and the actual plans submitted with the DA). It appears on the northern

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elevation the varied building heights are not accurately drawn/described and there appear to be similar discrepancies between the southern elevation and the western elevation. In any event, the southern elevation clearly shows at least 3 (possibly 4?) wings to the building that extend to four storeys that are positioned along the boundary with Wetherill Street, ie looming over 15 Wetherill St and blocking all of the northern sunlight into number 15 and neighbouring properties in Wetherill Street. Although it may be that the building height reduces to 3 storeys at the Liverpool Road side, this is not a proposal restricted to 3 storeys, as is suggested.

Vibration testing/earth movement

I query what, if any, investigations have been carried out to determine whether the excavation and drilling works that would be required to excavate the proposed multi level basement/below ground car park will have any adverse impact on the heritage properties in the Wetherill Street Conservation Area, given their close proximity? For example, will this work cause excessive tremors or vibrations that will potentially interfere with the foundations or cause subsidence of other properties? I say this because I propose to report to the Council a separate matter relating to current construction being undertaken on a nearby site on Liverpool Road that backs onto the rear of my house and the other houses on the same side of Wetherill Street. Whilst at home on 2 recent Saturdays this month and whilst excavation was being undertaken on that site, including the demolition of an existing warehouse structure with heavy machinery, I noticed, felt and heard significant vibrations throughout my house being generated by those works. I am obviously concerned that these vibrations may be causing subsidence, structural or other damage to my home and this requires investigation.

The proximity of the subject DA is such that it is imperative that the Council investigate the potential impact of underground drilling and excavation on the homes within the Wetherill Street Conservation Area to ensure they are not at risk of damage, particularly given their heritage status.

Is there a geotechnical report in this regard for the DA?

Petition

Council has a petition in response to the previous DA for this site. Given that petition was signed in objection to the previous proposal for the driveway to exit and enter into Wetherill Street south of the road closure, Council should treat it as a valid petition in response to the current DA, which has the same proposal.

Procedural fairness

Although I have been advised that the letterbox delivered plans are not the same as the exhibited plans there are likely to be many other interested parties who are unaware and have not raised any objection on the basis of their (mistaken) belief, based on the letterbox delivered plans, that the proposed driveway exit and entry is north of the Wetherill Street road closure. If they knew that it is proposed to be to the south they may well wish to raise objections after all, but have been denied the opportunity to do so because they were not properly informed. Further, there may be other objections that I and others who have been made aware of the discrepancy between the plans wish to take but our ability to do so is hampered by the fact that we are not in possession of the correct plans.

In my view, procedural fairness dictates that the correct plans should be delivered to all residents potentially impacted by this DA, with time for objections extended to a reasonable time thereafter.

Yours faithfully



Wetherill Street, Croydon NSW 2132



From:	⊉gmail.com> >
	@gmail.com>
Sent:	Wednesday, 27 January 2016 11:59 PM
To:	Ashfield Council/Ashfield/AU
Subject:	10.2015.264 - 412-416 Liverpool Road Croydon
Attachments:	Letter re proposed flat development - Thursday.pdf
To: Subject:	Ashfield Council/Ashfield/AU 10.2015.264 - 412-416 Liverpool Road Croydon

Dear General Manager

Thank you for the opportunity to comment on the proposal for a 3 storey residential flat building at 412-416 Liverpool Road, Croydon.

I live at 16 Wetherill Street Croydon, diagonally opposite the site of the proposed development.

I would like to raise the following issues and objections regarding the proposed development.

- 1. Traffic issues
- 2. Loss of mature street tree
- 3. Remediation and contamination
- 4. History of the proposed development site
- 5. Misleading public notification

Background – site context

As you know, the southern end of Wetherill Street is a **Heritage Conservation Area** under the Ashfield LEP 2013 (an HCA). It is a cul-de-sac with a wide planted road closure at the boundary of the proposed site, separating the HCA from a short stretch of Wetherill Street opening onto Liverpool Road.

The Wetherill Street cul-de-sac is a quiet residential street, with a lovely streetscape including planted trees, street facing single storey brick houses set back from the street behind low fences and planted gardens.

The stretch of Liverpool Road surrounding the development site is less intensively developed than east of the Fredrick/Milton Street intersection. Neighbouring flat buildings are generally set back from the road behind low fences and gardens, and there are 2 neighbouring petrol stations.

1

1. Traffic issues

The plans submitted with the DA clearly show that access is proposed from the southern side of the Wetherill Street road closure.

This is unacceptable and will have significant, detrimental and unacceptable impacts on the amenity of Wetherill Street and the surrounding streets. For the reasons we provided in response to the proponent's original application (letter attached), and set out below, we strongly oppose the traffic from the 31 lot car park being accessed from the southern side of the road closure.

Wetherill Street south of the road closure is a quiet residential street, comprising 17 residences. Our children play in the street.

The proposed driveway will:

- Significantly increase the through traffic in the cul-de-sac by **tripling the number of dwellings** accessed via the Wetherill Street cul-de-sac.
- Bring additional cars into the cul-de-sac that will inevitably travel much faster than current traffic, as they will be accessing a driveway at the far end of the street.
- Detract from the heritage significance of the HCA which is described in the Ashfield IDAP as "the very wide short road, which terminates at a road closure, providing a quiet residential precinct off a very busy road".

Additionally, there will be more cars using the surrounding residential streets, as the Wetherill Street cul-desac can only be accessed via Norton, Lion, Cromwell and Carshalton Streets. The development will change these quiet suburban streets and expose the residents to a significant increase in the volume of traffic travelling along these streets (which already require traffic calming measures).

This impact is recognised by the Ashfield IDAP which requires that the site be accessed via driveways at the Liverpool Road end of Wetherill Street (north side of road closure) – see page 28 of Part C4 of the IDAP (map 5).

The DA proposes that the wheelie bins will be put onto Wetherill Street for collection (GTA report). It is not clear whether this means the north or south side of the road closure. If it is proposed to be on the south side this will significantly impede traffic seeking to turn in the cul-de-sac as there is insufficient space to place bins servicing the proposed 22 units.

Finally, the acoustic report provides no information regarding the proposed acoustic impact on Wetherill Street caused by the estimated additional 110 traffic movements on this quiet residential street. It will inevitably increase the noise in the street.



Inaccurate traffic report

The proposal is supported by a traffic report prepared by GTA. The GTA report draws conclusions without providing any supporting evidence. It is internally inconsistent, at page 7 stating that the driveway would be to the north of the road closure, and elsewhere stating it is to the south.

The GTA report provides an analysis of traffic movements on Liverpool Road and states that the flow of traffic allows gaps for traffic to enter Liverpool Road. This statement would support the driveway being located to the north of the road closure but does not support its proposed location.

The GTA report provides no discussion of traffic flow on Wetherill Street, but draws conclusions regarding the impact on Wetherill Street based on its observations of traffic on Liverpool Road. The unsupported conclusions drawn by the GTA report (extracted below) should not be relied upon by council and have no validity:

"When considering existing traffic flows on Liverpool Road, the proposed development clearly has little impact on existing traffic conditions including along Wetherill Street to the south of the site."

The GTA report also states that "this proposal would formalise access via Wetherill Street". This implies that the current site is accessed via Wetherill Street in the same way proposed by the development, this is not correct.

Funnelling traffic onto local roads from a site which already has driveway access to the north of the road closure will have a significant and unneccessary impact on the amenity of Wetherill Street and the surrounding quiet residential streets.

2. Loss of mature street tree

Although the distributed plans did not indicate this, the location of the driveway will involve removal of a significant mature street tree. This will have an unacceptable impact on the amenity of the street. The tree would provide necessary screening for the residents of Wetherill Street from the proposed development, as well as to residents of the proposed development. It should be retained.

3. Remediation and contamination

Page 51 of the SEE states that because the site is bordered by petrol stations, to the east and the west, further testing of the site is necessary prior to issue of a construction certificate. This is not acceptable. As a neighbouring resident I feel it is important that council should be given all information regarding contamination before a DA is granted so that they can place appropriate conditions on the consent to ensure safety of construction workers and residents in the handling of any contaminated material. This is consistent with the obligations of the Council under SEPP 55.

4. History of the proposed development site



As you know, previous development proposals on this site have generated significant community interest and concern. The SEE indicates that the proposal addresses the reasons the Land and Environment Court refused consent for the previous proposal. This is a misleading statement, as the proposal is different to the one rejected by the Court in a significant respect, the location of the driveway. As you know, after significant community opposition was raised (as well as Council identifying it as a reason for refusal of development consent) the proponent amended their proposal to place the driveway to the north side of the road closure.

We are very disappointed that this new proposal reverts to the original driveway location. The statement in the SEE that the proposal adequately responds to the L&E Court issues is misleading as the proponents amendments meant that the L&E Court did not consider a proposal with the driveway to the south of the Wetherill Street road closure.

5. Misleading public notification

The location of the driveway, and whether the traffic to the 2 storey basement carpark will be accessed from the north or south road closure is a significant issue. It generated 45 submissions, and petitions with 256 signatures.

As part of Council's public exhibition process we were provided with plans dated 14/09/2015 which clearly indicate that the driveway access to the 2 storey basement car park will be from the *northern* side of the Wetherill Street road closure. However, upon inspecting the proposed plans at the Ashfield Library it is clear that the public exhibition documents do not accurately reflect the development for which consent is sought, as the DA documents locate the driveway to the southern side of Wetherill Street.

Given the significant interest in the previous proposal, mainly on the basis of traffic issues and impact on the amenity of the surrounding streets, we consider that the public exhibition process for this development should be undertaken again, with plans which truly indicate the impact of the proposal on the surrounding neighbourhood.

Thank you for considering my submission.

Yours sincerely

Wetherill Street, Croydon



From:	@hotmail.com>
	@hotmail.com>
Sent:	Wednesday, 27 January 2016 12:51 PM
To:	Ashfield Council/Ashfield/AU
Subject:	Development Application - 412-416 Liverpool Rd Croydon . Application No. 10.2015.264

To: The General Manager Ashfield Council cc: Philip North - Ashfield Town Planner

Ref: Development Application <u>412-416 Liverpool Road</u>, Croydon Lot: 100 DP: 1124619 Application No: 10.2015.264

Dear Sir,

 We would like to make a submission to council in reference to the third and latest Development Application for the site at <u>412-416 Liverpool Road</u>, Croydon.

We strongly object to the latest DA which proposes to funnel all traffic from the new development in and out of the cul-de-sac on the southern side of the street closure and via Lion,Norton, and Carshalton Streets.

This proposal is a return to the developer's first plan that has already been before council and has been rejected. It has also been rejected by the Land and Environment Court. The developer's second submission was amended to accommodate all residential traffic entering and exiting on the **northern** side of the Wetherill Street closure and then onto Liverpool Road - which reflected the wishes of the community.

We would also like to draw the council's attention to inconsistencies in the DA's Traffic Report. The report states on page one that "Access to the basement is proposed via a two-way ramp that connects with Wetherill Street immediately to the <u>south</u> of the existing road closure". This is contradicted on page 7 where it states "Access to the basement car park is proposed via Wetherill Street immediately to the <u>north</u> of the existing closure, approximately <u>30m south of Liverpool Road</u>."

The Traffic Report goes on to state that an estimated 110 car movements per day would be generated by the proposed development. It says that "the existing car wash facility would generate approximately 120 (car movements) across the day" and concludes that the proposed development would present a reduction in traffic. This could only refer to the short section of Wetherill Street to the **north** of the existing street closure which takes all the current car movements for both the car wash and the Raceway Petrol Station - both of which are in a commercial zone. It is patently wrong to claim that by dumping 110 car movements per day into a quiet residential cul-de-sac that has a Conservation zoning would "clearly have little impact on existing traffic conditions...along Wetherill Street south of the site". It would have a massive impact on our community and the surrounding streets. In the report's conclusion it wrongly states that "the site access arrangements remove the existing entry driveway along Liverpool Road thus reducing turning movements.." The last plan to go to council (and to the Land Environment Court) had both entry and exit driveways on the northern side of the Wetherill Street closure and not from Liverpool Road as stated.

Yours sincerely



Carsnalton Street Croydon NAW 2132

Sent from my iPhone



From:

Sent: To: Subject: ا@gmail.com> > < ا@gmail.com> Friday, 29 January 2016 4:05 PM Ashfield Council/Ashfield/AU Re: 10.2015.264 - 412-416 Liverpool Road Croydon

Dear General Manager

Thank you for the opportunity to comment on the proposal for a 3 storey residential flat building at 412-416 Liverpool Road, Croydon.

I live at Wetherill Street Croydon, diagonally opposite the site of the proposed development.

I would like to raise the following issues and objections regarding the proposed development.

Traffic issues & public safety

I am deeply concerned the revised set of plans are funnelling traffic through Wetherill St to access the proposed development. Wetherill St already has an issue with a large number of cars trying to access Liverpool Rd via Wetherill St, not realising Wetherill St is a Cul de Sac. A number of these cars travel down Wetherill St at excessive speed.

This development would further increase the number and frequency of cars already travelling up the Street

I am not sure of the exact history as I have only moved to Wetherill St 7 years ago, but I believe Wetherill St was made into a Cul De Sac after a previous fatality.

There are a number of young children in Wetherill St who cross the street going to each other's houses. Although they are acting responsibly the increased traffic flow would add additional risk to them crossing the road.

I believe it's completely in-appropriate and unsafe to have traffic accessing this development via Wetherill St.

Not appropriate for the nature of the community around Wetherill St



There is a great sense of community spirit and neighbourliness. This would be detrimentally effected by the proposed development and traffic issues.

· Loss of mature and healthy tree

Although the application doesn't show this for the position of the drive, this will result in the cutting down a mature tree and will also be detrimental to the streetscape.

Misleading public notification

The latest proposal for the development has circulated plans which shows traffic entering the development from Liverpool Rd, It was only on closer examination of the plans at the library which show traffic accessing form Wetherill St.

I believe the DA notification needs to be resubmitted to effected residents as I have spoken to a number of people who have not examined the plans at the library and have been shocked when I have told them traffic has been accessing via Wetherill St.

Even the set of submitted drawings at the library are less than clear in regards as to how the development is going to be accessed via Wetherill St with the 3M set back shown in these drawing

Possible remediation and public health issues

I am also concern the developer has not fully considered the amount of remediation which will be required on this site. Also I note there has been a number of ongoing contamination incidents with the Speedway garage directly across from the proposed development site.

If remediation is not correctly handled this could significantly impact the health of local residents.

Roof Top Terrace

I am also concern the roof terrace shown on the plan will result in a disruption to privacy of Wetherill St residents and good result in detrimental noise impact.

ZERO community consultation

The developer has made no attempts to my knowledge to consult local residents or address any concerns.



Though this version of the proposed development has better set-back from the site boundary it still does not address any of the original issues from the first rejected proposal.

I would like to also draw your attention to the fact that when this development was last proposed 68 local residents sign an online petition.

There was also a signed petition which as far as I remember had almost 100 signatures, an article in the Burwood courier and support from local member Jodi Mackay.

Thank you for considering my submission.

Yours sincerely

Wetherill Street, Uroydon

Item 6



 From:
 @yahoo.com

 Sent:
 Friday, 29 January 2016 11:38 AM

 To:
 Ashfield Council/Ashfield/AU

 Subject:
 Development Application
 412-416 Liverpool Road, Croydon
 Lot: 100 DP:

 1124619
 Application No:
 10.2015.264

To: The General Manager Ashfield Council

cc: Philip North - Ashfield Town Planner

Ref: Development Application 412-416 Liverpool Road, Croydon Lot: 100 DP: 1124619 Application No: 10.2015.264

Dear Sir,

- We would like to make a submission to council in reference to the third and latest Development Application for the site at 412-416 Liverpool Road, Croydon.
- We would also like to request an extension to the submission period beyond the 29 January 2016.

1) Submission

As residents of the cul-de-sac in Wetherill Street, Croydon, we strongly object to the latest DA which proposes to funnel all traffic from the new development in and out of the cul-de-sac on the southern side of the street closure and via Lion, Norton, and Carshalton Streets.

This proposal is a return to the developer's first plan that has already been before council and has been rejected. It has also been rejected by the Land and Environment Court. The developer's second submission was amended to accommodate all residential traffic entering and exiting on the **northern** side of the Wetherill Street closure and then onto Liverpool Road - which reflected the wishes of the community.

We would also like to draw the council's attention to inconsistencies in the DA's Traffic Report. The report states on page one that "Access to the basement is proposed via a two-way ramp that connects with Wetherill Street immediately to the <u>south</u> of the existing road closure". This is contradicted on page 7 where it states "Access to the basement car park is proposed via Wetherill Street immediately to the <u>north</u> of the existing closure, approximately 30m south of Liverpool Road."

The Traffic Report goes on to state that an estimated 110 car movements per day would be generated by the proposed development. It says that "the existing car wash facility would generate approximately 120 (car movements) across the day" and concludes that the proposed development would present a reduction in traffic. This could only refer to the short section of Wetherill Street to the **north** of the existing street closure which takes all the current car movements for both the car wash and the Raceway Petrol Station - both of which are in a commercial zone. It is patently wrong to claim that by dumping 110 car movements per day into a quiet residential cul-de-sac that has a Conservation zoning would "clearly have little impact on existing traffic conditions...along Wetherill Street south of the site". It would have a massive impact on our community and the surrounding streets. In the report's conclusion it wrongly states that "the site access arrangements remove the existing entry driveway along Liverpool Road thus reducing turning movements." The last plan to go to council (and to the Land Environment Court) had both entry and exit driveways on the northern side of the Wetherill Street closure and not from Liverpool Road as stated.

In relation to the collection of waste, the report says that "the 240L garbage bins (for all 22 units) to be wheeled to the kerbside for collection." It doesn't indicate which side of the street closure these bins will be located. There is no space to the south of the the street closure to accommodate these bins.

We also object to the proposal to remove one the street's trees adjacent to the proposed entry/exit drive. The tree identified for removal is a fully grown and healthy specimen by an independent arborist and this tree provides an



aesthetic barrier as well as a noise barrier to the Liverpool Road traffic to our north. The Tree provides privacy to the residents of Wetherill St, and will provide privacy to future residents of the unit block.

2) Request for an extension to the submission period

We respectfully ask the council to consider extending the period for submissions for two reasons. The first being that the latest DA was submitted on December 29 at the very start of the holiday period. Many local residents have been absent during the submission period and have only just started to return.

Secondly, we bring to the council's attention a major discrepancy in the proposed plan mailed to residents in early January compared to the development plan that is lodged with council. The plan sent to residents is labelled Plan 'P' and suggests that traffic flow in and out of the building is to the **north** of the street closure. It also does not include any note regarding the removal of a street tree. The plan submitted to council is labelled Plan 'B' and clearly identifies the removal of a Wetherill Street tree plus the movement of building traffic in and out of the site to the southern side of the street closure. Having discussed the new submission with neighbours, most believe the traffic does not enter and exit on the southern side of the street due to the misleading nature of the plan they have received. Attached is the diagram of the unit block with the driveway entry/exit clearly marked as being in Wetherill st South (from the traffic report) to highlight to Council and to residents the confusing placement of the driveway presented in the DA notification dated 6.1.2016.

We would like the development plan submitted to council be reissued to all residents in the community affected by this proposal and for them to have the time to consider their responses properly and with due thought.

Netherill Street Croydon 2132



Item 6

©bigpond.net.au Thursday, 28 January 2016 10:09 PM Ashfield Council/Ashfield/AU DA 10.2015.264 412-416 Liverpool Road

To the General Manager Dear Madam,

From:

Sent:

Subject:

To:

I am writing to object to the DA 10.2015.64 for 412-416 Liverpool Road ask the Council to refuse consent due to the following issues:

1. Colour scheme. The proposed colour scheme is orange and grey. The orange alucobond is at odds with the Conservation colours of the Wetherill st environs and this colour scheme is an unsympathetic choice and will have an adverse effect on the ascetic amenity of the neighbourhood. The proposed Dulux Pawpaw is another colour choice that will clash and degrade the ascetic amenity of the streetscape.

2.Waste management - the DA states that Strathfield Council will pick up the bins on Waverly st. There is no reference to where this unit will have its bins collected from.

3. Entry/exit - again into Wetherill st, which the Council and L&E court deemed unsatisfactory. Again, I ask the Council to refuse consent on this issue again. Also, the traffic management report has the north point located incorrectly therefore misleading the reader to the actual location of the entry/exit point of the basement carpark.

4. Tree - the tree provides and will provide valuable privacy to both existing and future residents and this tree needs to be preserved.

5. Roof Terrace - this is 342 sqm and makes up for the lack of ground communal area. A roof terrace this size is inappropriate for a low density neighbourhood. The roof line should be pitched to fit in with the Conservation area and not a flat structure. The roof terrace will allow people to look directly into my front 2 bedrooms and will have have an enormous impact on the privacy of my home.

6. DA specification of "subject to Consent". The DA - Section 4D re apartment size - states that the apartments could be made bigger if subject to Council consent. Is this to avoid a redesign without public consultation and any increase in size will have an even greater adverse impact on the local amenity of our street. Any changes to this DA will need public consultation.

Regards,

Wertherill st Crovdon



Item No: C0716 Item 7

Subject: DEVELOPMENT APPLICATION - 132 CHURCH STREET, CROYDON (CENTENARY PARK)

File Ref: 16/4718/73236.16

Prepared By: Haroula Michael - Development Assessment Officer, Ashfield

Authorised By: Phil Sarin - Director, Planning and Environment

SUMMARY

A Section 96 application has been lodged seeking approval to modify development Consent No 10.2014.94.1 to:-

- Relocate approved amenities block 15 metres to the west and 2 metres to the north from the current approved location;
- Swap/flip the female and male toilets inside the proposed amenities block;
- Reduce the length of the eaves to the rear (south elevation) of the building to 450mm;
- Inclusion of a grease trap to serve a larger cooker in the canteen;
- Installation of a roof cowl; and
- Construct a 500mm high retaining wall to the rear (north) of the amenities block due to the new building location.

This modification application involves a former Ashfield Council project.

RECOMMENDATION

THAT Development application No. 10.2014.94.1 for the demolition of the existing amenities building, erection of new amenities building at 132 Church Street, Croydon be modified in accordance with section 96(1a) of the Environmental Planning and Assessment Act 1979, subject to conditions.

BACKGROUND

1.0 DESCRIPTION OF PROPOSAL

An application pursuant to Section 96 of the *Environmental Planning and Assessment Act 1979*, as amended, seeks Council's approval to modify an existing development consent as described in the above summary.

Plans of the proposal are included as Attachment 1.

2.0 APPLICATION DETAILS

Applicant	:	Mr B Inwood
Address	:	PO Box 442 PETERSHAM NSW 2049
Owner	:	Ashfield Council
Lot/DP	:	LOT: 1 DP: 237006 & LOT: 2 DP:
Date lodged	:	20/04/2016
Date of last amendment	:	30 May 2016
Building classification	:	9B
Application Type	:	Local
Construction Certificate	:	No

3.0 SITE AND SURROUNDING DEVELOPMENT

The subject site is located on the southern side of Church Street, bounded by Lang Street to the west and Queen Street to the south. The subject site has a boundary to Burwood Council LGA which is part of Lang and Queen Street.



The subject site has an area of approximately 3.363 hectares. The site is currently improved by:-

- An existing sportsground, which consists of 2 full sized soccer fields;
- Two mini soccer fields;
- Children playground area;
- Cricket area; and
- Amenities building comprising of toilets, canteen and change rooms.

Surrounding development comprises residential dwellings and West's Sports club located east of the site.

Refer to Attachment 2 for a locality map.

4.0 DEVELOPMENT HISTORY

Development application No. 10.2014.94 seeking approval for the following was approved by Council at its meeting held on 22 April 2014:-

- Demolition of the existing amenities building;
- Erection of new amenities building including:
 - o improved toilet facilities;
 - o improved male & female change rooms;
 - o accessible bathroom,
 - o two storerooms;
 - improved canteen; and
 - o a new meeting room;
- Attached verandah;
- New sports field lighting; and
- New fencing along the south of the site being Queen Street.

5.0 ISSUES

5.1 Impact on existing pedestrian path

A new pedestrian pathway will be built behind the proposed relocated building thus maintaining pedestrian access. The new pedestrian pathway will be designed so that it links with the existing pedestrian pathway either side of the building providing continuous access. Refer to the ground floor plan for the layout in **Attachment 1**. A condition of consent has been recommended requiring the link to be provided prior to issue of the occupation certificate.

5.2 Use of the canteen area

In order to ensure the canteen operates as per the adopted Plan of Management, a condition has been recommended requiring the operation of the canteen to be consistent with the adopted Plan of Management for Centenary Park and for it to be used in association with approved sporting clubs and organised groups that use the sporting facilities.

5.3 Reason for relocation of the amenities building

The amenities building is proposed to be re-located because its former location was found to be too close to the sporting fields, particularly when used for rugby. The re-location of the amenities building will allow for greater clearance to the fields.



5.4 Heritage

The subject site is a heritage listed property and located within the vicinity of a number of heritage items and heritage conservation areas. The application was referred to Council's heritage advisor who has indicated that from a heritage view point of the relocation of the amenities building is acceptable subject to the cowl/vent being of a domestic scale as shown on the plans. A condition of consent has been recommended to ensure compliance.

6.0 ZONING/PERMISSIBILITY/HERITAGE

- The site is zoned RE1-Public Recreation under the provisions of Ashfield LEP 2013.
- The property is a heritage item.
- The property is located within the vicinity of number of heritage conservation areas identified as Lang Street Conservation Area, Bridges Avenue Conservation Area, Birriga Road Conservation Area, Rathgael Estate Conservation Area and the following heritage items 93 Church Street, Croydon and 95 Church Street, Croydon.

The proposed works are permissible with Council consent.

7.0 SECTION 96(1A) ASSESSMENT

"Is the proposed modification of minimal environmental impact."

The proposed modifications are not considered to adversely impact the amenity of adjoining and nearby properties as they do not seek to increase the scale and bulk of the development or change the building's use.

"Is the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified."

The proposal will result in substantially the same development as it only involves the relocation of the building and minor internal and external changes.

"Has the application been notified in accordance with the regulations, if the regulations so require, or a development control plan."

The proposed modifications were notified - refer to Part 8.7 and 8.7.1 of this report for details.

"Has Council considered any submissions made concerning the proposed modification."

Refer to part 8.7.1 of this report for details.

SECTION 79C ASSESSMENT

The following is an assessment of the application with regard to the heads of consideration under the provisions of Section 79C of the Environmental Planning and Assessment Act.

7.1 The provisions of any Environmental Planning Instrument

7.1.1 Local Environmental Plans

Ashfield Local Environmental Plan 2013



Ashfield Local Environmental Plan 2013 Summary Compliance Table				
Clause No.	Clause	Standard	Proposed	Compliance
2.2	Zoning	Zone RE1 Public Recreation	Section 96 amendment to DA 10.2014.94.1	Yes
4.1	Minimum subdivision lot size	No standard applicable	3.363 Hectares (or 33630square metres). The proposal does not seeks to subdivide the land	N/A
4.3	Height of buildings	No standard applicable.	Amenities building – 5.1m at highest point Sporting Light poles – 20m or 23m as noted on plans. (no alterations sought as part of this Section 96 application) Wire open mesh style fence (No alterations sought as part of this Section 96 application)	N/A
4.4	Floor space ratio	No standard applicable	0.01:1 (No alterations sought as part of this Section 96 application)	N/A
5.10	Heritage Conservation	The subject site is a Heritage Item (413) Located in the vicinity of: • Lang Street Conservation Area (C33); • Bridges Avenue Conservation Area (C27); • Birriga Road Conservation Area (C26); • Rathgael Estate Conservation Area (C35); • 93 Church Street, Croydon (371); and • 95 Church Street, Croydon (372).		
5.10(4)	Effect of proposed development on heritage significance	The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or the area concerned. This sub-clause applies regardless of whether a heritage	Council's Heritage Advisor has not raised any objections to the proposed modifications and the proposal is not expected to detract from the character or significance of heritage items or the conservation areas within the vicinity of the subject site.	Yes



Item 7

		management document is prepared under sub- clause (5) or a heritage conservation management plan is submitted under sub-clause (6).		
5.10(5)	Heritage Assessment	The consent authority may, before granting consent to any development: (a) on land on which a heritage item is located, or (b) on land that is within a heritage conservation area, or (c) on land that is within the vicinity of land referred to in paragraph (a) or (b), require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.	Considered as part of the heritage assessment of the proposed modification.	Yes

The proposal does not alter compliance with the LEP.

7.1.2 Regional Environmental Plans

Not applicable.

7.1.3 State Environmental Planning Policies

The proposal does not alter compliance with relevant SEPPs.

7.2 <u>The provisions of any Draft Environmental Planning Instrument that is or has</u> been placed on public exhibition and details of which have been notified to the consent authority.

Not applicable.



7.3 <u>The provisions of any Development Control Plan.</u>

The proposal does not alter compliance with relevant Ashfield Interim Development Assessment Policy 2013.

7.4 <u>Any matters prescribed by the regulations that apply to the land to which the development application relates.</u>

Not applicable.

7.5 <u>The likely impacts of that development, including environmental impacts on both</u> <u>the natural and built environments, and social and economic impacts on the</u> <u>locality.</u>

These matters have been considered as part of the assessment of the development application. It is considered that the proposed alterations will have no significant adverse environmental impacts in the locality.

7.6 <u>The suitability of the site for the development</u>

These matters have been considered as part of the assessment of the development application. There are no natural hazards or other site constraints that are likely to have a significant adverse impact upon the proposed development.

7.7 Any submissions made in accordance with this Act or the regulations.

The proposal was notified to all adjoining and nearby affected property owners and occupants, Councillors, objectors and Burwood Council from 26 April 2016 until 18 May 2016. The application was re-notified from 03 May 2016 until 26 May 2016 as revised plans were submitted.

7.7.1 Summary of submissions

At the time of preparing this report seven (7) submissions (**Attachment 3**) were received by Council in respect to the proposal:-

Submissions
Guy Redden
91 Church Street
CROYDON NSW 2132
Leon Civitella
121 Church Street
CROYDON NSW 2132
Rene Holmes
3 Church Street
ASHFIELD NSW 2131
*Abraham Tannous
75 Lang Street
CROYDON NSW 2132
Nick Murdocca
101 Church Street
CROYDON NSW 2132
*Craig Bevins
69 Lang Street
CROYDON NSW 2132
*George Romiz
28 Queen Street
CROYDON NSW 2132

*These objectors are located within the Burwood Council Local Government Area.



The matters raised in these submissions are detailed below in italics, followed by a response from the assessing officer:-

Fencing:

Additional fencing to be installed along Lang Street side of the park and the Lang Street corner of Queen Street to prevent young children chasing the balls onto the road, people crossing close to the junctions and stop balls going into the street.

Officer's Comment:

The original application only sought consent for fencing along the southern boundary of the park. This Section 96 application does not seek any changes to the fencing approved in the original development application.

Parking/Traffic:

Rather than the construction of such a large amenities block it is more practical to build car parking spaces along the Queen Street embankment first?

Officer's comment:

The original development sought approval to upgrade the existing facilities to Centenary Park to meet the demands of the users of the Park and there was no approval sought for additional car parking facilities. The section 96 application does not seek to intensify the existing use and therefore contribute to an increase in the demand for car parking.

Re-location of amenities building/pedestrian pathway:

I disagree with your new proposal as it will make the open high elevated part of Church Street unattractive, blocking parkland views and to the community. I object to the amenities block being moved as it will be off centre of the playing fields and will take away spectator access. The relocation will also impact on existing pedestrian pathway.

Officer's Comment:

The amenities building is being re-located as the original location was impeding on the football field, which is used as for rugby. Therefore, the re-location of the amenities building will create a greater clearance to the football field for improved safely of players and spectators.

The re-location of the amenities building will not obstruct access to or around the park. The pathway around the building will remain. The levels and width of the path do not change and will comply with accessibility requirements (as per AS 1428.1).

Church Street footpath

There is not provision for a footpath along Church Street.

Officer's comment:

The originally approved application did not propose the construction of a sealed pedestrian footpath along Church Street. The section 96 application does not involve any modifications to Church Street.

Breezeway

The breezeway needs to have locked gates to stop unsavoury behaviour occurring here.



Officer's Comment:

The breezeway will be locked in the evenings and unlocked in the mornings. The section 96 application does not involve changes to the approved breezeway other than incorporating a gate which will improve safety and security. In addition, the breezeway will be well lit.

Meeting room

There doesn't need to be a meeting room in this facility. I presume this room is to replace the room that is being removed from Ashfield Aquatic Centre.

Officer's Comment:

The Section 96 application does not seek to modify the meeting room which formed part of the original approval. The proposed modification also does not seek to intensify the use.

Commercial cooking/Café/intensification/hours

Commercial cooking facilities are a cause of concern. A café should not be in this location. There is no need for any commercial venture here. I am opposed to any commercial use of the amenities other than soccer clubs and local schools. We do not support any daily use of the block as a café.

Appropriate and reasonable time of use restrictions being imposed upon use of cooking facilities.

Officer's Comment:

The canteen will not be used independently or leased out for commercial gain. The approved plan of management stipulates that the canteen and cooking facilities will be used in conjunction with the approved use of sporting clubs and organised group users. A condition of consent has been recommended to reinforce this arrangement and use.

Sprinkler system/Fire safety measures

Will there be a sprinkler system installed. The plans do not indicate increased fire-fighting measures.

Officer's Comment:

Advice from Council's Building Surveyor is that a sprinkler system would not be required in the amenities building, however, the matter of fire safety measures will be addressed during preparation of the construction certificate as part of compliance requirements with the BCA.

Additional bathroom facilities:

Council needs to look at building a toilet near the playground and BBQ's. The amenities block is too far from this area.

Officer's Comment:

This is outside the scope of this Section 96 application and would require submission of a new development application.



Flood lights:

The newly installed flood lighting is visually obtrusive, and although not switched on as yet I am sure that excessive light will shine onto my property and affect my amenity. The floodlighting as installed in different to the DA approval 8 poles in lieu of 10.

Officer's comment:

The original approved application included a report from a lighting and electrical consultant that proposed a lighting scheme suitable for 'Amateur Level' club competition and was deemed to be adequate. The proposed light level was designed to minimise impacts on the amenity of adjoining residents in terms of light spill. The consultant's report also indicated that the luminance around Lang, Church and Queen Streets would be below the maximum allowance value of 10 lux.

The section 96 application does not seek to make any modifications to the previously approved flood lights. The existing redundant flood lights are expected to be removed by late July/early August 2016.

Grease trap:

An assurance that odour seals will be installed around the grease trap enclosure.

Officer's comment:

A condition has been recommended which requires the installation of appropriate mechanical ventilation in order to minimise odours from the grease trap.

Wheelchair parking and access:

No dedicated wheelchair parking is nominated on plans. The wheelchair entry in Lang Street seems inadequate.

Officer's comment:

The proposed amenities facilities will comply with AS1428 and Disability Discrimination Act requirements. As stated previously, the original approval did not proposed any changes to the existing car parking area.

Issues not taken into account during consideration of the original application

Mr Tannous, a resident of Lang Street, has indicated that his previous concerns were not addressed in the Council report during consideration of the original application. This was because the submission was received by Council after the Council report had been finalized. In any event, his submission supported the comments made in another submission which was included in the Council report.

7.8 <u>The public interest</u>

Matters of the public interest have been taken into consideration in the assessment of the application. The proposed changes are minor and warrant support.

8.0 <u>REFERRALS</u>

<u>Heritage:</u> No objections raised to the proposed modifications. Comments from Council's Heritage Advisor are included in **Attachment 4**.



Building: No objections raised to the proposed modifications.

Engineering: No objections raised to the proposed modifications

Health: No objections raised, subject to conditions.

9.0 BUILDING CODE OF AUSTRALIA (BCA)

The proposed changes do not alter compliance with the Building Code of Australia.

10.0 CONCLUSION

The application has been assessed in accordance with the provisions of the Environmental Planning and Assessment Act, 1979 as amended with all matters specified under Section 79C (1) Clauses (a) to (e) and Section 96(1A) have been taken into consideration. The proposal is considered to be acceptable and is therefore recommended for approval.

A <u>General Conditions</u>

(1) Approved plans stamped by Council

The development must be carried out only in accordance with the plans and specifications set out on drawing numbers

DA01A	30 May 2016
DA02C	27 June 2016
DA03A	03 May 2016
DA04A	03 May 2016
DA05A	03 May 2016
D1 Issue A	30 May 2016
D2 Issue A	30 May 2016
D3 Issue A	30 May 2016
D4 Issue B	30 May 2016
E1 Issue A	30 May 2016

and any supporting documentation received with the application, except as amended by the conditions specified hereunder.

The following conditions shall be added:-

(3) Grease Trap-Installation

A grease trap shall be installed to the requirements of Sydney Water.

(4) Roof Cowl

The roof cowl to be installed shall be of a domestic scale and size.

(5) Pathway

A pathway shall be maintained to the rear (northern side) of the amenities building that complies with AS1428 and Disability Discrimination Act requirements. Details shall be provided to the Principal Certifying Authority (PCA) indicating compliance with AS 1428 and Disability Discrimination Act at the construction certification stage.



Item 7

E <u>Conditions that must be complied with during construction or demolition</u>

(17) Work to comply with Ashfield Council's "Guidelines for Food Premises"

All work shall comply with Ashfield Council's "*Guidelines for Food Premises*" and Australian Standard 4674-2004 "*Design, construction and fitout of food premises*".

(18) Inspection of premises – health standards

Council shall inspect the premises. An application for inspection shall be made on the appropriate form together with payment of the prescribed fee.

G <u>Conditions that must be complied with before the building is occupied</u>

(2) Grease Trap Room

An appropriate mechanical ventilation system is to be installed to eliminate odours from the grease trap room.

(3) Pathway installation

The pathway to the rear (northern side) of the amenities building shall be provided and constructed in accordance with AS1428 prior to the issue of any occupation certificate.

H <u>Conditions that are ongoing requirements of development consents</u>

(5) Use of Canteen

The canteen within the amenities building shall only be used in-conjunction with approved use of the park by sporting clubs and organised groups.

(6) Odour Control Operation

The canteen facility within the amenities building shall be operated so as to ensure that odour impacts are controlled to not cause unacceptable impacts at surrounding residences.

(7) Odour Control Maintenance

All mechanical ventilation and extraction systems shall be operated and maintained in accordance with manufacturer's specification to ensure that odour impacts are controlled to not cause unacceptable impacts at surrounding residences.

(8) Plan of Management

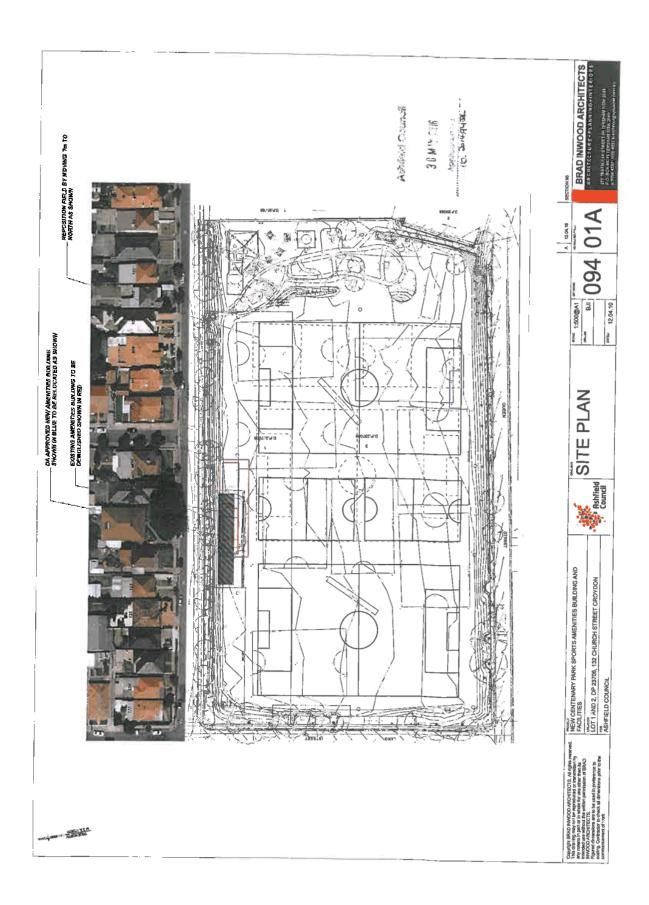
The canteen use must be operated at all times in accordance with the Plan of Management adopted by Council for Centenary Park.

ATTACHMENTS

- 1.<u>0</u> Plans of Proposal
- 2.1 Locality Map
- 3.1 Submissions
- 4.<u>1</u> Heritage Advice

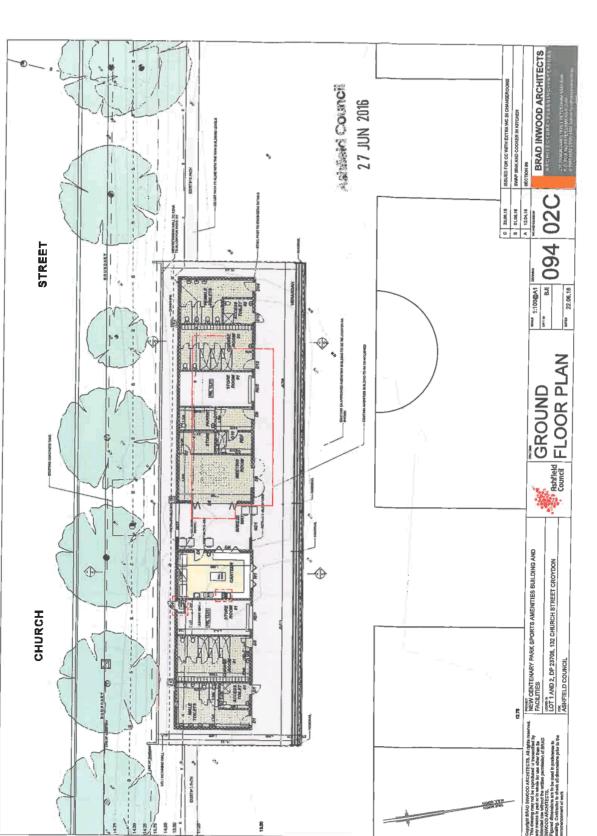


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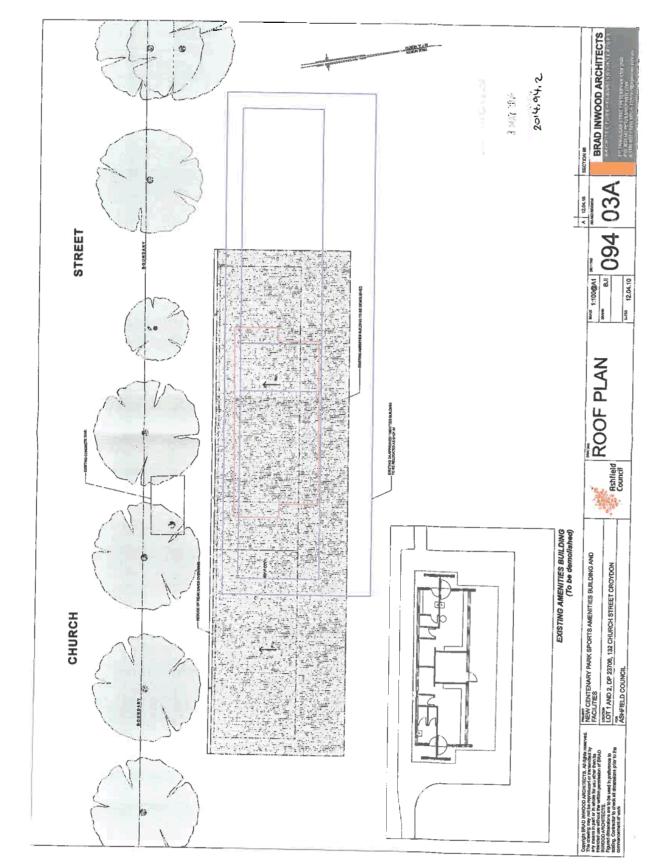


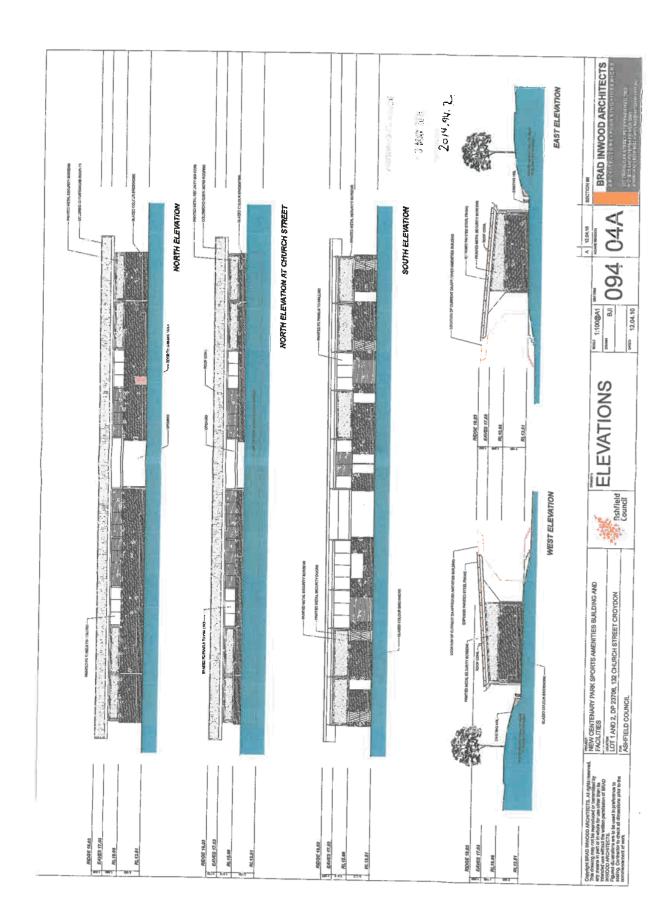
INNER WEST COUNCIL

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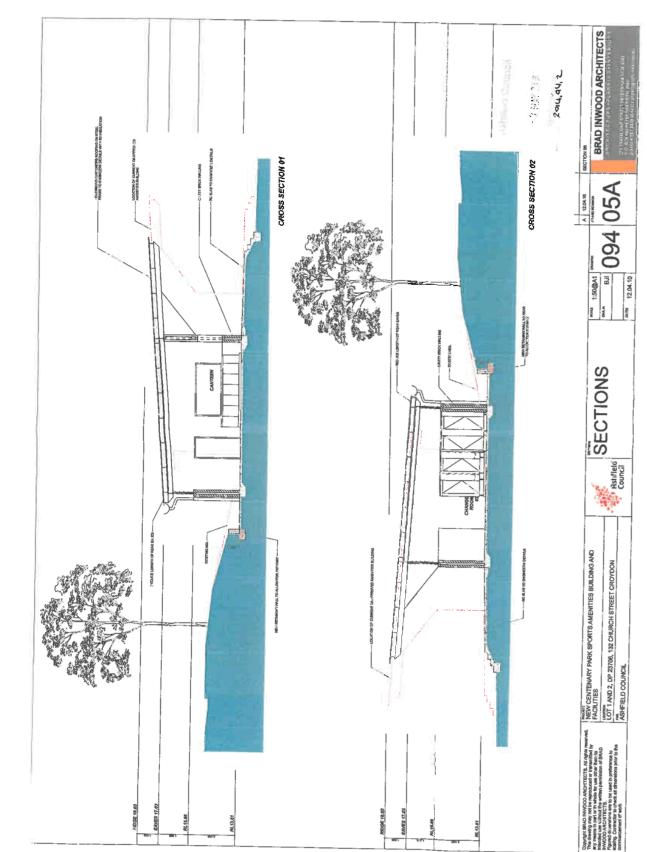




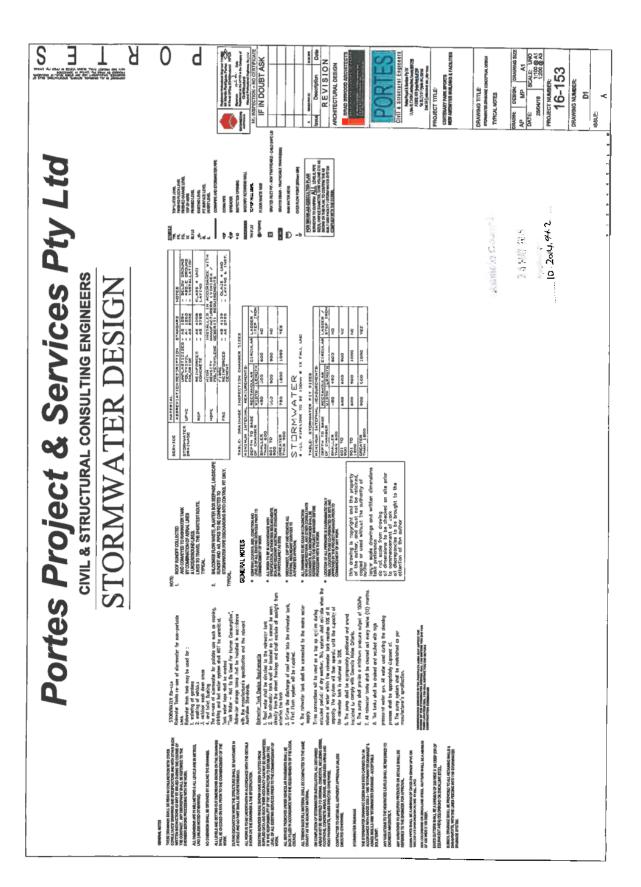
Extraordinary Council Meeting 5 July 2016

Item 7



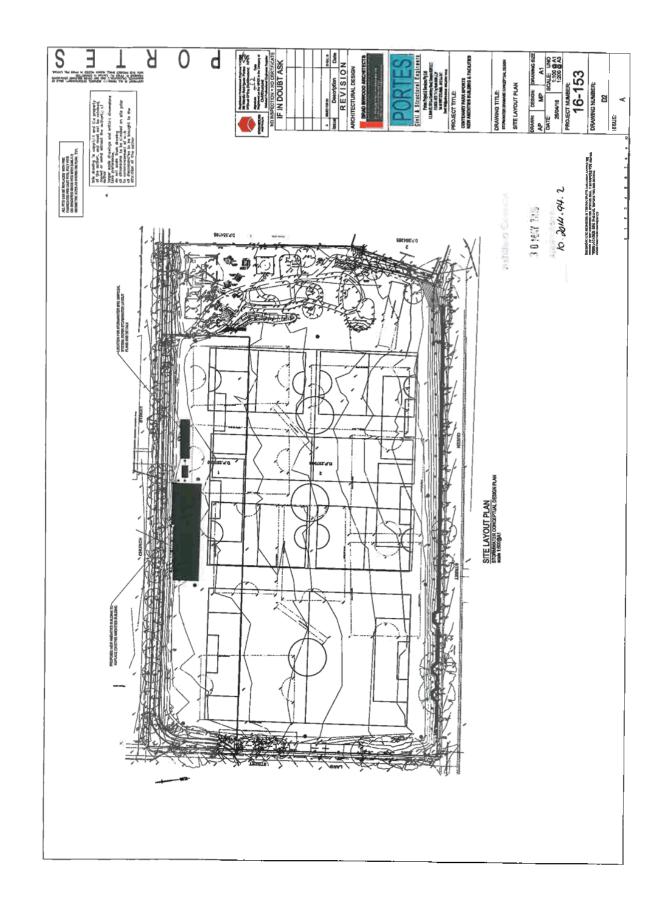


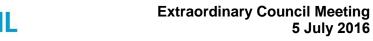




Extraordinary Council Meeting 5 July 2016

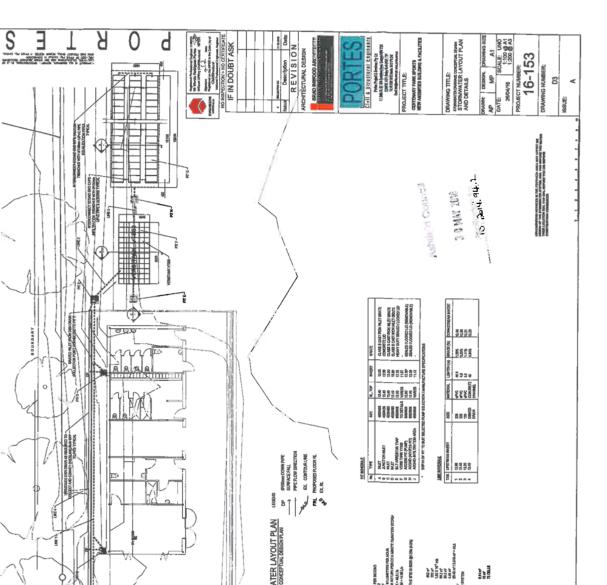




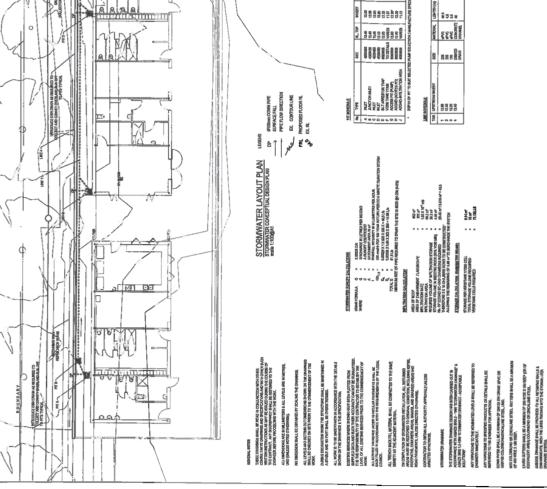




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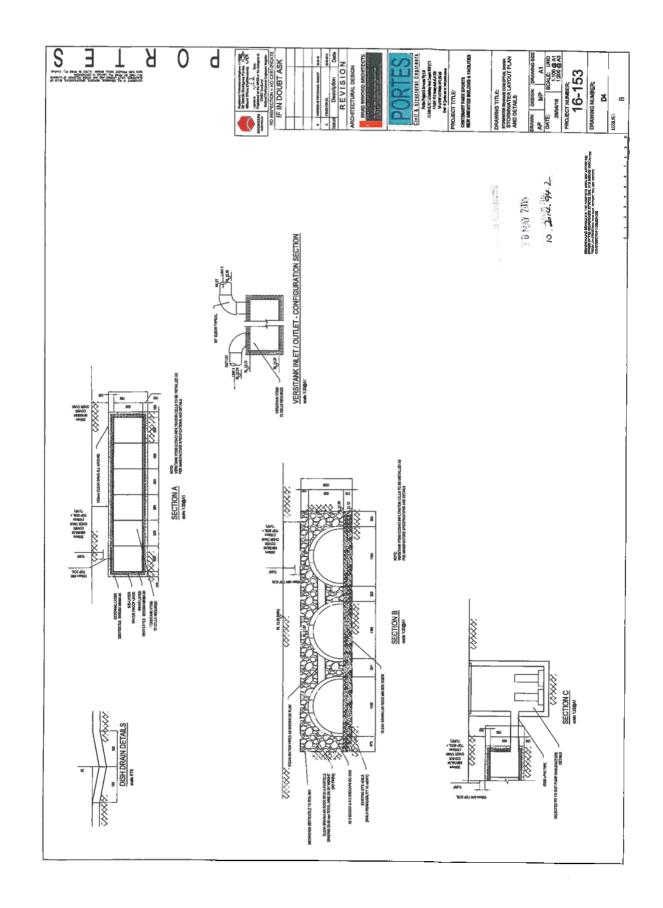


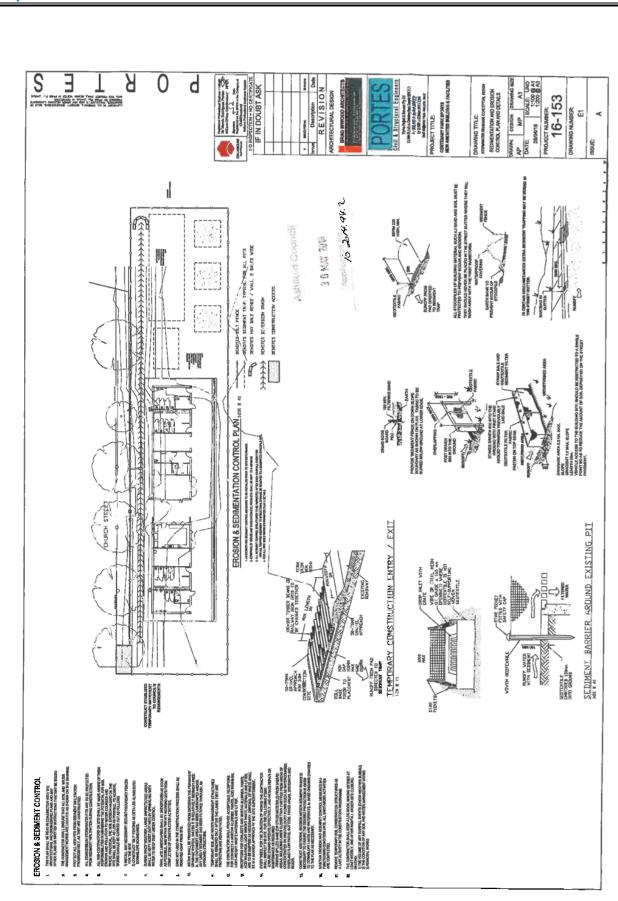
Attachment 1



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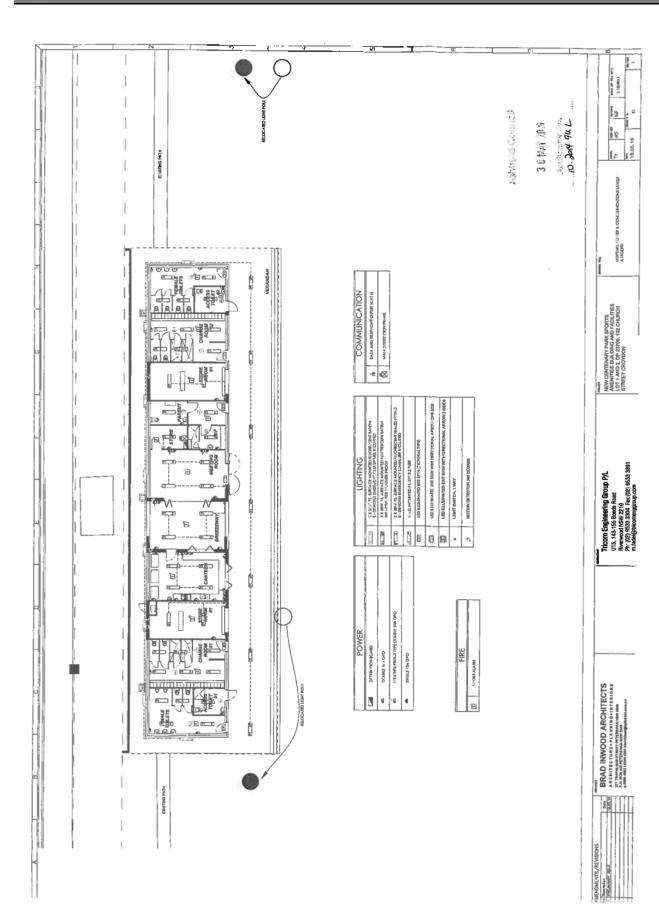
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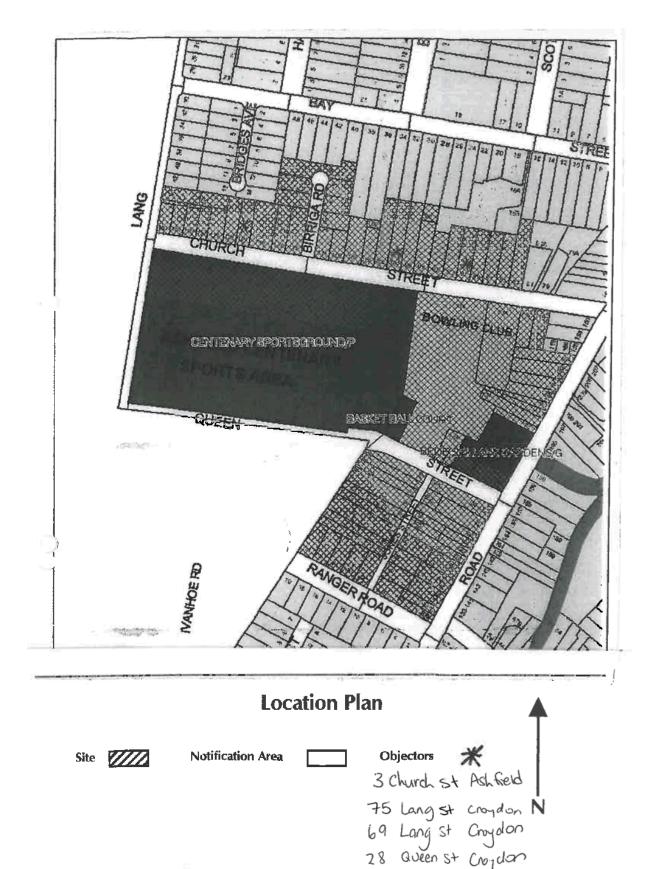




INNER WEST COUNCIL







Item 7



Page 1 of 2



Development Consent 10.2014.094 Centenary Park amenities Protected by to: info@ashfield.nsw.gov.au

09/05/2016 10:12 AM Protected by PPIPA

10: "into@ashfield.nsw.gov.au" <info@ashfield.nsw.gov.au>,

Vanessa Chan, General Manager Ashfield Council

9 May 2016

Resident Submission DC amendment 10.2014.094 Centenary Park amenities

Speaking as a resident of Church Street, Protected by PPIPA

Protected by PPIPA my family and I love living opposite Centenary Park and thank Ashfield Council for supporting its development.

I note however that the latest amendment does not provide for further fencing around the park, and I have concerns about worsening parking as the facilities improve. I believe both need to be addressed before the development is finalised as the ground will become more busy than ever.

FENCING

Regarding fencing I fully understand that residents of Queen Street pushed for fencing on their side due to the drop onto the road. However, 5 to 7 year olds play soccer at the Lang street end of Centenary and they regularly kick balls onto the road. Apart from traffic safety, the added concern is that the young kids often start to chase balls onto Lang Street and it depends on the vigilance of parents to stop them. Last year Prot Protected by I saw a boy chase his ball near the busy corner of Lang and Queen. I was amazed his parents who were there did not shout to stop him. I had to and his ball was crushed under a Range Rover.

I strongly request that a low fence be installed along the Lang Street side of the park and the Lang Street corner of Queen Street. Ideally it would run around to the first 30 metres or so of Church Street. It can have appropriate covered breaks for access, like the entrance to the kids playground on Church Street has. An added benefit could be that these measures discourage dangerous road crossing of Lang and Queen streets and Lang and Church Streets by placing the access breaks away from the junctions. People crossing very close to junctions is an added hazard on match days and also for school kids cutting across the park during week day peak times when the area is a rat run to avoid Parramatta Road. Put the access breaks 30+ metres away from the junctions and traffic safety will be vastly improved.

Finally balls are also regularly kicked onto Church Street, mainly in full-size pitch games. While fencing is not as urgent there due to the embankment, runs of fencing about 30 metres long behind the full size pitch goals would stop most balls going into the street.

TRAFFIC

Traffic is very hazardous on match days. Church and Lang Streets are crammed full with cars often parking each other and residents in, usually with several illegally parked in bus zones and street corners making things even worse. It can be especially hazardous on darkProtecteevenings when there is still commuter traffic. When the bowls club has major eventsProtected by it is a perfect storm. There are lots of people crossing with kids from between parked cars on match days. Fencing that encourages people to cross in safer areas would be one measure to help. We also need realistic parking solutions.

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Page 2 of 2

This is acknowledged in the parks management plan as below:

5.3 Parking

Parking is at a premium around Centenary Park. Illegal parking in the streets around the Park was referred to in consultations as a consequence and as an ongoing problem. This issue is exacerbated during organised sporting activities that attract many participants.

When I recently corresponded with council engineers about it I was informed that steps are being built up to the park in one of the bays in the wall on Queen Street near the Ivanhoe Street junction. THIS IS BRILLIANT. PLEASE DO THIS ASAP. Visitors and lazy locals do not make enough use of Ivanhoe and Queen Streets for parking on match days and creating access to the south of the park will encourage them to park there instead of cramming into Lang and Church. It would be great for this to happen in this soccer season. Other park users coming from Ivanhoe and Robinson will thank you for it.

The other thing is that the south side of Church Street adjoining the park has 3 bus stops. We just don't need 3. The middle one can be removed allowing 30 more metres for parking. This has been rejected in the past because Sydney buses like to have stops about 200 metres apart. But all residents live 150m maximum to either of the other 2 bus stops. The middle one is hardly ever used. It serves just a few residents in the middle of Church Street who hardly every catch buses and one tiny no through road. The north side only has 2 stops and they are the same distance apart as the ones on the South side would be, proving that 200 metre rule is flexible. It would make sense and help with the crazy parking.

There is one final point I'd like to flag. It's traffic calming. I know enough about other residents views to safely say I don't know anybody who wants speed humps all the way down Church Street like surrounding streets. We'd be out to lynch them if antone did that. We already have to drive over so humps many to get anywhere in the area. HOWEVER, placing ONE speed hump style pedestrian crossing opposite the kids playground entrance on Church Street, in my opinion, would make for safe crossing by kids for playground users and everyone who parks at the Croydon Road end. It would also cut the road into two to stop the worst speeders. I'm just mentioning that as a possibility but please accept my fencing and traffic suggestions above as part of your consultation.

I look forward to hearing from you. Protected by PPIPA Pro Church Street, 2132Protected by PPIPA

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16/21603 ASHFIELD COUNCIL RECORDS SECTION SCANNED 2016 Dear Sir/Madam, Learning and Environment - Ashfield Council Dear Sir/Madam,

I received a development consent notification on 1 April 2014, regarding Construction of the new amenities building, field lighting and fencing. \$1.5m for 132 Church St Croydon . The new building was planned extending about 2 meters on <u>BOTH SIDES of the EXISTING</u> <u>BUILDING</u>, "central to the white lined field". I viewed the plans in Ashfield library and after considering your plan I accepted it.

On 26 April 2016 I received another S.96 Amendment to Development Consent No 10.2014.094 notification.

New amendments include "relocating the approved building 15m to the west" and 2m to the north.

On 3 may 2016 I received a re – notification of S.96 Amendment Consent No 10.2014.094 about "relocating the existing building 15m to the west" and 2m to the north.

I am lodging a submission to the council on this application.

I am concerned about your latest amendment changes about relocating the existing building 15m to the west which is unfair on my part.

I disagree with your <u>new proposal</u> as it will make the open high elevated part of Church street unattractive Protected by blocking parkland views and to the community who stop over to enjoy its tranquillity; and ask you to consider. I like to point out I have been living here for 24 years.

Protected by PPIPA

Prot Church St Croydon NSW 2132 Phone no:Protected by PPIPA Protected by PPIPA @gmail.com



Rene Holmes 3 Church st Ashfield 0417448594 97985025 25th May 2016.

ASHINY RECORDERIC Hmic 26/5/16 PA 2014.000094

The Administrator Richard Pearson,

Dear Sir,

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RE: 132 Church St Croydon, Centennary Park. OBJECTION

I asked this question when this first came to council "Why have you called it 132 Church St but when Hammond, Algie ect Parks are on the agenda they are identified by their Park Name."

I do know the answer. It's so that people get confused and do not know what the proposal is for.

- I object to this amenities block being moved as it will be off centre of the playing fields. It will take away spectator access.
- There is no provision for a footpath along Church St. Parents with prams, disabled people etc have to walk on the roadway to travel along the street on the outside of the parked cars.
- By moving the Amenities Block closer to Church St does not allow access behind it.
- There needs to be angle parking provided along Church St if this is to go ahead. The residents along Church St have trouble accessing

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their properties now and this will become impossible with the park being used day and night with the new lights.

- This Park has been nicknamed "Candlestick Park" since the new lighti towers were errected.
- The breeze way needs to have locked gates to stop unsavoury behavour occuring here.
- There doesn't need to be a meeting room in this facility. I presume this room is to replace the room that is being removed from Ashfield Aquatic Centre.
- Commercial cooking facilities are a cause of concern.
- A Café should not be in this location. There is no need for any commercial venture here.
- Will there be a spinkler system installed?
- Council needs to look at building a toilet near the playground and BBQ's. The Amenities block is too far from this area. As Protected by Protect having had many childrens parties in this park, I have found it very difficuly when oneProtected by needed to use the toilet. I had to get the Protected by PPIPA (complaints), collect all our belongings (so they wouldn't be stolen). By the time this had happened Protected by PPIPA
- Council has provided the residents of Croydon and Ashfield with wonderful facilities to play and have a BBQ but there needs to be at least one toilet near this area.



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Item 7

Please print all my contact details when this is printed in the business papers.

Yours,

Rene Holmes 3 Church st Ashfield 0417448594 97985025 25th May 2016.

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THE GENERAL MANAGER INNER WEST COUNCIL (ASHFIELD) RE: 132 Church Street Croydon Section 96 amendments to DA 10.2014.094 24.5.2016

Protected by PPIPA Prote Lang Street Croydon NSW 2132 6 3119 6 3119 6 3119 6 3119 6 3119 6 3119 6 3119 6 3119 6 3119

Dear Sir/Madam,

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I wish to make an objection to the proposed amendments to Centenary Park Amenities Block.

I an upset that my previous objection in 2014 was not acknowledged as it was emailed on the closing date but after hours.

Over the years I have seen so much increased activity in the bark but very few improvements to parking facilities. I Protected by PPIPA have lived in this home over provements. My children and grandchildren find it impossible to find parking on the days and nights that soccer games are played.

Rather than the construction of such a large Amenities block "Mini Clubhouse", would it not be more practical to build car parking spaces along the Queen Street embankment first?

I am opposed to any commercial use of the amenities other than soccer clubs and local schools.

The newly installed flood lighting is visually obtrusive, and although not switched on as yet I am sure that excessive light will shine onto my property and affect my amenity.

Please consider my situation as I very exposed to the park , there are no large trees in front of property to shield me.

I welcome a visit from Council on site to discuss the works as should have happened in 2014,

Yours sincerely,

Protected by PPIPA



THE GENERAL MANAGER INNER WEST COUNCIL RE: CENTENARY PARK PROPOSAL AMENDMENTS

Thankyou for your advice letter re the subject Section 96 amendments to **DA no 10.2014.094** dated 3.5.2016

Having reviewed the submission at Council's offices, myself and other family members have the same reservations as per my letter dated 15.4.2014 and additional concerns as follows:-.

The floodlighting as installed is different to the DA approval :- 8 poles in lieu of 10.

The relocation of the Amenities block is now oddly not centred to the fields. We can only construe that this is an error and that the original services investigations were incomplete.

The inclusion of commercial cooking facilities is of utmost concern. The plans do not indicate increased fire fighting measures. It would be prudent to increase fire containment measures in the CANTEEN ie fire rated ceiling, fire rated windows and doors, fire suppression devices such as ceiling sprinklers etc... above that of the Building code to contain any unattended fire outbreaks.

Large amounts of cooking oils should not be stored in the canteen.

An assurance that odour seals will be installed around the grease trap enclosure.

We do not support any daily use of the block as as a CAFE, the carparking issues continue to be a major problem and we consider this to be increased use of the original facilities and no additional off street parking is proposed.

No dedicated Wheelchair parking is nominated on plans.

The wheelchair entry in Lang street seems inadequate and the wheelchair ramp in the children's playground area is steep and not hand-railed to the Australian Standard.

We request that Council review the amendments.

Protected by PPIPA

Prote Church Street CROYDON NSW 2132

24.6.2016



Prot Lang Street Croydon NSW 2132 25th May 2016

The General Manager Inner West Council (formerly Ashfield Council) 260 Liverpool Road Ashfield NSW 2131

By email: council@ashfield.nsw.gov.au, info@ashfield.nsw.gov.au

Dear GM,

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I refer to Council's recent notification of proposed s.96 amendments to DA 10.2014.094.

I wish to include by reference, and reiterate the comments and objections raised in, my previous submission on the original Development Application, dated 15th April 2014. I do not believe that my earlier comments were properly considered by Council in its determination of the original application, due in large measure to the self-evident conflict of interest in Council being at once the applicant and the consent authority. A copy of my letter of 15th April 2014 is attached for your convenience.

I note that the proposed amendments provide for the relocation westward of the subject amenities block. This relocation will increase the previously noted anticipated adverse impacts upon the residents of Lang Street, the most westerly properties on Church Street and, to a lesser extent, the residents of Queen Street.

I note that Council has recently failed or otherwise neglected to police and control after-hours anti-social behaviour in the park, particularly after regular sporting fixtures such as that on Wednesday nights. Whilst I note the inclusion in the amended plan of "Retractable Doors" at each end of the breezeway, in the absence of any detail on those doors I must assume that the noise and other problems that I apprehend will be associated with the breezeway have not been adequately addressed.

I note the inclusion of expanded cooking facilities within the amended plan. I have no specific objection to that inclusion subject to:

- a) the inclusion in the design of appropriate, standards-compliant measures to prevent the egress
 of noxious or objectionable odours from the cookers and, particularly, the grease-traps;
- b) the inclusion in the design of appropriate, standards-compliant fire suppression measures;
- c) appropriate and reasonable time-of-use restrictions being imposed upon use of cooking facilities;
- conditions of consent and/or appropriate undertakings that the use of the amenities block for functions not associated with designated sporting fixtures or tenant clubs are generally prohibited; and
- e) conditions of consent and/or appropriate undertakings that increased commercialisation of the field and facilities, beyond that appropriate for its use by locally based not-for-profit community sporting and social clubs, will not be permitted in the absence of a change of use development application.

I note that the size, scale and, apparently, the scope for regular use of the amenities facility is expanded by the proposed amendment and that, once again, no provision is made for enhancement of parking in and around Centenary Park. Given Council's manifest and continuing failure to date to properly police parking in the streets around Centenary Park during sporting events, I am concerned that the already chaotic and dangerous traffic conditions during those events will be further exacerbated by the proposed development.

I note for the record that Council's approval under this DA of new lighting facilities for Centenary Park has not been fully complied with and that it appears to the writer that Council has thus far failed to seek a s.96 amendment for that non-compliance. I submit that this failure evidences the already noted conflict of interest created by Council being the consent authority for its own developments.

For the reasons detailed in this and my earlier response to the original development application, I object to approval of the referenced application in either its current or any substantially similar form.

I have discussed these comments with my immediate neighbours who are broadly very supportive of the objections I have raised.

Yours faithfully,

Protected by PPIPA

Enc.

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· · · · ·

Prote cted Lang Street Croydon NSW 2132 15th April 2014

The General Manager Ashfield Council 260 Liverpool Road Ashfield NSW 2131

Dear Ms Chan,

Submission on Development Application 10.2014.094 Centenary Sports Area, 132 Church Street Croydon

I refer to Council's recent notification of the above D.A. I am the owner of a propertyProtected by Protected by PPIPA which I believe will be adversely affected by the proposed development. I wish to raise the following concerns in relation to same:

1. Scale and Heritage Concerns

It is noted that the proposed amenities block is nearly three times the size of the existing structure on the site and will therefore have a much greater visual impact both within and around the sports area. It is also noted that the sports area has been identified as a heritage item and that Council has recently sought to impose heritage constraints upon all the properties along Church Street on its northern boundary. The modernist design, as proposed, appears to be entirely inconsistent with the heritage character of the area and I have seen no evidence in the proposal that heritage concerns have even been properly considered, much less addressed. Whilst I concede that the design of the existing structure is also manifestly inconsistent with the heritage character of the 1960's should not be perpetuated simply by virtue of the fact that those mistakes have a precedent.

2. Visual Impact of Proposed Lighting Towers

The increase in the number of lighting towers (from three to ten) will have a very significant and, very likely, entirely unappealing visual impact from the perspective of all of the adjacent properties along Church, Lang and Queen Streets. Whilst the need for adequate illumination of the fields is not disputed, I note that the park is used for amateur competition only and question whether adequate illumination is achievable with less than a 250% increase in the number of large poles on the site. I also question whether amateur competition which is almost exclusively conducted during daylight hours requires uniform lighting across the fields at 100 lux, as proposed.

3. Invasive Light Spill Into Neighbouring Properties

The proposed number and size of the lighting towers will inevitably be a source of increased light spill into neighbouring properties and, more generally, of light pollution in the immediate vicinity. I note that the proposal does not include a detailed design for the lighting system. Any approval should be contingent upon:

- a) the provision of a detailed lighting design;
- an independent assessment of the conformity of the design with AS4282;
- c) confirmation that light spill into neighbouring properties will be not greater than 30 lux; and
- d) imposition of a curfew on the operation of the lights of not later than 9 p.m.

4. Parking and Safety Issues

Centenary Park has, for many years, been the source of "parking mayhem" in the surrounding streets during regular weekend sporting competition. In particular, on weekends and, more recently, on Wednesday evenings, Church and Lang Streets are totally congested by competitors' and spectators' vehicles, many of which are illegally parked across driveways, in



- 46<u>6</u>

bus stops and within the parking exclusion zones around intersections. This has been and remains a matter of considerable concern to residents of the surrounding streets from the perspectives of both loss of amenity and of safety and can only be expected to worsen as a result of the proposed enhancement of the facilities. It is noted that both Ashfield and Burwood Councils have historically consistently and manifestly failed to adequately provide for, regulate or police parking in the areas surrounding the Centenary Sports Area.

Congestion along Lang Street, in particular, has made that a somewhat dangerous road to cross during sporting fixtures. There have been many "near misses" of children chasing balls onto Lang Street from the nearby playing field. Residents of Lang Street have made numerous requests over many years for Council to erect fencing along the park's western boundary to ameliorate this danger. The fencing proposed for the park's southern boundary along Queen Street should be extended into Lang Street and, ideally, along Church Street.

5. Loss of Amenity and "Quiet Enjoyment"

Centenary Park has for many years been plagued by anti-social behaviour including, but certainly not limited to, overnight rowdiness and vandalism within and around the amenities block. I note with concern that the proposed plan for the new amenities block includes a so-called "breezeway". If that breezeway is not properly secured after hours there seems little doubt that it will attract unsavoury behaviour which further detracts from residents' right to quiet enjoyment of their homes. Even if it is secured, I anticipate that it will serve as a very effective echo chamber which will be exploited to its full potential by the likes of those who, not altogether infrequently, set off fireworks and other explosions within the park.

Having regard to the extent and cost of the proposed works, I fear that Council will inevitably seek to improve its commercial return from the enhanced sports ground by extending competition use into other days and evenings. This will, of course, only exacerbate the problems and concerns I have raised in this submission.

I have discussed this submission with my immediate neighbours along Protected by Lang Street and they are supportive of the matters which I have raised.

I object to approval of the application in either its current or any substantially similar form.

Yours sincerely,

Protected by



Page 1 of 1

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s.96 amdt DA.10.2014.094 Protected by to:' info 26/05/2016 04:29 PM

Protected by PPIPA

@gmail.com>

To: info@ashfield.nsw.gov.au,

I refer to the above DA and to the submission on the same made by my neighbour Protected of Croydont. PPIPA

I have reviewed by Protected submission today and I agree with and fully support his comments and objections to the proposed development.

Yours faithfully, Protected by PPIPA Prot Queen Street Croydon NSW 2132

ABGENE COMPOSE RECEIPTION SCHOOL INCOMENTS Amic 2 15 6

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DEVELOPMENT SERVICES HERITAGE ADVISOR'S REFERRAL COMMENTS

ADDRESS:	132 Church Street CROYDON	File No:
ADVISOR	Robert Moore	10.2014.94.2
DATE	30.5.16	10.2014.34.2
STATUS	Heritage Item	
DESCRIPTION		
PREVIOUS		
COMMENTS	*	
	HIS/CMP recommended for archiving in library	
Note: These comme	nts relate to heritage issues only. They do not include a	y
Planning comments	will, however, be provided separately in relation to Pre-lo	planning review.
or Provisional Devel	opment Applications.	odgement Applications

The application has been reviewed in respect of heritage issues and has been assessed as follows:

Acceptable as lodged Acceptable with the following Conditions of Consent Applied: Acceptable with the following amendments to the application:

Application to be returned to Heritage Advisor for review after amendments

Planner may assess amendments L

Additional information is required as follows:

Not acceptable

0

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HIS/CMP recommended for archiving in library Discussion:

Questions asked about the need for relocation of the amenities block have been answered through citing the spatial needs of the actual football ground. Secondarily, the cowl/vent previously queried has been indicated to be a domestic scale fitting which shoold not have adverse effects in the application.

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Robert Moore

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Ashfield Council

DEVELOPMENT SERVICES HERITAGE ADVISOR'S REFERRAL COMMENTS

ADDRESS:	132 Church Street CROYDON	File No:		
ADVISOR	Robert Moore	10.2014.94.2		
DATE	16 May 2016			
STATUS	Heritage Item			
DESCRIPTION	S96			
PREVIOUS	Yes			
COMMENTS				
	HIS/CMP recommended for archiving in library			
Note: These comme	ents relate to heritage issues only. They do not in	clude a planning review.		
Planning comments	will, however, be provided separately in relation	to Pre-lodgement Applications		
or Provisional Devel	opment Applications.			

The application has been reviewed in respect of heritage issues and has been assessed as follows:

	Acceptable as lodged					
	Acceptable with the following Conditions of Consent Applied:					
	Acceptable with the following amendments to the application:					
	•					
	Application to be returned to Heritage Advisor for review after					
	amendments					
	Planner may assess amendments					
\boxtimes	Additional information is required as follows:					
	 Is there a compelling reason for the relocation of the building closer to 					
	the corner of Church and Lang Streets, as this will mean it is higher					
	relative to the footpath adjacent and more noticeable in the corner					
	location?					
	The details of the proposed roof cowl should be provided as its size may					
	make it obtrusive, and care must be taken to consider possible staining					
	of the roof from condensation/run-off from the cowl, which would be very					
	noticeable and also obtrusive.					
Int	Not acceptable					
	HIS/CMP recommended for archiving in library					
Die	cussion:					

Rolling Moore

Robert Moore

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C0716 Item 8

Subject: DEVELOPMENT APPLICATION - 76 ALT STREET, ASHFIELD

File Ref: 16/4718/73263.16

Prepared By: Daisy Younan - Development Assessment Officer, Ashfield

Authorised By: Phil Sarin - Director, Planning and Environment

SUMMARY

Item No:

This application is for a Torrens title subdivision of the existing lot into two lots, the demolition of rear portion of the existing dwelling and construction of a new detached dwelling with attic accommodation on the proposed new lot.

RECOMMENDATION

THAT Council as the consent authority pursuant to Clause 80(1)(a) of the Environmental Planning and Assessment Act 1979 (as amended) approve Development Application No. 10.2015.188, subject to conditions.

BACKGROUND

1.0 Description of Proposal

Pursuant to Clause 78A(1) of the Environmental Planning and Assessment (EP&A) Act 1979 (as amended) this application seeks Council's consent for the following:

- 1. Torrens title subdivision of the existing lot into two lots, 500m² for the lot fronting Taringa Street and 669.8m² for the lot fronting Alt Street;
- 2. Demolition of rear portion of the existing dwelling and a detached structure; and
- 3. Construction of a new detached dwelling with attic accommodation on the proposed new lot.

Plans of proposed development are included in Attachment 1.

1.1 Background

The proposed development was considered by Council at its meeting held on 8 March 2016. Council resolved that the development application be deferred for discussions to take place with the applicant to address the concerns raised by the residents of 2 Taringa Street.

Following the Council meeting, a further submission was received on 11 March 2016 from the residents of 2 Taringa Street raising concerns regarding privacy, location of the first floor level, loss of natural light, car parking, heritage and nature of the subdivision.

On 27 April, a meeting was held between Council officers, the property owner and project architect to discuss amendments to the proposal to address the concerns raised by the objector. As a result of the discussion, the following changes were made:-

- a. Fixed obscure glazing to a height of 1.5m for the first floor bedroom window facing objector's property; and
- b. Introduction of a new upper level bedroom window facing Taringa Street.

Amended plans showing the above modifications were received on 02 May 2016 and are included in **Attachment 1**.

On 03 May 2016, a meeting was held between Council officers and residents of 2 Taringa Street to view the amended plans. The residents were of the view that the proposed modifications were not satisfactory and advised that they would provide a consolidated submission to Council. A further submission was received and is included in **Attachment 3**.



2.0 Site and Surrounding Development

The subject site is located on the northern side of Alt Street, bounded by Taringa Street to the east and John Street to the west. The site area is approximately 1169.8 square metres. An existing single storey dwelling house and detached structures are located on the site. Surrounding development comprises residential development of various types. Refer to **Attachment 2** for a locality map.

3.0 Objector's submission and officer comments

3.1 Concerns raised regarding subdivision of the subject site:

- May result in multi-dwellings which may set precedent for other similar development in the area
- Will result in negative impact on the streetscape due to the scale and proportion of the proposed double storey dwelling which does not respect local context or street pattern, is out of character and detriment to local environment.

Officer comments

It is acknowledged that the proposed subdivision creating two lots could permit a dual occupancy or other permitted uses on each lot. This is also a possible scenario with the existing site. Should this occur, applications would be assessed on their merits against Council's planning controls.

The proposed Torrens title subdivision of the existing 1169.8m² lot into two lots (each of which is greater than 500m² in area) complies with the lot area requirements of Clause 4.1(2) of Ashfield LEP 2013 (LEP). Each lot resulting from the proposed subdivision is similar in area to other established lots within Taringa Street and will have direct street frontage. The proposed subdivision is consistent with the subdivision pattern in the area.

The proposed dwelling complies with the height, FSR and landscaping area controls and its scale is in character with other residential development in the locality. Council's heritage advisor has not raised any concerns over streetscape impacts.

3.2 Concerns raised regarding heritage impact:

- Will be at odds with surrounding development and no heritage impact statement has been submitted discussing the impact of proposed development on the heritage significance of the site and the area.
- Will result in an adverse impact on the heritage significance of the adjoining properties and would be in breach of Council's controls related to building scale.
- Creates a view of a brick wall to the residence of 2 Taringa Street due to the first floor level being strategically placed to provide a greater separation distance between this floor level and the existing dwelling located on the subject site than that provided between the proposed first floor level and the property located at 2 Taringa Street.

Officer comments

A heritage impact statement has been submitted with the application. This statement, along with other documentation, has been reviewed by Council's heritage advisor and no issues have been raised with respect to heritage impacts. Heritage comments are included in **Attachment 4.**

The proposed new dwelling provides a setback of 1200mm from the common boundary located between the subject site and the objector's property. Council's controls require a minimum side setback of 900mm for dwelling houses. The proposed development complies with the setback requirements providing a similar separation distance from the side boundary to other residential development in the locality.

In addition, the placement of the first floor of the proposed dwelling towards the objector's property enables the private open space of the existing dwelling, located on the subject site, to receive sunlight while not causing any impact on the solar access of the objectors' property.



The side wall of the new dwelling is not excessively long at 15 metres and similar in depth to the objector's dwelling. There is also adequate separation between the two buildings – over 3 metres.

3.3 Concerns raised regarding privacy and overlooking:

 Does not comply with Council's controls relating to privacy given the proposed first floor rear and side bedroom windows which directly looking onto the kitchen window, lounge room window and backyard of 2 Taringa Street impacting on the privacy and security of its residents.

Officer comments

The objectives of Clause 5.5 of Part C15 of AIDAP 2013 (referred to by the objector) are to minimise impact of new developments on adjoining neighbour's privacy.

Such impact can also be achieved by employing other privacy measures that achieve the same objectives. It is considered that the opportunity of overlooking of the objector's kitchen and living room windows is minimal given the single storey scale of the objector's property and the obscure glazing with fixed lower panels proposed for upper floor master bedroom window (W15) fronting the objector's property.

Nonetheless, a condition has been included requiring upper level windows W13 and W14 fronting the rear yard of the proposed dwelling to have privacy screens installed and W15 fronting the objector's property to have obscured glass with fixed panels to a height of 1.6m above finished first floor level and for the first floor bedroom window fronting the street being deleted.

3.4 Concerns raised regarding overshadowing/loss of natural light:

- Will limit natural light received by residents.
- Will create a view to a brick wall instead of an open space/sky currently enjoyed by the residents.

Officer comments

Given the orientation of the subject site and location of the objector's property to the north, the proposed dwelling will not cause any overshadowing impacts.

The separation distance of approximately 3m to 3.2m between the two dwellings is adequate to allow natural light into south facing windows of the objector's dwelling.

3.5 Concerns raised regarding parking in Taringa Street:

- Will only add to the car parking problem in Taringa Street due to the large number of people that reside in 76 Alt Street with more than three cars that are parked in the street.
- The number of people that will be residing in the proposed dwelling and how the proposed dwelling will be used has not been indicated.

Officer comments

One additional dwelling is proposed in this development application. The proposal includes construction of a double garage for the new dwelling and a car parking space for the existing dwelling and complies with Council's planning controls.

The proposal is for a detached dwelling and the expectation is that it would be used for residential purposes.

3.6 Concerns raised regarding acoustic impacts:

 Will result in an increased household noise, traffic noise via drive way use and more cars accessing one property given the close proximity of the proposed dwelling to the property at 2 Taringa Street.



Officer comments

The proposed double garage and driveway is located away from the boundary with 2 Taringa Street. Noise generated by a single detached dwelling is unlikely to be excessive.

3.7 Other concerns:

- Unauthorised building works identified in officer's report of 08 March 2016 being the enclosure of the front veranda and its use for storage purposes and minor reconfiguration to the internal layout.
- Possible future unauthorised building works for existing and proposed dwellings.

Officer comments

A condition of consent has been included in the recommendation requiring a separate development application to be submitted to Council to in relation to these works.

As to future unauthorised building works or use, Council can take appropriate enforcement should this occur.

3.8 Concerns raised regarding original report:

 Was inadequate and incorrect on many counts or at least flawed. An issue was raised to a statement provided by the officer on page 8 of the report, which reads as follows:

"The proposal has one upper floor bedroom window which faces the objector's property. This window overlooks the side roof area of the objector's dwelling and given its low use as a bedroom it is not considered to result in any significant privacy impacts".

The residents of 2 Taringa Street indicated that *"this statement cannot have any weight as it is only an assumption by the author of the report and it can be argued that many people's bedrooms are of high use".*

It was also indicated that the two windows located within the two bedrooms at the rear
of the new dwelling which will be overlooking into our backyard were not mentioned in
the report.

Officer comments

The objector's comments are noted. The opportunity for overlooking the objector's kitchen and living room windows is minimal given the single storey scale of the objector's property and the obscure glazing with fixed panels proposed for the side facing upper level window (W15).

As mentioned previously in this report, to address privacy concerns, conditions have been included in the recommendation requiring the upper level side facing window (W15) to have fixed panels with obscure glazing to a minimum height of 1.6m from the finished floor level, rear facing upper level windows (W13 and W14) to have privacy screens installed and for the first floor bedroom window fronting the street to be deleted.

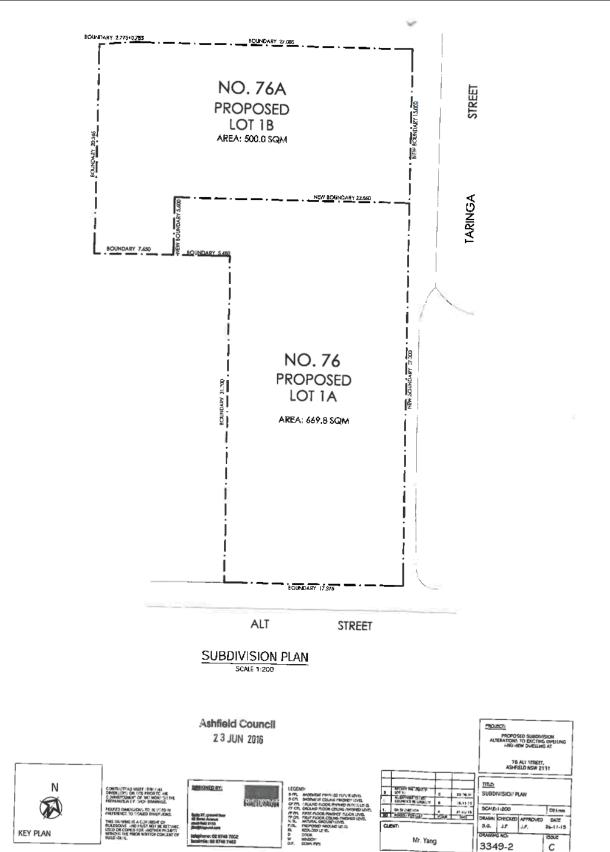
Conclusion

The amended proposal is considered acceptable subject to the imposition of additional conditions of consent to address the concerns raised by the objector. It is therefore recommended for conditional approval.

ATTACHMENTS

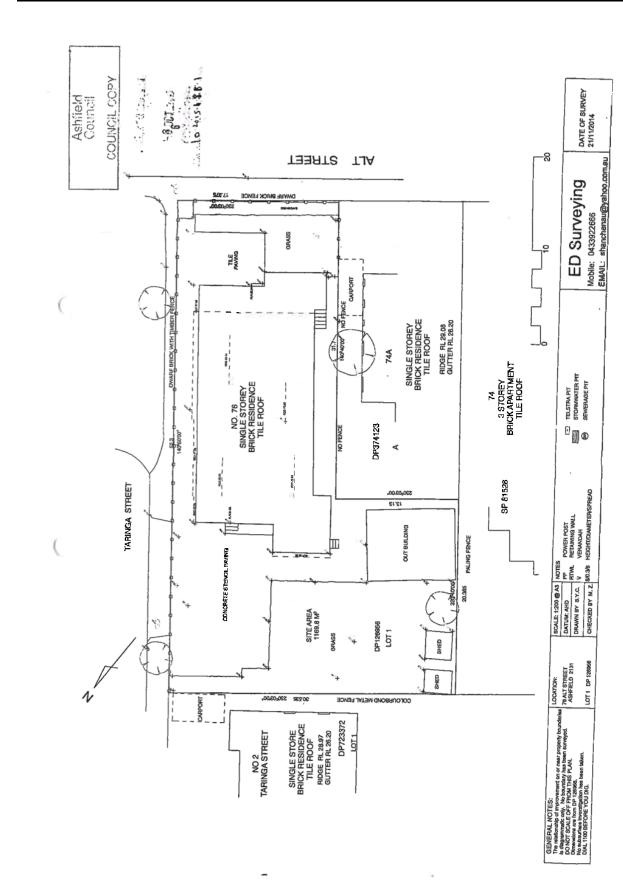
- 1.1. Plans of Proposal
- 2.^[] Locality Map
- 3. U Heritage Advice
- 4.<u>↓</u> Submissions
- 5.<u>1</u> Conditions
- 6.<u>1</u> Report to Council Meeting 8 March 2016

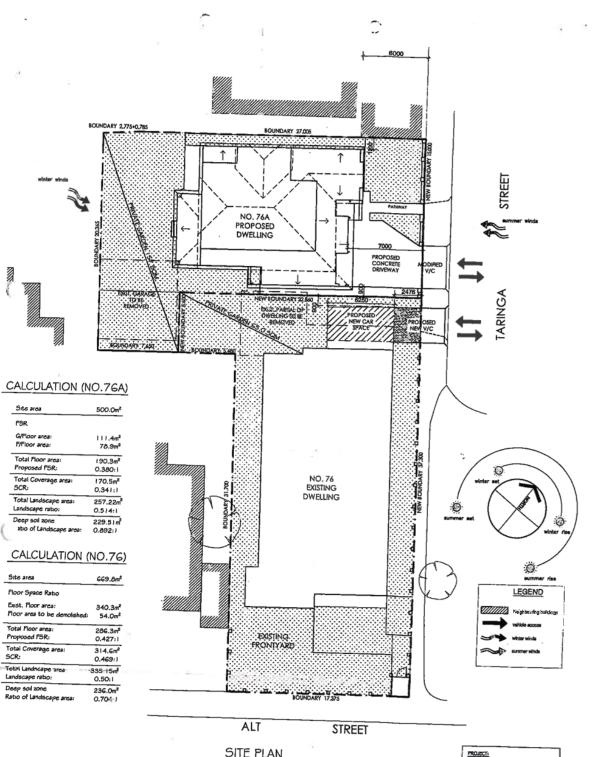




Item 8

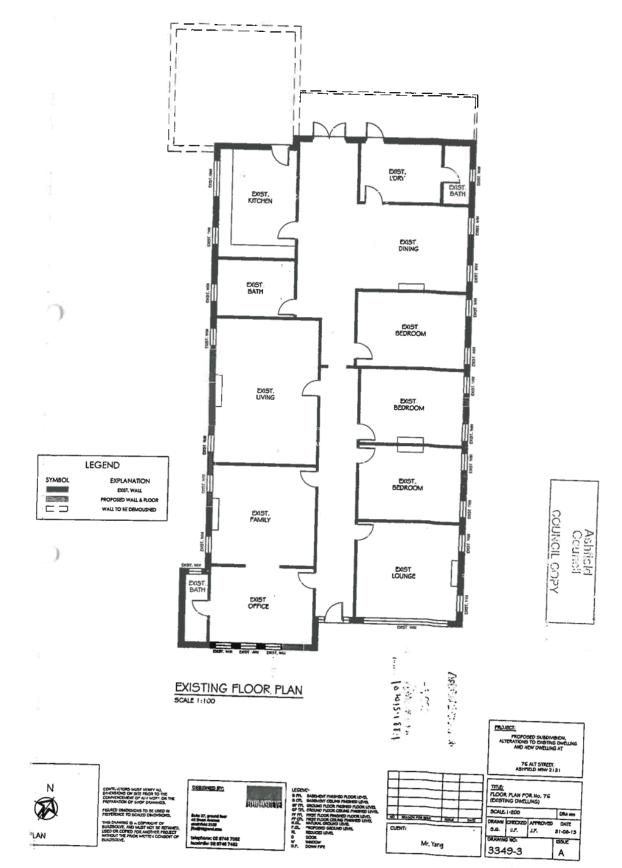
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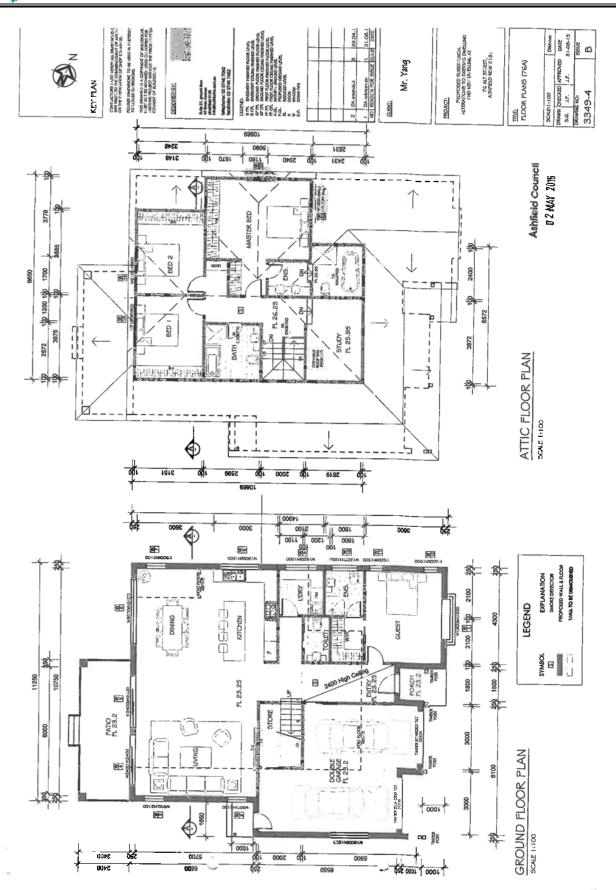






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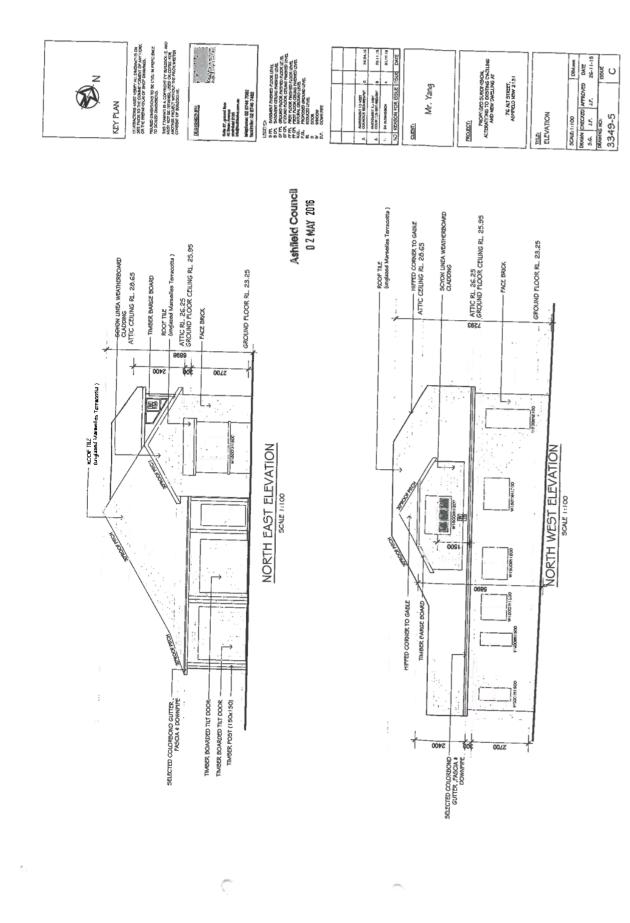
Extraordinary Council Meeting 5 July 2016



Attachment 1

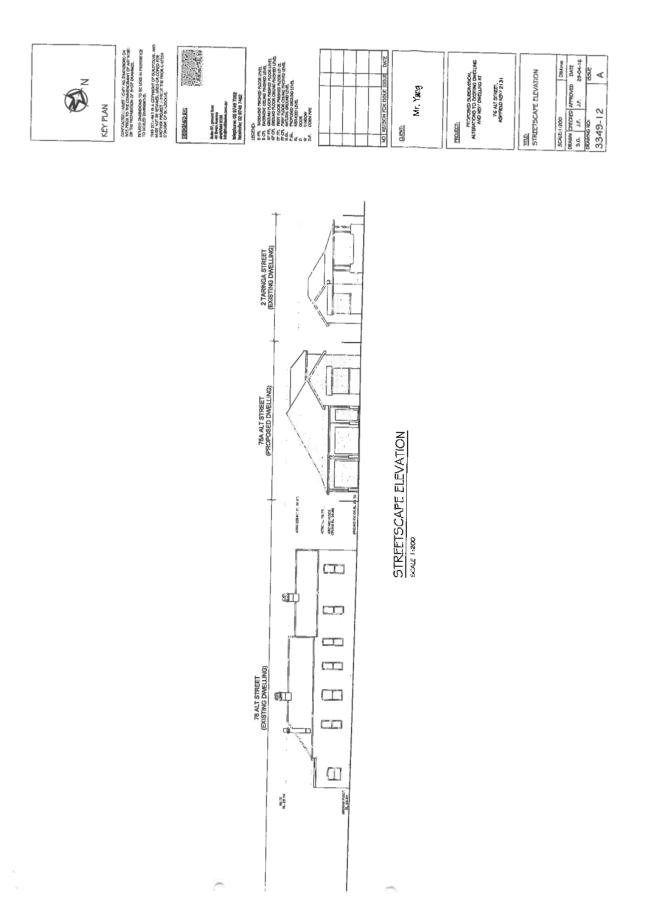
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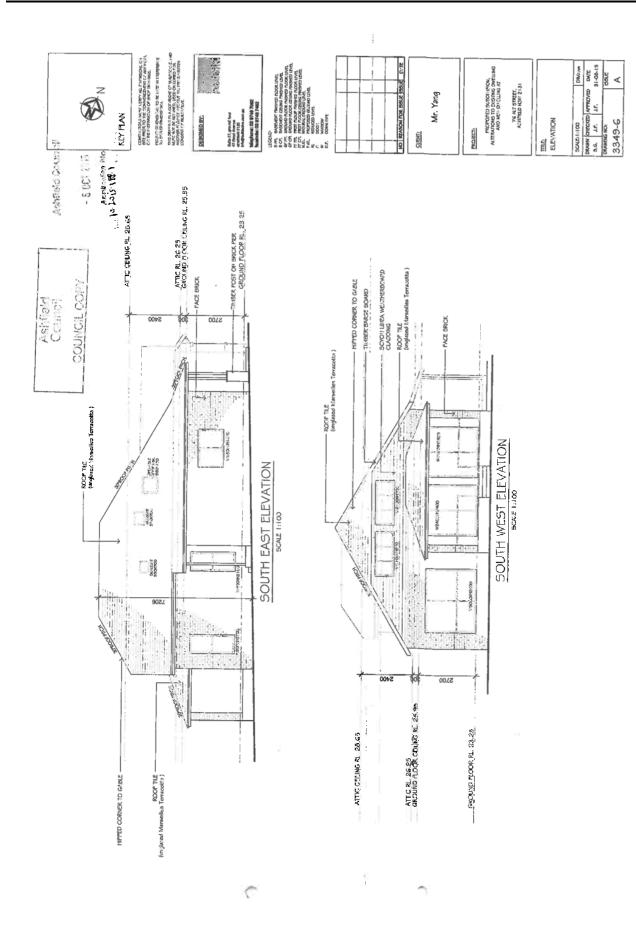
Attachment 1





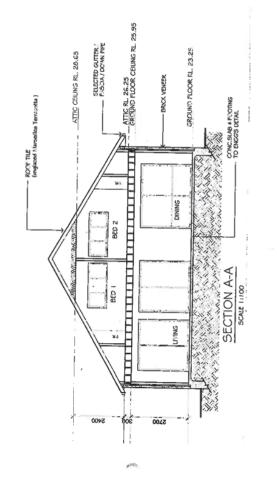
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Extraordinary Council Meeting 5 July 2016

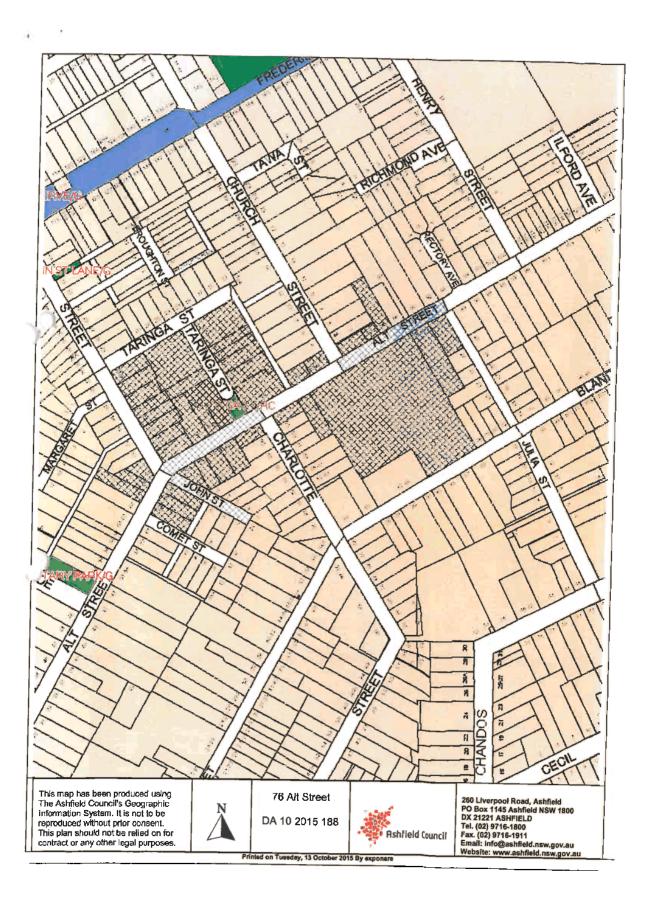
Item 8

Attachment 1

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Item 8







DEVELOPMENT SERVICES HERITAGE ADVISOR'S REFERRAL COMMENTS

ADDRESS:	76 Alt Street ASHFIELD	File No:	
ADVISOR	Robert Moore 10.2015.188.1		
DATE	2 November 2015	10.2015.188.1	
STATUS	Heritage Item		
DESCRIPTION	Alterations and additions		
PREVIOUS COMMENTS	Yes - several		
	HIS/CMP recommended for archiving in	library	
Flanning comments	nts relate to heritage issues only. They do not inc will, however, be provided separately in relation to opment Applications.	lands and the second	

The application has been reviewed in respect of heritage issues and has been assessed as follows:

Acceptable as lodged
Acceptable with the following Conditions of Consent Applied:
 The front verandah plate is too high and shall be brought down to approximately match the height of the garage doors; this could involve changing the roof shape, by eliminating the break in patch at the wal line, instead using a consistent pitch for the whole roof.
 The three paired windows in the north-west elevation are to be changed in width so as to sit evenly under the gas beam; these windows - the ensuite bathroom, the laundry and the kitchen, are to be consistent in
dimension (600 x 1200high) and spaced to sit symmetrically under the
Acceptable with the following amendments to the application: Application to be returned to Heritage Advisor for review after amendments
Acceptable with the following amendments to the application: Acceptable with the following amendments to the application: Application to be returned to Heritage Advisor for review after amendments Planner may assess amendments
 dimension (600 x 1200high) and spaced to sit symmetrically under the gable; the end window to the dining area can be 600mm x 1500mm high. Acceptable with the following amendments to the application: Application to be returned to Heritage Advisor for review after amendments Planner may assess amendments Additional information is required as follows:
Acceptable with the following amendments to the application: Acceptable with the following amendments to the application: Application to be returned to Heritage Advisor for review after amendments Planner may assess amendments

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Robert Moore

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ASHFIELD NSW 2131

12 May 2016

Ashfield Counc. 1.2 MAY 2016

Ashfield Councillors and Planning Department Ashfield Council Sent via e-mail

Dear Councillors and Council Planning Managers

Development Application: 10.2015.188.1 76 Alt Street, Ashfield

In preparation for the Council meeting on 24 May, I am writing on behalf of my and I, to submit our consolidated objections to the Development Application of 76 Alt Street; most importantly the subdivision of this site and the construction of a new two storey dwelling.

Department of Ashfield Council on and the requested a consolidated submission reiterating our concerns be sent to them on 12 May to assist with the preparation of their next report.

Below I have detailed the reasons for our objections and the valid points raised by Councillors at the Council meeting on 8 March 2016, as to why the subdivision and construction of a double storey dwelling at 76 Alt Street <u>should not proceed</u>:

1. Subdivision

We agree with the points raised by Councillors regarding the downside of sub-division, and we strongly object to the sub-division of 76 Alt Street as this could result in not only dual occupancy but multi occupancy. If council permits the subdivision of this property, we believe it will open the floodgates to many other ratepayers who are looking to make a quick windfall to their finances at the sacrifice of the high standards of residency in this particular area of Ashfield.

Councillors would be aware of other instances where subdivision has been approved and this decision has caused various issues and angst down the track.

If Council allows the land to be sub-divided and the construction of a double storey house to proceed, the streetscape will be impacted in a negative way. It is evident that the proposed development does not respect local context and street pattern. The scale and proportion of the proposed two storey dwelling would be entirely out of character for this area and therefore a detriment to our local environment. Council will be doing an injustice to the Community of Taringa Street and surrounding streets if they approve this application.

2. Impact on Heritage Conservation Area

It was noted in the Report submitted by the Development Assessment Officer on 8 March, that the proposed development was looked at by Council's heritage adviser but a heritage impact assessment report was not completed as per protocol and in line with other applications in the locality in the past; despite 76 Alt Street being located in the vicinity of a heritage conservation area. The subject property is surrounded by Heritage dwellings and other buildings of historical value to the area - 78 Alt St, 94 Alt St, 96-98 Alt St, 1, 4, and 17 Taringa St, 11A and 15 John St to name a few. We deserve to be given the same consideration, courtesy and transparency as other properties have been given in the past.

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It is fairly obvious that the proposed dwelling will be at odds with all of its surroundings and spoil the character and the heritage of the properties in the immediate vicinity and the surrounding areas. **The Ashfield Interim Development Assessment Policy (DCP) Part C15 Clause 2.2** states that "A proposal must demonstrate that it provides an appropriately sympathetic building scale". The proposed development certainly does not do this nor does it "take architectural cues in terms of size, bulk, length, breadth, height and volume of a building or an element, in relation to neighbouring buildings" as is also specified in the DCP.

As can be seen from the submitted plans, the applicant designed the new property in such a way so that the majority of the second storey is facing our property rather than his. Upon examining the plan, the second level of the proposed dwelling is somewhat smaller than the bottom level. It further appears that the smaller section of the top level is strategically placed to give the applicant much greater clearance between his house and the proposed new dwelling, disadvantaging us. The way the plans are drawn up at the moment we will be staring at a brick wall when the Applicant can still take advantage of the open space. Not only is the greater clearance on his side but the proposed building will be facing his rear yard and not affecting him in any way.

If the subdivision is approved we respectfully submit the plans should be reversed so that the proposed new dwelling is located closer to the applicant's current house and facing his house rather than ours. In the absence of a heritage impact assessment report and no specific reasons detailed for this positioning in the Report submitted by the Development Assessment Officer, this should not be an issue to change.

3. Loss of privacy and overlooking

The proposed plans are of a construction of a two storey dwelling with windows directly looking into our premises which will

The residents of the proposed two storey dwelling

4. Overshadowing / loss of natural light

5. Parking Issues

We already have **issues with the lack of parking** in Taringa Street due to the large number of people that reside in 76 Alt Street. The Development Assessment Report states that the *"proposed development involves the construction of a double garage to the new two storey dwelling and a car parking space for the existing dwelling fronting Alt Street".* There are a large number of persons that currently live in 76 Alt Street and there are more than three cars that belong to that property at this time which are parked in the street. A further increase to the number of residents living in 76 Alt Street will only add to this problem and a double garage can certainly not house all their cars.

It is also not indicated how the proposed dwelling will be used or the number of people that will be residing there. I ask this question due to the large number of people who already reside at the existing dwelling and its converted attachments.

6. Acoustic Impacts

We are concerned that a subdivision and the construction of a double storey house on 76 Alt Street will impact There will be increased household noise, traffic noise via drive way use and more cars accessing one property. Furthermore.

7. General Concerns

We have serious concerns with regards to the applicant keeping to the submitted plans if these plans are approved. As stated in the Development Assessment Officer's report of 8 March 2016, "The Applicant enclosed the front veranda of his current dwelling and is being used as a store room. Council's previous records have been searched and not records of approval have been found for the enclosure of front veranda". Who is to say that other enclosures of 76 Alt Street have not been altered without Council approval or will not be altered in the future? We are also concerned that any proposed amendments to the plans to comply with council requests may be superficial and easily changed once final inspection has been approved.

8. Concerns regarding Development Assessment Officer's Original Report

Lastly, we would also like to highlight that the Report submitted by the Development Assessment Officer on 8 March was inadequate and incorrect on many counts or at least flawed. On page

Once again, we respectfully submit that Council should consider all these issues before supporting any plans for a subdivision and construction of an additional house on 76 Alt Street.

We do not have any issues with neighbours extending or renovating their home within reason, however it is evident from the application that these proposed works will adversely affect our home, our lifestyle, the surrounding community and hence we strongly object.

If you require any further information please do not hesitate to contact me on or e-mail otmail.com.

Yours sincerely

Page 3



CONDITIONS

DA 2015.188.1 76 Alt Street ASHFIELD 2131

Description of work as it is to appear on the determination:

- 1. Torrens title subdivision of the existing lot into two lots, 500m² for the lot fronting Taringa Street and 669.8m² for the lot fronting Alt Street;
- Demolition of rear portion of the existing dwelling and a detached structure; and
 Construction of a new dwelling on the proposed new lot.

A <u>General Conditions</u>

(1) Approved plans stamped by Council

The development must be carried out only in accordance with the plans prepared by Buildsolve listed below

- Drawing No 3349 1 Issue B Site Plan/Site Analysis Plan date Stamped By Council 28 November 2015;
- Drawing No 3349 2 Issue C Subdivision Plan date Stamped By Council 23 June 2016
- Drawing No 3349 4 Issue B Floor Plans (76A) date Stamped By Council 02 May 2016;
- Drawing No 3349 5 Issue C Elevation date Stamped By Council 02 May 2016;
- Drawing No 3349 6 Issue A Elevation date Stamped By Council 06 October 2015; and
- Drawing No 3349 7 Issue A Section date Stamped By Council 6 October 2015;

and specifications and any supporting documentation received with the application, except as amended by the conditions specified hereunder.

(2) Compliance with BCA

All works are to comply with the relevant Building Codes of Australia and/or Australian Standard requirements.

(3) Encroachments

This approval is not to be construed as approving any encroachment on any adjoining private or public property including Council's own land. All works, including but not limited to, foundations, eaves and gutters, are to be carried out entirely within the subject site.

(4) Landscaped area

Landscaped area, as approved by this consent, is to be constructed in accordance with the approved plans prior to release of any occupation certificate and be maintained at all times.

(5) Power poles

No power poles are to be installed on site without prior written approval from Council.

(7) Payment of any Additional Fees

If the estimated cost of works for the construction certificate application exceeds the estimate supplied with the development application, an additional fee, any contributions and bonds



based on the revised estimate must be paid to Council prior to release of the Construction Certificate.

(8) Development application required

A development application is to be submitted to formalise the unauthorised building works that has been carried out to the existing dwelling fronting Alt Street. The application is to be submitted to Council within six months of the date of this development consent.

B Design Changes

(1) Privacy

In order to preserve the privacy of adjoining properties, the window panels of the upper floor window (W15) facing 2 Taringa Street shall have fixed obscure glass to a minimum height of 1.6 metres above finished floor level.

Two privacy screens shall be erected adjacent to the northern sides of the rear facing upper level windows (W13 & W14). The privacy screens shall be perpendicular to and project 500mm from the rear wall.

The first floor bedroom window fronting Taringa Street is to be deleted.

Details of the above modifications are to be submitted with the application for a Construction Certificate.

C <u>Conditions that must be satisfied prior to issuing/releasing a Construction</u> <u>Certificate</u>

(1) Damage deposit/footpath, road, kerb and gutter

A Damage Deposit of **\$7,400** is to be submitted prior to the release of the <u>Construction</u> <u>Certificate</u> covering repair and/or replacement of adjoining footpath, road shoulder, road pavement, kerbing and guttering both outside the subject site and the surrounding area. This is to be paid to Council and may be refunded subject to satisfactory completion of construction or demolition.

This Damage Deposit covers <u>unforeseen damage</u> to the above property by construction vehicles, skip bins, construction methods etc. Note: Should repair works or maintenance be required on Council land, a Road Opening Permit must be obtained before those works take place.

Bank Guarantees are accepted in lieu of any Council security deposit/bond subject to the following:

It must be an **original with no end date** and issued in favour of Council, details of the proponent's address shall be included.

- A charge equal to the value multiplied by the current "overdue rates interest charge" be levied, per month or part thereof, with a minimum charge of three months is to be paid upon lodgement.
- Any remaining charge is to be calculated at the prevailing "overdue rates interest rate" for each month or part thereof beyond the original three months that the Bank Guarantee was held, and paid prior to its release.
- Any costs incurred in the acceptance, administration or release of such Bank Guarantees be on-charged to the entity claiming the release of such Bank Guarantee, and that these amounts be paid prior to its release.

INNER WEST COUNCIL

At the time of lodgement, Council will seek verification of the Bank Guarantee. Please provide contact details for the branch (phone number and officer) to assist with verification of the bona fides of the Bank Guarantee.

Until all items above are completed, no documents or usage sought from Council by the party lodging the Bank Guarantee can be issued. Please allow a minimum of 2 business days for this process.

The return of the Damage Deposit shall not be refunded until all conditions of Consent have been completed and the Occupation Certificate has been released.

(2) Footpath/laneway – photographs to be submitted

Prior to the release of the Construction Certificate, the applicant shall lodge with Council photographs of the roadway and footpath at the property indicating the state of the relevant pavements. At the completion of construction, again at the expense of the applicant, a new set of photographs is to be taken to determine the extent, if any, of any damage, which has occurred to the relevant pavements. If any damage has occurred, the applicant shall meet the full cost to repair or reconstruct these damaged areas to Council's relevant standard. Failure to do this will result in the applicant being held accountable for the cost of all repair works in the area near / at the site.

(3) Services adjustment or relocation

The applicant shall meet the full cost for Telstra, Sydney Electricity, Sydney Water or Natural Gas Company to adjust/relocate their services as required. The applicant shall make the necessary arrangements with the service authority. (For information on the location of these services contact the "Dial before you Dig" service on 1100.)

Documentary evidence from the public utility authorities confirming that all of their requirements have been satisfied shall be submitted to Council with the Construction Certificate under Section 68 of the Local Government Act, 1993, for construction of the development.

(4) Stormwater Drainage Plan

Amended plans and specifications incorporating the following amendments are to be submitted to and approved by Council's engineering department prior to the release of any construction certificate:

- (a) Stormwater runoff from all roof and paved surfaces for each lot shall be collected and discharged by means of a gravity pipe system to the street gutter at a maximum site discharge of 15 L/sec for the 1:100 ARI.
- (b) Stormwater drainage is to be carried out in accordance with Ashfield's "Stormwater Management Code.
- (c) For each proposed lot a Stormwater Drainage Concept Plan demonstrating the proposed stormwater drainage system which shall be disposed of by approved drainage lines discharging into the Council's street gutter and complies with Council's "Stormwater Management Code".

(5) Stormwater disposal – calculations and details

(a) Calculations and details of the proposed method of stormwater disposal shall be prepared by a suitably qualified professional civil engineer in accordance with Council's Stormwater Management Code and submitted to, and approved by, Council or Private Certifier prior to the release of the Construction Certificate.



The <u>Construction Certificate plan</u> to be submitted to Council must consist of the following items:

Separate catchment areas within the site draining to each collection point or surface pit classified into the following categories:

- (i) Roof areas.
- (ii) Paved areas.
- (iii) Grassed areas.
- (iv) Garden areas. (v) The percentage
 - The percentages of Pre-development and Post-development impervious areas
- (b) At each pit and or bend, a level of pipe is to be shown (the minimum grade for pipes is 1 %.).
- (c) Calculations and details are to be provided to Council showing that provisions have been made to ensure that the <u>piped drainage system including pits have been sized</u> to accept runoff from all storms up to the 100 year ARI, (including overflows from roof gutters).
- (d) All garbage and waste areas must drain to the sewer and not the stormwater system.

(6) Stormwater detention storage facility

- (a) On-site Stormwater Detention storage shall be provided in conjunction with the stormwater disposal. This storage shall be designed in accordance with Council's Stormwater Management Code. Details of the storage shall be submitted to and approved by Council or Private Certifier prior to the release of the <u>Construction</u> <u>Certificate.</u>
- (b) <u>Prior to the release of the Construction Certificate</u>, a maintenance schedule is to be prepared which clearly outlines the routine maintenance necessary to keep the OSD system working, this information is to be included in the Positive Covenant required for this development. Some of the issues that will need to be addressed are:
 - where the storage and silt arrestor pits are located
 - which parts of the system need to be accessed for cleaning and how access is obtained
 - description of any equipment needed (such as keys and lifting devices) and where they can be obtained
 - the location of screens and how they can be removed for cleaning
 - who should do the maintenance (i.e. commercial cleaning company)
 - how often should it be done

The abovementioned maintenance schedule is to be submitted to and approved by Ashfield Municipal Council prior to the release of the Occupation Certificate.

(7) Erosion & sedimentation control-management plan

Prior to issue of a construction certificate the applicant shall prepare an erosion and sedimentation control plan in accordance with Part 4 of the guidelines titled "*Pollution Control Manual for Urban Stormwater*", as recommended by the Environmental Protection Authority.

Any stormwater runoff collected from the site must be treated in accordance with the Guidelines, before discharge off the site to comply with the *Protection of the Environment Operations Act 1997* or other subsequent Acts.

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Where sedimentation control basins are provided discharge shall be to the requirements of the Environment Protection Authority.

Applicants are further advised to refer to the following publications for additional information:

(a) "Sedimentation and Erosion Control" - Department of Conservation and Land Management.

(b) "Soil and Water Management for Urban Development" - Department of Housing. The plan must be submitted with the application for a construction certificate.

(8) Home Building Act 1989 Insurance

Compliance with Part 6 of *Home Building Act 1989* is required. A copy of either the Builders Home Warranty Insurance OR a copy of the Owner-Builder Permit shall be submitted to Council.

(9) Long service levy

Compliance with Section 109F of the Environmental Planning and Assessment Act 1979 – payment of the long service levy under Section 34 of the Building and Construction Industry Long Service Payments Acts 1986 – is required. All building of \$25,000.00 and over are subject to the payment of a Long Service Levy fee. A copy of the receipt for the payment of the Long Service Levy shall be provided to the Principal Certifying Authority (PCA) prior to the issue of a Construction Certificate. Payments can be made at Long Service Payments Corporation offices or most Councils.

(10) Sydney Water - Section 73 Compliance Certificate

A Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained from Sydney Water Corporation.

Application must be made through an authorised Water Servicing Coordinator. Please refer to the "Your Business" section of the web site <u>www.sydneywater.com.au</u> then follow the "e-Developer" icon or telephone Sydney Water 13 20 92 for assistance.

Following application, a "Notice of Requirements" will advise of water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to the release of an occupation or subdivision certificate.

(11) Section 94 Contributions

In accordance with Section 80A(1) of the *Environmental Planning and Assessment Act* 1979 and the Ashfield Council Development Contributions Plan, the following monetary contributions shall be paid to Council Prior to issue of a Construction Certificate to cater for the increased demand for community infrastructure resulting from the development:

Development Application # :	10.2015.188	
Property Address:	76 Alt Street, Ashfield	
CPI Quarter:	March 2016	
Community Infrastructure Type		Contribution
Local Roads		\$665.65
Local Public Transport Facilities		\$964.44
Local Car Parking Facilities		\$0.00
Local Open Space and Recreation	Facilities	\$15,523.83
Local Community Facilities		\$817.40
Plan Preparation and Administration	1	\$770.59
	TOTAL	\$18,741.92

If the contributions are not paid within the financial quarter that this consent is granted, the contributions payable will be adjusted in accordance with the provisions of the Ashfield Development Contributions Plan and the amount payable will be calculated on the basis of the contribution rates applicable at the time of payment in the following manner:

$$C_{C} = \frac{C_{P} \times CPI_{C}}{CPI_{P}}$$

Where

\$ Cc is the amount of the contribution for the current financial quarter

 C_{P} is the amount of the original contribution as set out in this development consent

- CPI_c is the Consumer Price Index (Sydney All Groups) for the current financial quarter as published by the ABS.
- CPIP is the Consumer Price Index for the financial quarter at the time of the original consent.

Prior to payment of the above contributions, the applicant is advised to contact Council's Planning Division on 9716 1800. Payment may be made by cash, money order or bank cheque.

Council's Development Contributions Plan may be viewed at <u>www.ashfield.nsw.gov.au</u> or a copy may be inspected at Council's Administration Centre.

CA <u>Conditions that must be complied with prior to the release of Subdivision</u> <u>Certificate</u>

(1) Subdivision certificate to be obtained from Council

A subdivision certificate, being a certificate that authorises the registration of a plan of subdivision under Division 3 of Part 23 of the Conveyancing Act 1919 is to be obtained from

Council in accordance with Section 109C(1)D of the Environmental Planning and Assessment Act 1979. The subdivision certificate shall not be released until such time a final occupation certificate is issued for the proposed new dwelling house.

(2) Plan of subdivision - Council signature

A final plan of subdivision, prepared by a registered surveyor, and six (6) paper copies, are to be submitted to Council for signature, prior to registration at the Department of Lands (Land and Property Information).

(3) Subdivision Certificate issue requirements

A subdivision certificate will not be issued until:

- The Section 94 contributions and relevant fees and bonds are paid.
- A Compliance/Occupation Certificate is issued.
- The property has been developed in accordance with plans approved by Development Application No10 2015.188 and documentary evidence of compliance (or a compliance certificate) with conditions of consent has been submitted to Council.

D Conditions that must be complied with before work commences

(1) Public Liability Insurance – Works on Council/public lands

The applicant or any contractors carrying out works on public or Council controlled lands shall have public liability insurance cover to the value of \$10 million and shall provide proof of such cover prior to carrying out the works.

(2) Site Controls

Sediment and erosion controls must be in place before work is commenced on the site. Material from the site is not to be tracked onto the road by vehicles entering or leaving the site. At the end of each working day any dust/dirt or other sediment shall be swept off the road and contained on the site and not washed down any stormwater pit or gutter.

The sediment and erosion control measures are to be inspected daily and defects or system failures are to be repaired as soon as they are detected.

(3) Notice of Commencement – Notification of Works

Work must not commence until the Principal Certifying Authority or the person having the benefit of the development consent has given <u>Notification in Writing to Council</u> no later than two days before the building work commences.

(4) Requirement for a Construction Certificate

In accordance with the provisions of Section 81A of the Environmental Planning and Assessment Act 1979 the erection of a building and/or construction works must not commence until:

- detailed plans and specifications of the building have been endorsed with a Construction Certificate by:
 - (i) Council; or
 - (ii) an accredited certifier; and



- (b) a principal certifying authority (PCA) has been appointed and the Council has been notified in writing of the appointment, and
- (c) at least two days notice, in writing, has been given to Council of the intention to commence work.

The documentation required under this condition shall show that the proposal complies with all development consent conditions and the Building Code of Australia.

Note: If the principal certifying authority is the Council, the appointment will be subject to the payment of a fee for the service to cover the cost of undertaking building work and / or civil engineering inspections.

WARNING: Failure to obtain a Construction Certificate prior to the commencement of any building work is a serious breach of Section 81A(2) of the *Environmental Planning & Assessment Act 1979.* It is a criminal offence that attracts substantial penalties and may also result in action in the Land and Environment Court and orders for demolition.

(5) Inspections required by Principal Certifying Authority

Inspections shall be **carr**ied out at different stages of construction by Council or an accredited certifier. If Council is selected as the Principal Certifying Authority (PCA) the inspection fees must be paid for in advance which will be calculated at the rate applicable at the time of payment.

(6) Building location - check survey certificate

To ensure that the location of the building satisfies the provision of the approval, a check survey certificate shall be submitted to the Principal Certifying Authority either prior to the pouring of the ground floor slab or at dampcourse level, whichever is applicable or occurs first, indicating the:

- location of the building with respect to the boundaries of the site;
- level of the floor in relation to the levels on the site (all levels are to be shown relative to Australian Height Datum);
- (iii) site coverage of the buildings on the site.

(7) Sydney Water approval

The approved plans must be submitted to a Sydney Water Quick Check agent to determine whether the development will affect any Sydney Water wastwater and water mains, stormwater drains and/or easement, and if any requirements need to be met. Please refer to the web site <u>www.sydneywater.com.au</u> for:

- Quick Check agents details- see Building and Developing then Quick Check and
- Guidelines for Building Over/Adjacent to Sydney Water Assets- see Building and Developing then Building and renovating

or telephone 13 20 92

(8) Structural Engineering Details

Structural engineer's details prepared and certified by a practising structural engineer for all reinforced concrete and structural members is to be submitted to the Principal Certifying Authority for approval.

(9) Erosion, dust, topsoil and sediment control

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Temporary measures shall be provided during construction eg. bunding, shade cloth to prevent dust leaving the site, sandbags around Council/private stormwater pits etc. in order to prevent sediment, dust, topsoil and polluted waters discharging from the site. Plans showing such measures shall be submitted to Council or Private Certifier and approved prior to the release of the Construction Certificate.

E Conditions that must be complied with during construction or demolition

(1) Footpath, kerb and gutter protection

The applicant is to take all precautions to ensure footpaths and roads are kept in a safe condition and to prevent damage to Council's property.

Pedestrian access across this footpath must be maintained in good order at all times during work. Any damage caused will be made good by Council at Council's restoration rates, at the applicant's expense.

(2) Footpath, kerb and gutter reconstruction

The public footpath and grass verge outside the site in Taringa Street shall be completely reconstructed to the requirements of Council's Works & Infrastructure Department at the applicant's expense. This work shall be carried out prior to the release of the Occupation Certificate.

(3) Vehicle access driveways

A vehicular access driveway shall be constructed for each dwelling in accordance with Council's standard drawing and specifications. Driveways shall be located a minimum of 1.0m clear of any existing stormwater pits, lintels or poles and 2m clear of any trees within the road reserve. Driveways shall also be located a minimum of 0.5m clear of any utility service opening such as Telstra, Sydney Electricity, Sydney Water or Natural Gas Company.

This work shall be carried out prior to the release of the Occupation Certificate.

(4) Redundant vehicle crossings – removal and replacement

All redundant vehicular crossings shall be removed and replaced with concrete footpath, concrete kerb and concrete gutter at no cost to Council at the applicant's expense. This work shall be carried out prior to the release of the Occupation Certificate.

(5) Road opening permit – Council controlled lands

A "road use-opening permit" shall be obtained for all works carried out in public or Council controlled lands. Contact Council's Works and Infrastructure Department for details.

(6) Traffic control on public roads

Where works are undertaken on public roads, adequate traffic control in accordance with AS 1742.3 1996 "Traffic Control Devices for work on Roads", particularly regarding traffic movement controllers, **ad**vance warning signs and directions to motorists, shall be provided.



Where such measures are not satisfactorily provided to this Australian Standard, Council may provide such and recover the costs from any bonds held.

(7) Engineering staff to inspect roadworks/drainage

An inspection by Council's staff will be required for (kerb/gutter/crossing etc) at the following stages:

- After excavation.
- (ii) After the erection of formwork and the placement of reinforcement and prior to pouring of concrete.
- (iii) After placement of road base course.
- (iv) After pipes have been laid and prior to backfilling.
- (v) On completion of works.

A minimum of 24 hours notice is required to be given to Council to obtain an inspection. Work is not to proceed until the works or activity covered by the inspection is approved.

(8) Building materials and equipment - storage/placement on footpath/roadway -Council approval

All building materials shall be stored wholly within the property boundaries and shall not be placed on the footpath, grass verge or roadway without prior written approval of Council.

Bulk refuse bins shall not be placed on the grass verge, footpath or roadway without Council permission. Application forms and details of applicable fees are available from Council's One Stop Shop telephone 9716 1800.

(9) Stormwater runoff – collection/discharge

Stormwater runoff from all roof and paved surfaces for **ea**ch lot shall be collected and discharged by means of a gravity pipe system to the street gutter at a maximum site discharge of 15 L/sec for the 1:100 ARI.

Stormwater drainage is to be carried out in accordance with Ashfield's "Stormwater Management Code.

(10) Signs to be erected on building and demolition sites

- (1) A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
 - (a) stating that unauthorised entry to the work site is prohibited; and
 - (b) showing the name and address of the contractor for the building work and the person in charge of the work site and a telephone number at which the person may be contacted outside working hours; and
 - (c) showing the name, address and telephone number of the Principal Certifying Authority appointed for the building works.
- (2) Any-sign shall be maintained and not removed until work has been finished.

(11) Demolition/excavation/construction - hours of work

Demolition, excavation and construction work, including loading and unloading of materials and machinery, shall be restricted to between the hours of 7.00 am to 6.00 pm, Monday to Friday and from 7:00 am to 1.00 pm on Saturday. Work is prohibited on Sundays, and on public holidays.



(12) Termite treatment

Treatment for the protection of the building from subterranean termites shall be carried out in accordance with AS 3660.1:2000 'Protection of Buildings from Subterranean Termites'.

On completion of the installation of the barrier the Principal Certifying Authority shall be furnished with a certificate from the person responsible, stating that the barrier complies with AS 3660.1.

A durable notice shall be permanently fixed to the building in a prominent location, such as the meter box or the like indicating:

- the method of protection;
- the date of installation;
- where a chemical barrier is used, its life expectancy as listed on the National Registration Authority label; and
- the need to maintain and inspect the system on a regular basis.

Due to the present limited effective life of soil chemical treatments, Council does not permit hand spraying as a stand alone method of termite protection. It is recommended that any soil chemical treatment should embrace a reticulation system.

(13) Waterproofing materials/installation – BCA/Australian Standards

Approved products that are impervious to water shall only be used as a substrate or as a lining and as a finish to floors and walls of wet areas (i.e. bathroom/shower room, WC compartment and laundry). Floors and cubicles shall be properly graded and drained to approved outlets.

The wet areas in the building shall be impervious to water as required by Part 3.8.1 of the Building Code of Australia (BCA). The junction between the floor and wall and the construction of the bath shower recess, basin, sink or the like shall be in accordance with the BCA & AS 3740:2004 'Waterproofing of wet areas within residential buildings'.

On completion of the waterproofing of the wet areas, the Principal Certifying Authority shall be furnished with a certificate from the person responsible. This is to state that the materials are suitable for the situation and that the application and/or installation has been carried out in accordance with the manufacturer's instructions, the BCA and AS 3740.

(14) Safety Glazing - BCA

Safety glazing complying with B1 of the Building Code of Australia (BCA) is to be used in every glazed door or panel that is capable of being mistaken for a doorway or unimpeded path of travel. The glazing must comply with AS 1288:2006 'Glass in Buildings – Selection and Installation'.

Framed panels or doors enclosing or partially enclosing a shower or bath shall be glazed with "A" or "B" grade safety glazing material in accordance with AS 1288 and Part 3.6.4 of the BCA.

(15) Fire Detection/Alarm System installation and certification

Smoke alarms must be installed in dwellings in accordance with Clause 3.7.2.3 of the Building Code of Australia (BCA) and AS 3786 on or near the ceiling in -

(a) any storey containing bedrooms -



between each area containing bedrooms and the remainder of the dwelling, including any hallway associated with the bedrooms

(b) any storey not containing bedrooms.

Smoke alarms must be connected to the consumer mains power and have a stand-by power supply.

The licensed Electrical Contractor shall on completion of the installation of the smoke alarm system, submit to the Principal Certifying Authority a certificate certifying compliance with AS 3000 and AS 3786:1993.

(16) BASIX Requirements

The new works shall be constructed in accordance with, and comply with the undertakings given on a BASIX (Building Sustainability Index) Certificate obtained from the Department of Infrastructure, Planning and Natural Resources. For more information visit www.basix.nsw.gov.au.

"Under clause 97A(3) of the Environmental Planning & Assessment Regulation 2000, it is a condition of this development consent that all the commitments listed in each relevant BASIX Certificate for the development are fulfilled.

In this condition:

- (a) relevant BASIX Certificate means:
 - (i) a BASIX Certificate that was applicable to the development when this development consent was granted (or, if the development consent is modified under section 96 of the Act, a BASIX Certificate that is applicable to the development when this development consent is modified); or
 - (ii) if a replacement BASIX Certificate accompanies any subsequent application for a construction Certificate, the replacement BASIX Certificate; and
- (b) BASIX Certificate has the meaning given to that term in the Environmental Planning & Assessment Regulation 2000."

(17) Guttering Requirements - BCA

The roof shall be provided with a guttering system in accordance with the provisions of Part 3.5.2 "Gutters and Downpipes" of the BCA and AS/NZS3500.5 – 2000.

We advise that the Dept of Planning has advised in circular BS 08-001 that the use of highfront guttering has been associated with water penetration into the building and non compliance with the standard.

On completion of the works, a qualified plumber shall furnish the Principal Certifying Authority a certificate certifying that the guttering system complies with Part 3.5.2 of the BCA and AS/NZS3500.5 – 2000.

(18) Demolition requirements/standards

Demolition is to be carried out in accordance with the following:

- The property is to be secured to prohibit unauthorised entry.
- Any demolition on the site is to be conducted in strict accordance with, but not limited to, sections 1.5, 1.6, 1.7, 3.1 and 3.9 of the AS 2601 1991, demolition of structures,



and any requirements of the Workcover Authority. The following measures must be undertaken for hazardous dust control:

- All precautions are to be exercised in the handling, removal and disposal of all asbestos materials. Licensed contractors and the disposal of asbestos is to be carried out in accordance with the requirements of the Work Cover Authority.
- Hazardous dust must not be allowed to escape from the site or contaminate the immediate environment. The use of fine mesh dust proof screens, wet-lead safe work practices, or other measures is required.
- All contractors and employees directly involved in the removal of hazardous dusts and substances shall wear protective equipment conforming to AS 1716 Respiratory Protective Devices and shall adopt work practices in accordance with WorkSafe Requirements (in particular the WorkSafe standard for the *Control of Inorganic Lead At Work* (NOHSC: 1012, 1994) and AS 2641, 1998).
- Any existing accumulations of dust (eg; ceiling voids and wall cavities must be removed by the use of an industrial vacuum fitted with a high efficiency particulate air (HEPA) filter and disposed of appropriately.
- All dusty surfaces and dust created from work is to be suppressed by a fine water spray. Unclean water from the suppressant spray is not to be allowed to enter the street gutter and stormwater systems.
- Demolition is not to be performed during high winds that may cause dust to spread beyond the site boundaries without adequate containment.
- All lead contaminated material, if any, is to be disposed of in accordance with the NSW Environment Protection Authorities requirements.
- Construction and demolition waste, particularly timber, bricks and tiles, concrete and other materials need not be disposed of- they can be recycled and resold if segregated properly from any hazardous waste contamination.
- F Conditions that must be complied with prior to installation of services
- nil

G Conditions that must be complied with before the building is occupied

(1) Engineering conditions to be satisfied prior to issue of occupation certificate

Prior to the release of the Occupation Certificate when the on-site building works are completed there are three (3) conditions that must be satisfied.

They are:

(a). Work-As-Executed Plans

A "Work-as-Executed" plan prepared and signed by a registered surveyor is to be submitted to Council's Engineering Department at the completion of the works showing the location of the detention basin with finished surface levels, contours at 0.2 metre intervals and volume of storage available. Also the outlet pipe from the detention basin to its connection to Council's drainage system, is to be shown together with the following information:

- location
- pipe diameter



- gradient
 - pipe material i.e. PVC or EW etc
 - orifice size
 - trash screen at orifice
 - all buildings (including floor levels) and finished ground and pavement surface levels
- (b) Engineer's Certificate

A qualified practising Civil Engineer shall certify on the completion of drainage works in respect of:

- the soundness of the storage structure;
- the capacity of the detention storage;
 - the emergency overflow system being in place;
- the works being constructed in accordance with the Council approved plans; and
- * the freeboard from maximum water surface level to the finished floor and garage levels are at or above the minimum required in Council's Stormwater Code.
- *
- (c) Restriction-As-To-User

A "Restriction-as-to-User" is to be placed on the title of the subject property to indicate the location and dimensions of the detention area. This is to ensure that works, which could affect the function of the stormwater detention system, shall not be carried out without the prior consent in writing of the Council.

Such restrictions shall not be released, varied or modified without the consent of the Council.

(2) Positive Covenant – stormwater detention/surface flow paths - occupation certificate

A Positive Covenant under Section 88E of the Conveyancing Act shall be created on the title of the property detailing the

- (a) surface flow path
- (b) finished pavement and ground levels
- (c) prevent the erection of any structures or fencing
- (d) on-site stormwater detention system

The wording in the Instrument shall be submitted to and **a**pproved by Ashfield Municipal Council prior to lodgement at the Land Titles Office and prior to the release of the Occupation Certificate. The Instrument shall be registered prior to the completion of development.

(3) Approval to use/occupy building

The building or any part thereof must not be used or occupied until an Occupation Certificate has been obtained from the Principal Certifying Authority.

Note: If Council is chosen as the Principal Certifying Authority a fee is applicable prior to the release of the Construction Certificate.

H Conditions that are ongoing requirements of development consents

nil



I Advisory Notes

(1) Modifications to your consent - prior approval required

Works or activities other than those authorised by the approval including changes to building configuration or use will require the submission and approval of an application to modify the consent under Section 96 of the *Environmental Planning & Assessment Act 1979*. You are advised to contact Council immediately if you wish to alter your approved plans or if you cannot comply with other requirements of your consent to confirm whether a Section 96 modification is required.

Warning: There are substantial penalties prescribed under the *Environmental Planning and Assessment Act 1979* for breaches involving unauthorised works or activities.

(2) Occupational health and safety

All site works must comply with the occupational health and safety requirements of the NSW Work Cover Authority.

(3) Dial Before You Dig

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

If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on Phone Number 1800810443.

 if the development is likely to disturb or impact upon telecommunications infrastructure, written confirmation from the service provider that they have agreed to the proposed works must be submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate or any works commencing, whichever occurs first;

and

(2) The arrangements and costs associated with any adjustment to telecommunications infrastructure shall be borne in full by the applicant/developer.

(4) Boundary survey encroachment

You are advised that the consent given, to build in close proximity to the allotment boundary, is in no way to be construed as permission to build on or encroach over the allotment boundary. Your attention is directed to the provisions of the Dividing Fences Act 1991 that gives certain rights to adjoining owners, including use of the common boundary. In the absence of any structure standing well clear of the common boundary, you need to make yourself aware of your legal position, which may involve a survey to identify the allotment boundary.

(5) Structure



It should be noted that the structural design and the calculations have not been checked by Council; It is to be clearly understood by the applicant and any person concerned that the applicant and the engineer undertaking the design in the approved plans herewith/Construction Certificate Plans, are fully responsible for the structural adequacy of the structural design.

Subject	DEVELOPMENT APPLICATION: 10.2015.188.1 76 ALT STREET, ASHFIELD
File Ref	DA 10.2015.188.1
Prepared by	Daisy Younan - Development Assessment Officer
Reasons	Matter requires Council determination
Objective	For Council to determine the application

Overview of Report

1.0 Description of Proposal

Pursuant to Clause 78A(1) of the Environmental Planning and Assessment (EP&A) Act 1979 (as amended) this application seeks Council's consent for the following:

- 1. Torrens title subdivision of the existing lot into two lots;
- 2. Demolition of rear portion of the existing dwelling and a detached structure; and
- 3. Construction of a new dwelling on the proposed new lot.

Plans of proposed development are included in Attachment 1.

1.1 Background

During a site inspection carried out on 30/10/2015, it was noted that the front verandah has been enclosed and is being used as a store room. Council's previous records have been searched and no records of approval have been found for the enclosure of front verandah. A condition requiring a separate application to be submitted to formalise the unauthorised building works and use has been included in the recommendation of this report.

2.0 Summary Assessment and Recommendation

The proposed Torrens title subdivision of the existing $1169.8m^2$ lot into two lots (each of which is greater than $500m^2$ in area) complies with the lot area requirements of Clause 4.1(2) of Ashfield LEP 2013 (LEP). Given that the subject site is located on a corner, each lot resulting from the proposed subdivision will have a direct access from a main road.

The proposed development has been considered by Council's heritage adviser and no issues have been raised subject to conditions of consent.

The following compliance tables demonstrate the proposal performance against Council's landscaping controls of Ashfield Interim Development Assessment Policy 2013 (AIDAP) and floor space ratio, height and subdivision controls of Ashfield Local Environmental Plan



DEVELOPMENT APPLICATION: 10.2015.188.1 76 ALT STREET, ASHFIELD

2013 (LEP).

Table 1 - Dwelling fronting Alt Street (Proposed Lot 1A)

Lot size				
Control	Min Required		Proposed	Complies
Clause 4.1(3) of Ashfield LEP 2013	500m ²		Lot 1A: 659.1m ²	Yes*
	Landso	api	ng	
Control	Min Required		Proposed	Complies
Clause 2.1.7 of Section 2.0 of AIDAP	General Landscape Area	General Landscaped		d
	50% of total site ar of proposed lot (329.55m ²)	ea	52.88% (348.51m²)	Yes
	Deep Soil landscaped l area		Deep Soil landscape area	d
	(70% of minimum required landscaped area) 230.69m ²		86.08% (300m²)	Yes
	Floor Spa	ce R	Ratio	
Control	Max allowed		proposed	Complies
Clause 4.4(2) of Ashfield LEP 2013	0.5:1 (329.55m ²)	Approximately 0.41:1 (268.2m ²)		Yes
	Heig	ht		
Control	Max allowed		Proposed	Complies
Clause 4.3(2) of Ashfield LEP 2013	8.5m	No	changes proposed	No changes proposed

Table 2 - Dwelling fronting Taringa Street (Proposed Lot 1B)

	Lot size)		
Control	Min Required	Proposed	Complies	
Clause 4.1(3) of 500m ² Ashfield LEP 2013		Lot 1A: 500m ²	Yes*	
	Landscap	ing		
Control	Min Required	Proposed	Complies	
Clause 2.1.7 of	General Landscaped	General Landscaped		

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DEVELOPMENT APPLICATION: 10.2015.188.1 76 ALT STREET, ASHFIELD

Section 2.0 of AIDAP	Area 50% of total site area of proposed lot (250m ²)		Area	
			57.86% (289.28m²)	Yes
	Deep Soil landscaped area		Deep Soil landscaped area	
	(70% of minimum required landscape area) 175m ²		104% (260.4m²)	Yes
	Floor Spa	ce F	Ratio	
Control	Max allowed		proposed	Complies
Clause 4.4(2) of Ashfield LEP 2013	0.5:1 (250m²)	Approximately 0.41:1 (205.69m ²)		Yes
	Heig	ht		
Control	Max allowed		Proposed	Complies
Clause 4.3(2) of Ashfield LEP 2013	8.5m	A	pproximately 7.3m	Yes

* The sum of the proposed two lots does not equate to the total site area as provided by the submitted survey plan. Nonetheless, the proposed Torrens title subdivision of the subject site complies with the subdivision provisions of Ashfield LEP 2013.

The proposed private open space of the existing dwelling fronting alt Street will receive less than three hours of sunlight on 21 June between 9am and 3pm.

However, the non-compliance with the solar access requirements is considered minor and the proposed development is therefore recommended for approval.

Background

- 1

3.0 Application Details

Applicant	:	Mr L Yang
Owner	:	Mr L Yang
Value of work	:	\$430,000
Lot/DP	:	LOT: 1 DP: 126956
Date lodged	:	06/10/2015
Date of last amendment	:	N/A
Application Type	:	Local
Construction Certificate	:	No
Section 94A Levy	:	Yes

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DEVELOPMENT APPLICATION: 10.2015.188.1 76 ALT STREET, ASHFIELD

4.0 Site and Surrounding Development

The subject site is located on the northern side of Alt Street, bounded by Taringa Street to the east and John Street to the west. The site area is approximately 1169.8 square metres. An existing single storey dwelling house is located on the site. Surrounding development comprises residential establishments of various types. Refer to **Attachment 2** for a locality map.

5.0 Development History

Previous building and development applications submitted to Council for the subject site include:

Table 2

DATE	PROPOSAL	DECISION
15 November 2004	Removal of state and metal roof and replacement with colorbond metal roofing	Approved
	15 November	15 November Removal of slate and metal roof and

No conditions have been imposed on previous development consents/permits to restrict a development such as that proposed for the subject site.

Assessment

6.0 Zoning/Permissibility/Heritage

- The site is zoned R2 Low Density Residential under the provisions of Ashfield LEP 2013.
- The property is located within the Taringa Street Conservation Area.
- The property is not a heritage item.
- The property is located within the vicinity of a number of heritage items located at 78 Alt Street, 11A and 15 John Street, Ashfield.

The proposed works are permissible with Council consent.

7.0 Section 79C Assessment

The following is an assessment of the application with regard to the heads of consideration under the provisions of Section 79C of the EP&A Act.

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7.1 The provisions of any Environmental Planning Instrument

7.1.1 Local Environmental Plans

Ashfield Local Environmental Plan 2013

Clause 2.3(2) - Permissibility

Attachment 6

DEVELOPMENT APPLICATION: 10.2015.188.1 76 ALT STREET, ASHFIELD

Clause 2.3(2) requires the consent authority to have regard to zone objectives when determining a development application in respect of land within the zone.

Officer's comments

The proposed use is permissible with consent and achieves the objectives of the zone which aims to provide for the housing needs of the community within a low density residential environment.

Clause 5.10 - Heritage

Clause 5.10 (4) requires the consent authority, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This sub-clause applies regardless of whether a heritage management document is prepared under sub-clause (5) or a heritage conservation management plan is submitted under subclause (6).

Further, Clause 5.10(5)(b) & (c) allows the consent authority, before granting consent to any development on land within a heritage conservation area or in the vicinity of such land, to require a heritage management document that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage items concerned.

Officer's comments

The proposed development, as amended, has been reviewed by Council's heritage adviser and no issues were raised subject to conditions of consent.

Clause 4.3(2) Height

Clause 4.3(2) requires the height of a building on the subject site not to exceed the maximum building height of 8.5m.

Officer's comments

The proposed development with a building height of **a**pproximately 7.3m achieves compliance with the height controls of Clause 4.3(2).

Clause 4.4(2) - Floor Space Ratio (FSR)

Clause 4.4(2) requires the maximum floor space ratio for a building on the subject site not to exceed 0.5:1 for each of the proposed lots. This equate to $329.55m^2$ for proposed lot 1A and $250m^2$ for proposed lot 1B.

Officer's comments

The proposed development with a floor space ratio of approximately 0.41:1 (268.2m²)

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DEVELOPMENT APPLICATION: 10.2015.188.1 76 ALT STREET, ASHFIELD

for proposed lot 1A and approximately 0.41:1 (205.69m²) for proposed lot 1B achieves compliance with the FSR requirements of Clause 4.4(2) of Ashfield LEP 2013.

7.1.2 Regional Environmental Plans

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

It is considered that the carrying out of the proposed development is generally consistent with the objectives of the Plan and would not have any adverse effect on environmental heritage, the visual environment, the natural environment and open space and recreation facilities.

7.1.3 State Environmental Planning Policies

State Environmental Planning Policy No. 55 - Remediation of land

Remediation of the site is not required prior to the carrying out of the proposed development.

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

Clause No. 3(1)(a) of the SEPP (BASIX) 2004 requires an application for a development consent, complying development certificate or construction certificate in relation to certain kinds of residential development to be accompanied by a list of commitments by the applicant as to the manner in which the development will be carried out.

The proposed development is considered to be a "Basix affected development" as defined under Environmental Planning and Assessment regulation 2000. A Basix certificate in accordance with Clause No. 3(1)(a) of the SEPP (BASIX) 2004 has been submitted as part of this application. A condition will be incorporated into the development consent requiring the proposed building works to comply with the commitments undertaken within the Basix Certificate obtained from the Department of Planning in accordance with the requirements of Part 1 of schedule1 of the Environmental Planning and Assessment Regulation 2000.

7.2 The provisions of any Draft Environmental Planning Instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority.

Not applicable.

7.3 The provisions of Ashfield Interim Development Assessment Policy 2013.

The proposal has been considered against the provisions of the Ashfield Interim Development Assessment Policy 2013, the following comments are provided:

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Ashfield Council - Report to Ordinary Meeting held on Tuesday 08 March 2016

DEVELOPMENT APPLICATION: 10.2015.188.1 76 ALT STREET, ASHFIELD

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Table 3		
C10	Heritage Conservation	The proposed lot sizes, being consistent with the existing subdivision pattern in the area, do not diminish the heritage significance or the setting of the conservation area. No issues have been raised by Council's heritage adviser to the proposed subdivision. Further comments are provided below.
C11	Parking	The proposed development involves the construction of a double garage to the new two storey dwelling and a car parking space for the existing dwelling fronting Alt Street and as such achieves compliance with the numerical controls of car parking requirements of this part.
C12	Public Notification In The Planning Process And All Aspects Of Land Management	See Clause No. 7.7.
C15	Houses & Dual Occupancies	Refer to comments below.

Solar access to adjoining properties

Given the orientation of the subject site, the shadow cast by the proposed two storey dwelling on 21 June will fall towards the rear yard of the main dwelling fronting Alt Street in morning, midday and afternoon.

This rear yard will receive sunlight for less than three hours on 21 June between 9am and 3pm. However, the non-compliance is considered minor and as such the proposed development is supported.

Building bulk, height and landscaping

The proposal complies with the FSR and height controls, further comments are provided in table 1 of Clause no. 2.0 of this report.

Privacy

The proposed development does not result in any impact on the adjoining neighbours' privacy.

In general, it is considered that the proposed development achieves complies with the objectives of the controls of Part C15 of AIDAP 2013 and as such is supported.

7.4 <u>Any matters prescribed by the regulations that apply to the land to which the development application relates.</u>

DEVELOPMENT APPLICATION: 10.2015.188.1 76 ALT STREET, ASHFIELD

Fire safety matters have been considered in the assessment of this application, the proposal is recommended for approval incorporating relevant conditions of consent.

7.5 <u>The likely impacts of that development, including environmental impacts on both the</u> natural and built environments, and social and economic impacts on the locality.

The proposed development will impact on solar access to the main dwelling's remnant rear yard area, however, this is considered of minimal impact and the proposal is therefore supported.

7.6 The suitability of the site for the development

These matters have been considered as part of the assessment of the development application. There are no natural hazards or other site constraints that are likely to have a significant adverse impact upon the proposed development. The proposed development is considered suitable in the context of the locality.

7.7 Any submissions made in accordance with this Act or the regulations

The proposal was notified to all adjoining and nearby affected property owners and occupants and Councillors from 13 October until 06 November 2015.

7.7.1 Summary of submissions

Two submissions (included in **Attachment 3**) were received during the notification of the development application as provided below:

Submissions	Date Received
Roxanne Macara 1/80 Alt St, Ashfield NSW 2131	26/10/15
Anna Panagakos 2 Taringa Street, Ashfield NSW 2131	27/10/15
Anna Panagakos & Chrissa Panagakos 2 Taringa Street, Ashfield NSW 2131	13/01/16

The matters raised in these submissions are detailed below in italics, followed by a response from the assessing officer:

Submission by Roxanne Macara

The submission did not include any objections to the proposed development but rather an advice which reads as follows:

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I strongly believe that any development on this site should take into account the numerous buildings of significant historical value surrounding this property - both in terms of preservation and general aesthetics.

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Ashfield Council - Report to Ordinary Meeting held on Tuesday 08 March 2016

DEVELOPMENT APPLICATION: 10.2015.188.1 76 ALT STREET, ASHFIELD

Officer's comments

The proposed development has been reviewed by Council's heritage adviser and no issues were raised to the proposed development subject to conditions of consent.

Submission by Anna Panagakos and & Chrissa Panagakos

The submission raises objections to privacy, solar access and parking impacts.

Officer's comments

The proposed development is located to the south of the objector's property and will therefore not cast any shadows on it.

The proposal has one upper floor bedroom window which faces the objector's property. This window overlooks the side roof area of the objector's dwelling and given its low use as a bedroom it is not considered to result in any significant privacy impacts.

It provides a double garage capable of accommodating two vehicles and hence complies with the car parking requirements of Part C15 of AIDAP.

7.8 The public interest

Matters of the public interest have been taken into consideration in the assessment of the application. The minor non-compliance with the solar access requirements does not make the proposed development contrary to the public interest and does not warrant refusal of the application.

8.0 Referrals

8.1 Internal

Heritage Adviser

Council's heritage adviser raises no objection to the proposed development subject to conditions of consent. Comments are included in **Attachment 4**.

Building

The application has been referred to Council's building surveyor. Recommended conditions have been provided and included in the recommendation.

Engineering

The application has been referred to Council's hydraulic engineer. Conditions of consent have been included in the recommendation.

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DEVELOPMENT APPLICATION: 10.2015.188.1 76 ALT STREET, ASHFIELD

9.0 Building Code of Australia (BCA)

A Construction Certificate will be required to be applied for as a condition of consent.

Financial Implications

The proposed development will attract contribution levies of \$18,472.72 under S94 of the Environmental Planning and Assessment Act 1979 if approved. A relevant condition has been included in the recommendation.

Other Staff Comments

See Section 8.1 of this report.

Public Consultation

See Section 7.7 of this report.

Conclusion

The application has been assessed in accordance with the provisions of the EP&A Act 1979 with all matters specified under Section 79C (1) Clauses (a) to (e) having been taken into consideration.

The proposal is acceptable and therefore recommended for conditional approval.

ATTACHMENTS

Attachment 1	Plans of Proposal	12 Pages
Attachment 2	Locality Map	1 Page
Attachment 3	Submissions	3 Pages
Attachment 4	Heritage Advice	1 Page
Attachment 5	Conditions	15 Pages

RECOMMENDATION

That Council as the consent authority pursuant to Clause 80(1)(a) of the Environmental Planning and Assessment Act 1979 (as amended) approved Development Application No. 10.2015.188 for the following:

- 1. Torrens title subdivision of the existing lot into two lots;
- 2. Demolition of rear portion of the existing dwelling and a detached structure; and
- 3. Construction of a new dwelling on the proposed new lot.

on Lot 1 in DP: 126956, known as 76 Alt Street, ASHFIELD, subject to conditions.



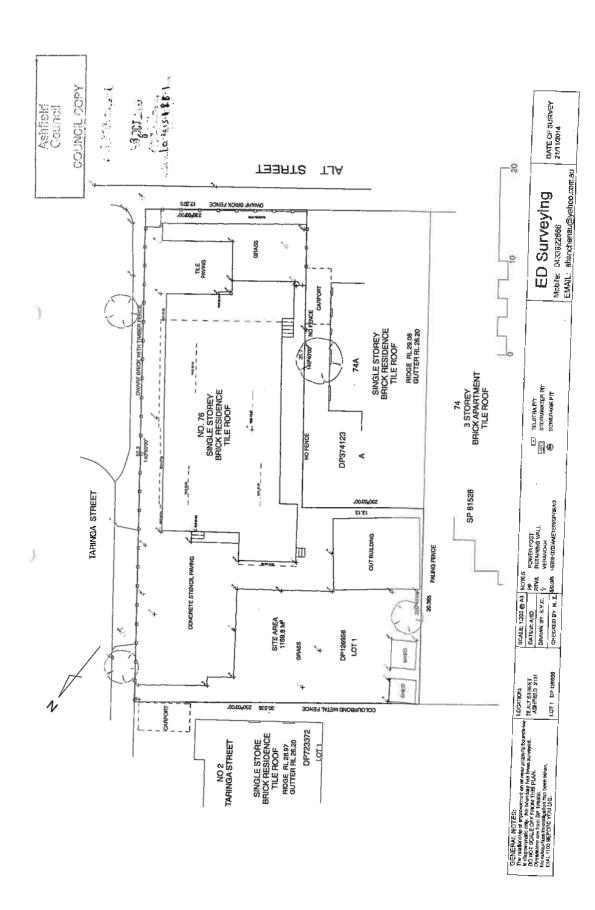
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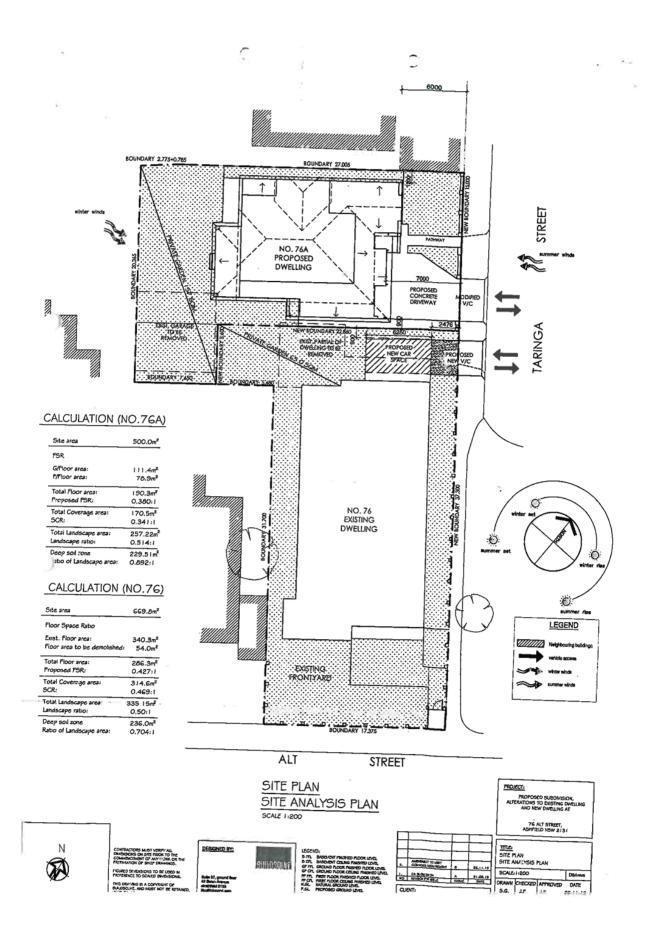
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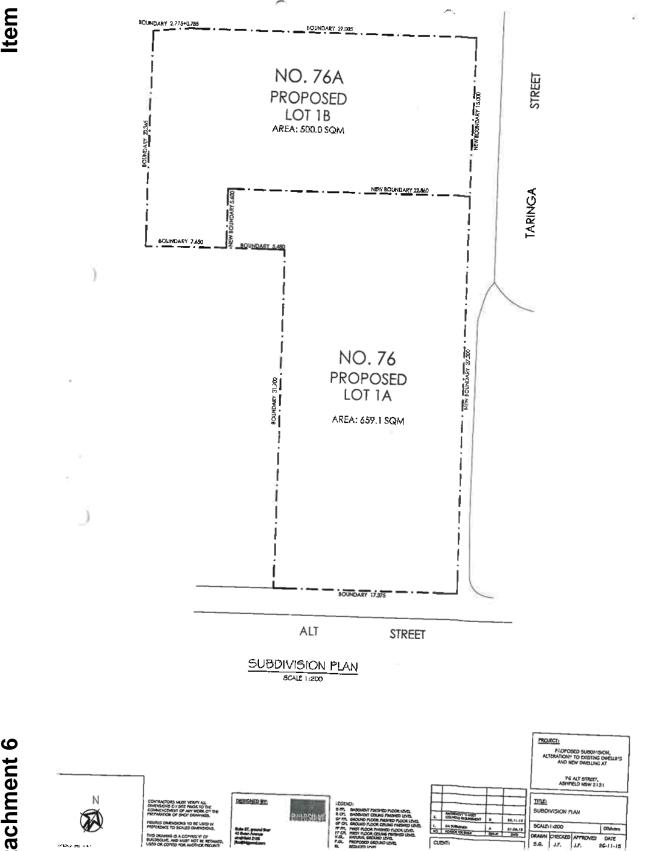


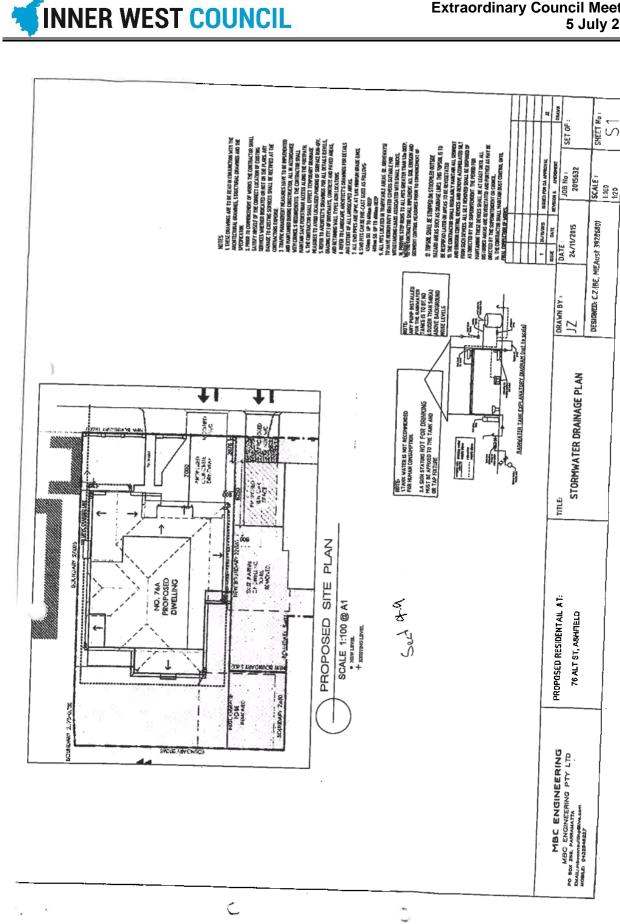






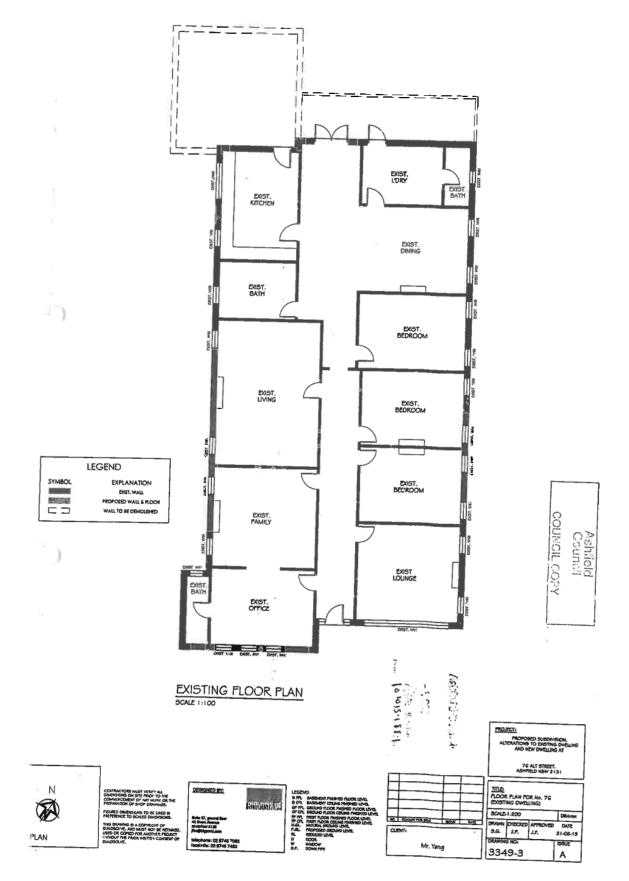




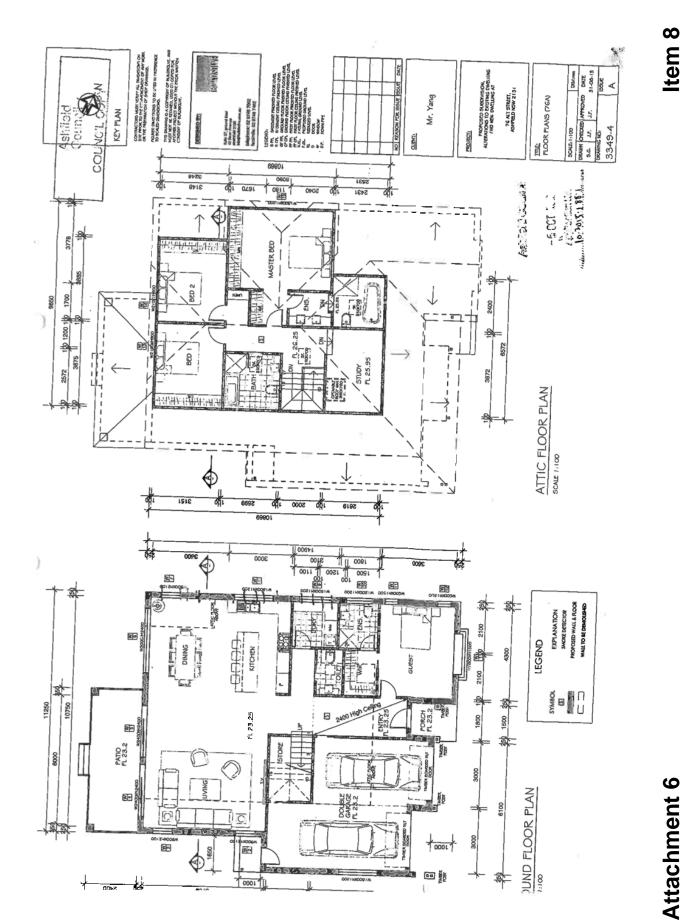


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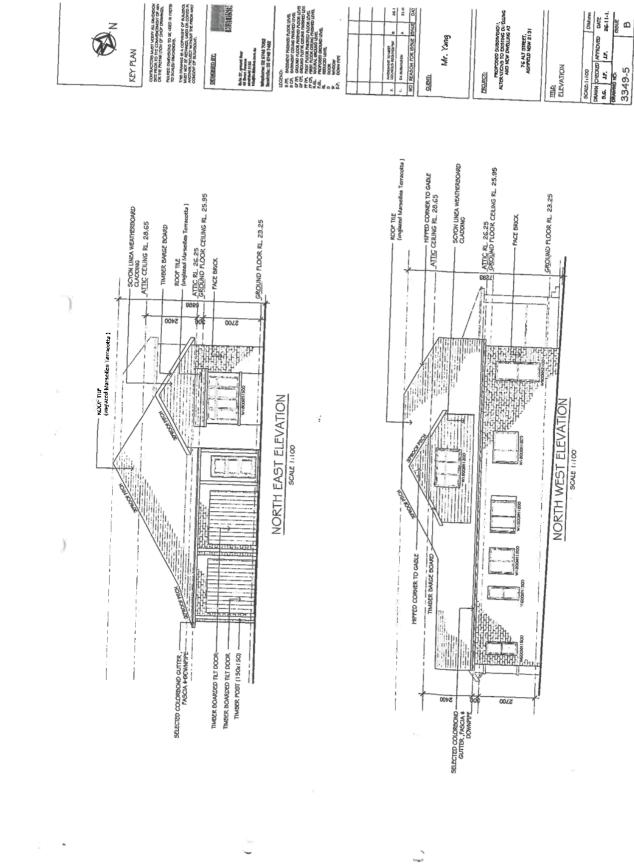




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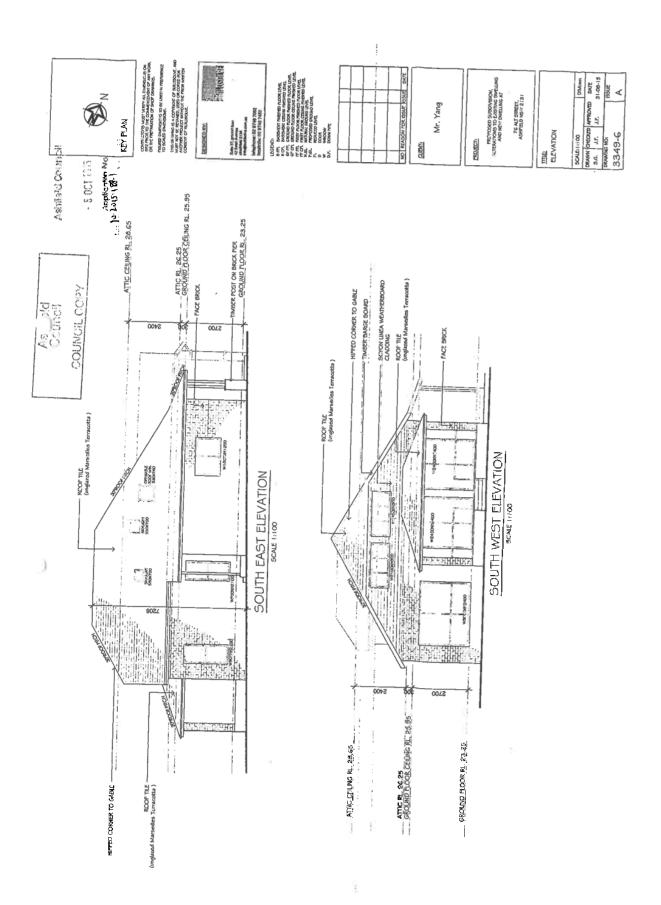


Extraordinary Council Meeting 5 July 2016



Attachment 6

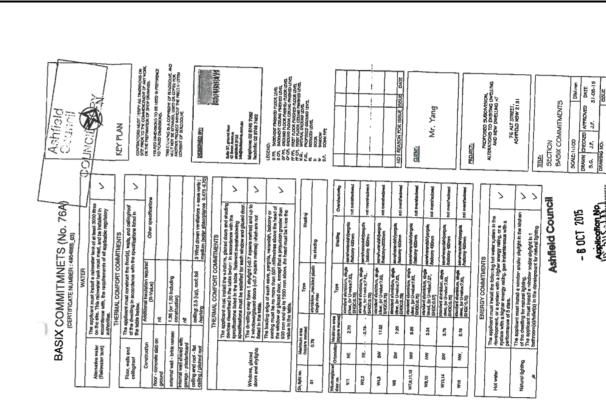




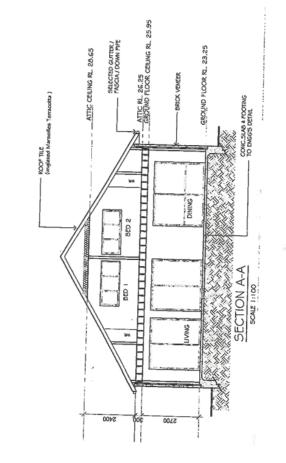
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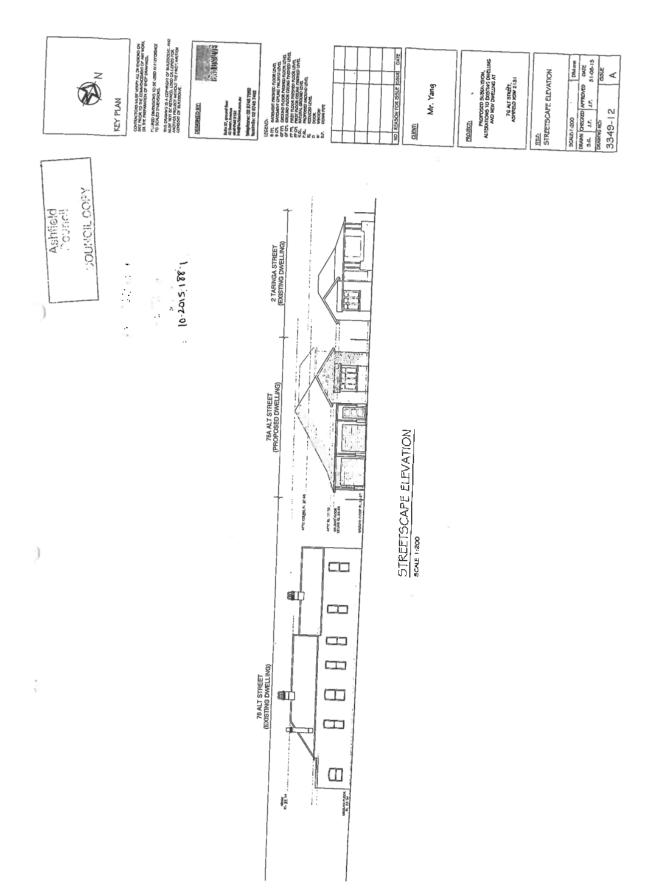
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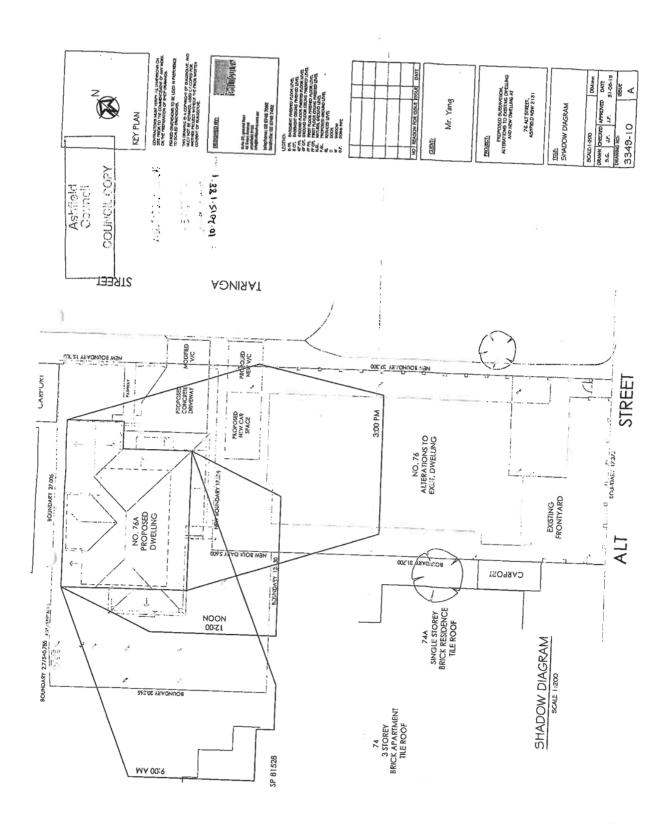
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10 whom i	t may concern	Dyr	00	DATE	27	101	S	10

I am writing regarding the proposed partial demolition of the house at 76 Alt St and the construction of a new dwelling on the proposed new lot.

I strongly believe that any development on this site should take into account the numerous buildings of significant historical value surrounding this property - both in terms of preservation and general aesthetics.

Kind regards

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Roxanne Macara 1/80 Alt St, Ashfield

27/10/2015

Attachment 6



				15152985
	Anna Panagakos 2 Taringa Street Ashfield NSW 21	31	and the second	A
	27 October 2015		THEFT	IN S MA
	General Manager Ashfield Council PO Box 1145 ASHFIELD NSW 1	800	An other second second second second	ASSEMPLLI COUNCIL RECORDS SECTION SCANNED
3	Dear Sir/Madam			DATE 28, 10, 15
)	Notification of Deve Development Site:	Plopment Application 76 Alt Street, Ashfield Lot: 1 DP: 12 (Cnr Tarings Street)	6956	
	Application No:	(Cnr Taringa Street) 10.2015.188		
	I am writing to advise	You that my mother Chrisse Deven		

I am writing to advise you that my mother, Chrissa Panagakos, and I are residents of 2 Taringa Street, Ashfield and we object to the abovementioned Development Application for the reasons listed below:

- The eastern side of our house faces the rear of 76 Alt Street, Ashfield which will be the western side of the proposed dwelling. We note that the proposed plans are for a two storey dwelling with windows directly looking into our premises and this will <u>affect our privacy</u>. The residents of the proposed dwelling will be looking directly into our kitchen window and lounge room window from their windows, as well as into our backyard. This is not acceptable.
- The new dwelling will <u>limit the natural sunlight</u> coming through our windows which is already
 partially affected by the trees planted there by the owner of 76 Alt Street. My 82 year old
 mother is at home all day and relies on the sunlight coming through for her wellbeing.
- We already have <u>issues with the lack of parking</u> in Taringa Street due to the large number of residents in 76 Alt Street as well as the rest of Taringa Street. Hence a further increase to the residents living in 76 Alt Street will only add to this problem.

We respectfully submit that Council should be aware of all these issues listed and urge you to seriously consider them before approving any plans for an additional dwelling.

If you require any further information please do not hesitate to contact me on 0408 257 467 or email annaggpana@hotmail.com.

Yours sincerely

anagabos

Anna Panagakos & Chrissa Panagakos



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Page 1 of 1

For the attention of Julie Passas Objection to Lot: 1 DP: 126956 ANNA PANAGAKOS	Development Site: 76 Alt Street, Ashfield
to:	ASHFIELD COUNCIL
info@ashfield.nsw.gov.au 11/01/2016 11:32 AM Hide Details From: ANNA PANAGAKOS <annaggpana@hotma To: "info@ashfield.nsw.gov.au" <info@ashfield. Dear Ms Passas</info@ashfield. </annaggpana@hotma 	RECORDS SECTION SCANNED
Notification of Development Application Development Site: 76 Alt Street, Ashfield Lot: 1 DP: 12	6956

Application No:

I am writing on behalf of my mother Chrissa Panagakos and I, to kindly seek your support regarding our objection of the above mentioned Development Application.

(Cnr Taringa Street)

We are residents of 2 Taringa Street, Ashfield and we object to the above mentioned Development Application for the reasons listed below:

The eastern side of our house faces the rear of 76 Alt Street, Ashfield which will be the western side of the proposed dwelling. We note that the proposed plans are for a two storey dwelling with windows directly looking into our premises and this will <u>affect our privacy</u>. The residents of the proposed dwelling will be looking directly into our kitchen window and lounge room window from their windows, as well as into our backyard. This is not acceptable and will <u>devalue</u> our home.

The new dwelling will <u>limit the natural sunlight</u> coming through our windows which is already partially affected by the trees planted there by the owner of 76 Alt Street. My 82 year old mother is at home all day and relies on the sunlight coming through for her well being.

We already have <u>issues with the lack of parking</u> in Taringa Street due to the large number of residents in 76 Alt Street as well as the rest of Taringa Street. Hence a further increase to the residents living in 76 Alt Street will only add to this problem.

We respectfully submit that Council should be aware of all these issues listed and urge you to seriously consider them before supporting any plans for an additional dwelling.

If you require any further information please do not hesitate to contact me on 0408 257 467 or email annaggpana@hotmail.com.

Yours sincerely Anna Panagakos & Chrissa Panagakos

Attachment 6

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DEVELOPMENT SERVICES HERITAGE ADVISOR'S REFERRAL COMMENTS

ADDRESS:	76 Alt Street ASHFIELD	File No:
ADVISOR	Robert Moore	10.2015.188.1
DATE	2 November 2015	10.2015.188.1
STATUS	Heritage Item	
DESCRIPTION	Alterations and additions	
PREVIOUS COMMENTS	Yes - several	
	HIS/CMP recommended for archiving in	library
Note: These comme Planning comments or Provisional Develo	nts relate to heritage issues only. They do not incl will, however, be provided separately in relation to	

The application has been reviewed in respect of heritage issues and has been assessed as follows:

	Acco	ptable as lodged
나님	ALCE	prable as rodged
	Acce	ptable with the following Conditions of Consent Applied: The front verandah plate is too high and shall be brought down to
		approximately match the height of the garage doors; this could involve changing the roof shape, by eliminating the break in patch at the wall line, instead using a consistent pitch for the whole roof.
	2.	The three paired windows in the north-west elevation are to be changed in width so as to sit evenly under the gas beam; these windows - the ensuite bathroom, the laundry and the kitchen, are to be consistent in dimension (600×1200 high) and spaced to sit symmetrically under the gable; the end window to the dining area can be 600 mm x 1500mm high.
	Accep	otable with the following amendments to the application:
	amene	pplication to be returned to Heritage Advisor for review after dments
	Pla	nner may assess amendments
	Additi	onal information is required as follows:
		ceptable
Disc	ussio	
	\sim	
/	Ke	leston

Robert Moore

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Item No: C0716 Item 9

Subject: DEVELOPMENT APPLICATION - 30 LLEWELLYN STREET, MARRICKVILLE

File Ref: DA201600053/10/67866.16

Prepared By: Albert Madrigal - Development Assessment Officer, Marrickville

Authorised By: Phil Sarin - Director, Planning and Environment

SUMMARY

This report concerns an application to carry out alterations and additions to an existing mixed use building to construct an additional first floor dwelling. The application was notified in accordance with Council's Notification Policy and 2 submissions from the same property were received.

The proposal exceeds the Floor Space Ratio (FSR) development standard prescribed by Marrickville Local Environmental Plan (MLEP) 2011. The development amounts to an FSR departure of 97.75sqm or 29.5%. A written submission under Clause 4.6 of MLEP 2011 in relation to the FSR departure accompanied the application.

The proposal is considered to be a good design outcome for the site and the Clause 4.6 Objection demonstrates that there are sufficient environmental planning grounds in the particular circumstances of the case to justify the FSR departure. The proposal generally complies with the aims, objectives and design parameters contained in MLEP 2011 and Marrickville Development Control Plan (MDCP) 2011.

The application is referred to the Administrator for determination in view of the extent of the departure from the FSR development standard, which exceeds officer's delegation.

RECOMMENDATION

THAT the application be approved subject to the imposition of conditions in accordance with Part E of this report, and including endorsement of actions B and C contained therein.

PART A - PARTICULARS



Location: Eastern corner of Llewellyn Street and Juliett Street, Marrickville

Image 1: Location Map



D/A No:	201600053
Application Date:	18 February 2016. Additional information submitted on 12 May 2016.
Proposal:	To carry out alterations and additions to an existing mixed use building to construct an additional first floor dwelling.
Applicant:	Demetrios Stavropoulos
Estimated Cost:	\$220,000
Zoning:	B1 - Neighbourhood Centre

PART B - THE SITE AND ITS CONTEXT

Improvements: 2 storey mixed use development containing a ground floor café, 3 residential units (ground and first floor) and 3 outdoor car parking spaces



Image 2: The Site

Current Use:

Mixed-use

Prior Determinations:

Determination No. 201200061, dated 18 May 2012, approved an application to demolish part of the premises, enlarge the ground floor commercial tenancy and use the tenancy as a café with outdoor seating on the footpath area adjacent to the premises, erect an awning, erect associated signage and erect a first floor addition, over the single storey section of the property fronting Llewellyn Street, containing a one bedroom dwelling. That application was subsequently modified on 26 August 2015. Determination No. 201300219, dated 26 August 2015, granted deferred commencement consent to an application to carry out alterations to the ground floor shops to allow the existing café in Shop 1 to expand into the adjoining tenancy (Shop 2). Determination No. 201300219.01, dated 30 May 2014, approved an application under Section 96 of the Environmental Planning and Assessment Act to delete the deferred commencement matters issued under the original determination. The consent was further modified on 25 August 2015.

Environment: Predominantly residential with a number of commercial developments in the surrounding area.

PART C - REQUIREMENTS

1.	Zoning		
	Is the proposal permissible under zoning provisions?	Yes	

2.	Development Standards (Statutory Requirements):			
	Туре	Required	Proposed	
	Height of Buildings (max)	9.5 metres	7.44 metres	
	Floor Space Ratio (max)	0.85:1	1.1:1	

3. Departures from Development Control Plan: *Type Required Proposition*

туре	Requirea	Proposed
Bicycle Parking	2	Nil
Private Open Space	8sqm	7.37sqm

4. Community Consultation:

Required: Yes (newspaper advertisement, on-site notice and resident notification) Submissions: 2 submissions from the same property

5. Other Requirements:

ANEF 2033 Affectation:20- 25 ANEFMarrickville Section 94/94A Contributions Plan 2014:\$20,000

PART D - ASSESSMENT

1. The Site and Surrounds

The site is located on the eastern corner of Llewellyn Street and Juliett Street, Marrickville. The site contains a two storey mixed use development with a ground floor café, 1×2 bedroom apartment on the ground floor and 1×1 bedroom apartment and 1×2 bedroom apartments on the first floor. The site has an area of approximately 389sqm. Vehicular access to the site is provided from Llewellyn Street to a parking area at the rear of the building.

The adjoining property to the east contains a 2 storey dwelling that fronts Llewellyn Street. The adjoining property to the south contains a single storey Victorian dwelling house built to the common boundary with the site and fronts Juliett Street.

The surrounding development is predominantly residential in character however there are commercial premises in the vicinity of the site.



2. The Proposal

Approval is sought to carry out alterations and additions to an existing mixed use building to construct an additional first floor dwelling. The first floor dwelling is located on the southern end of the building, adjacent to the Juliett Street frontage and contains 2 bedrooms.

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

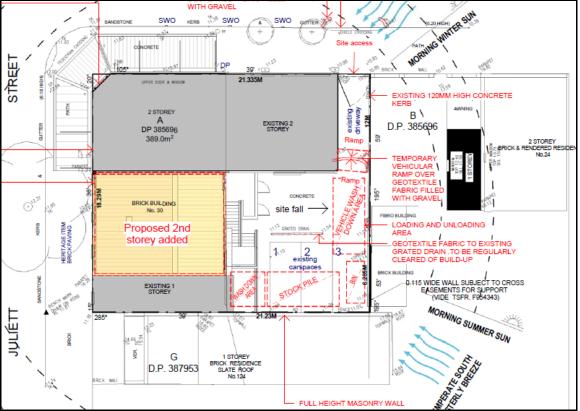


Image 3: Site Plan

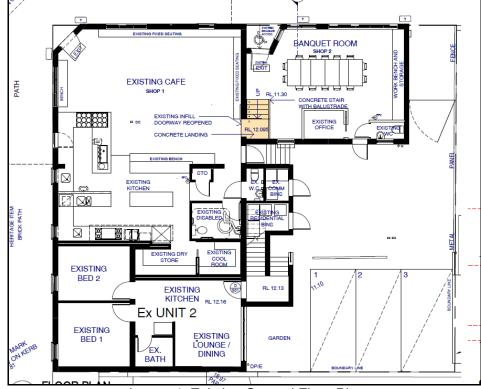


Image 4: Existing Ground Floor Plan 318



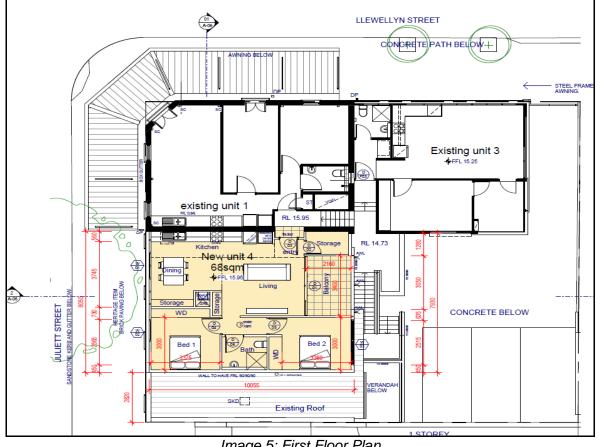


Image 5: First Floor Plan

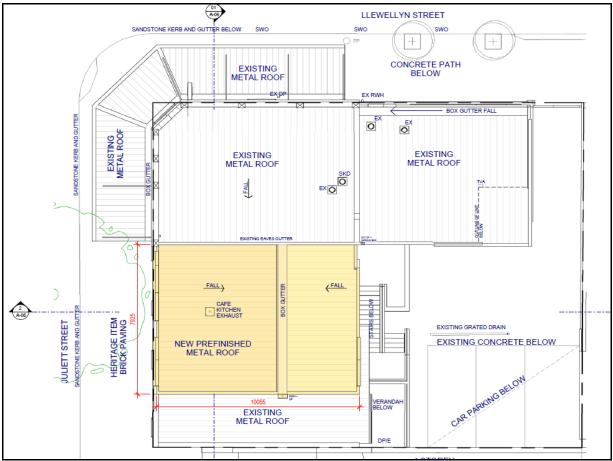


Image 6: Roof Plan



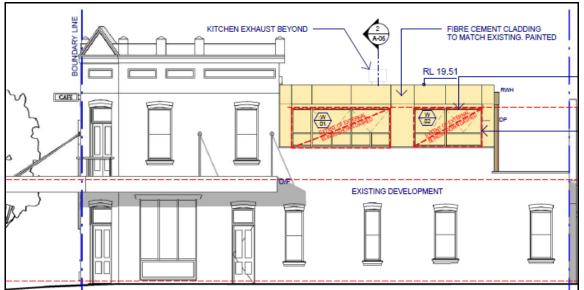


Image 7: West/Juliett Street Elevation

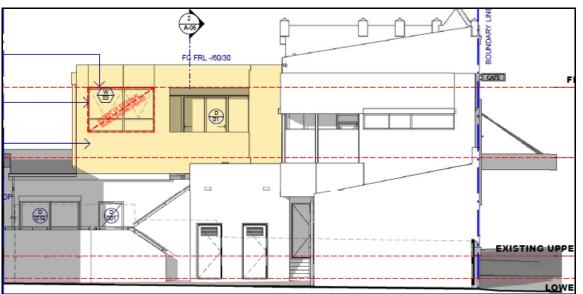


Image 8: East Elevation

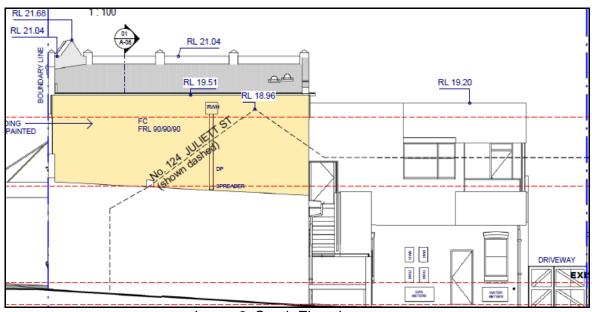


Image 9: South Elevation





Image 10: Photomontage of apartment, Juliett Street Perspective



Image 11: Photomontage Llewellyn Street Perspective



3. State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

A BASIX Certificate was submitted with the application indicating the proposal achieves full compliance with the BASIX requirements. Appropriate conditions are included in the recommendation to ensure the BASIX Certificate commitments are implemented into the development.

4. Marrickville Local Environmental Plan 2011

(i) Land Use Table and Zone Objectives (Clause 2.3)

The property is zoned B1 - Neighbourhood Centre under the provisions of Marrickville Local Environmental Plan 2011 (MLEP 2011). The proposal is permissible with Council's consent under the zoning provisions applying to the land.

The development is considered acceptable having regard to the objectives of the B1 - Neighbourhood Centre zone.

(ii) <u>Demolition (Clause 2.7)</u>

Clause 2.7 of MLEP 2011 states that the demolition of a building or work may be carried out only with development consent. The application seeks consent for demolition works. Council's standard conditions relating to demolition works are included in the recommendation.

(iii) <u>Height (Clause 4.3)</u>

A maximum building height of 9.5 metres applies to the property under MLEP 2011. The development has a maximum building height of 7.44 metres which complies with the height development standard.

(iv) Floor Space Ratio (Clause 4.4)

A maximum floor space ratio (FSR) of 0.85:1 applies to the land under MLEP 2011.

The development has a gross floor area (GFA) of 428.4sqm which equates to a FSR of 1.1:1 on the 389sqm site. This represents an FSR departure of 97.75sqm or 29.5%.

A written request, in relation to the development's non-compliance with the FSR development standard in accordance with Clause 4.6 (Exception to Development Standards) of MLEP 2011, was submitted with the application. That request is discussed below under the heading "Exceptions to Development Standards (Clause 4.6)".

(v) Exceptions to Development Standards (Clause 4.6)

Clause 4.6 contains provisions that provide a degree of flexibility in applying certain development standards to particular development. Under Clause 4.6(2), Development consent may be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument.

As detailed above, the proposed development exceeds the maximum Floor Space Ratio (FSR) development standard prescribed under Clause 4.4 of MLEP 2011.

A written request in relation to the contravention to the FSR development standard in accordance with Clause 4.6 (Exceptions to Development Standards) of MLEP 2011 was submitted with the application. The applicant considers non-compliance with the FSR development standard to be acceptable for the following reasons:

INNER WEST COUNCIL

- The proposed dwelling will provide a good urban design outcome by balancing the massing of the building on both street frontages (Llewellyn Street and Juliett Street) by replicating the massing of the previously approved unit on the Llewellyn Street frontage;
- The dwelling provides an appropriate transition in scale and height from the higher RL ridge height of the existing corner roof parapet of the period building and the single storey dwellings to the east of the site on Juliett Street;
- The new dwelling is subordinate to the main body of the period building. The dwelling comprises of contemporary, light-weight materials which makes the newer element recessive to the dominant form of the original building;
- The proposal is well within the maximum height of 9.5 metres as prescribed under Clause 4.3 of MLEP 2011;
- The development is consistent with the B1 Neighbourhood Centre zoning objectives prescribed under MLEP 2011 and compatible with the scale of buildings in the surrounding neighbourhood;
- The proposal is consistent with the mixed use nature of the corner building and the Neighbourhood Centre zoning;
- The development achieves the building form objectives for mixed use buildings under MDCP 2011 by creating a strong corner element;
- The proposed development does not impact negatively on the heritage conservation area;
- The additional dwelling does not result in any adverse amenity impacts for residents of adjoining properties; and
- The additional dwelling is in a suitable location as the site is well serviced by public transport.

The justification provided in the applicant's written submission is considered to be well founded and worthy of support. It is considered that there are sufficient environmental planning grounds as to why the FSR development standard should be varied in this particular circumstance based on the outcomes of planning law precedents such as those contained in *Wehbe v Pittwater Council [2007] NSWLEC827, Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC90* and *Moskovich v Waverley Council [2016].*

As demonstrated in the assessment provided in this report, the additional dwelling does not result in any adverse amenity impacts for residents of adjoining properties and the architectural form proposed responds appropriately to the existing period building. The proposal does not detract from the existing period building and balances the massing of the building on both street frontages (Llewellyn Street and Juliett Street) by replicating the massing of the previously approved and constructed unit on the Llewellyn Street frontage.

It is considered that the contravention of the development standard does not raise any matter of significance for State and regional environmental planning, and that there is no public benefit in maintaining the development standard for the proposed development.

(vi) <u>Heritage Conservation (Clause 5.10)</u>

The site is located within a Heritage Conservation Area under MLEP 2011 (Heritage Conservation Area C14 – Llewellyn Estate).

Adjoining to the west of the site is Juliett Street which has paving that is identified as a heritage item (Item 98) under Schedule 5 of Marrickville Local Environmental Plan 2011. The significance of the street relates to the well preserved remnant brick paving which was laid as part of the depression relief scheme of the 1930's.



The proposed development is reasonable having regard to the objectives and controls outlined for the Llewellyn Estate Heritage Conservation Area under MLEP 2011 in that the development retains the period building and significant elements of the fabric of this building.

It is noted that the ridge height of the dwelling is set lower than the roof parapet of the original corner shop and matches the ridge height of the recently constructed dwelling addition fronting Llewellyn Street to maintain the prominence to the corner features of the period building and provide a gentle transition in scale from the roof parapet of the original corner shop front to the single storey period dwellings to the rear of the site that front Juliett Street.

The new addition responds to the height and proportion of the existing structures in a manner which is recessive to the main Victorian style building, and matches / mirrors the recently constructed first floor dwelling in the same building that fronts Llewellyn Street. Contemporary external finishes (fibre cement cladding) are used for the unit. This provides a complementary contrast to the period features of the building and maintains the legibility between the contemporary and historical architectural aspects of the built form.

The application was referred to Council's Heritage and Urban Design Advisor who raised no objection to the proposal.

(vii) Acid Sulfate Soils (Clause 6.1)

The land is identified as land being affected by Class 5 acid sulfate soils on the MLEP 2011 Acid Sulfate Soils Map. The development does not involve work at or below the ground water level and will not lower the ground water table.

The development is considered acceptable having regard to acid sulfate soils.

(viii) <u>Development in areas subject to Aircraft Noise (Clause 6.5)</u>

The land is located within the 20-25 Australian Noise Exposure Forecast (2033) Contour. The development would need to be noise attenuated in accordance with AS2021:2000. An Acoustic Report by a qualified acoustic engineer did not accompany the application. The development could be noise attenuated from aircraft noise to meet the indoor design sound levels shown in Table 3.3 (Indoor Design Sound Levels for Determination of Aircraft Noise Reduction) in AS 2021:2000. Conditions are included in the recommendation to ensure that the development is appropriately noise attenuated.

5. Marrickville Development Control Plan 2011

PART 2 - GENERIC PROVISIONS

(i) <u>Urban Design (Part 2.1)</u>

The development is considered acceptable having regard to the relevant aspects of the 12 urban design principles.

(ii) <u>Site and Context Analysis (Part 2.3)</u>

A site and context analysis was submitted with the application and is considered acceptable.

(iii) Acoustic and Visual Privacy (Part 2.6)

The development complies with the objectives and controls relating to acoustic and visual privacy as contained in Part 2.6 of MDCP 2011 for the following reasons:

INNER WEST COUNCIL

- The windows of the bedrooms and principal living areas face Juliett Street and the internal car parking area within the site and do not present any overlooking concerns;
- The balcony provided for the dwelling faces the internal car park and does not directly overlook neighbouring private open spaces or windows of principal living areas; and
- With regard to acoustic privacy, noise attenuation measures are to be incorporated into the development to protect the dwelling from aircraft noise.

In view of the above, the development satisfies the privacy objectives and controls of MDCP 2011.

(iv) Solar Access and Overshadowing (Part 2.7)

Overshadowing

The shadow diagrams submitted with the application illustrate the extent of overshadowing on adjacent residential properties and demonstrate that the development complies with Council's overshadowing controls.

The shadow diagrams illustrate that additional overshadowing from the dwelling will predominantly fall on Juliett Street and the roof of the neighbouring dwelling house at 124 Juliett Street between 9:00am and 3:00pm in mid-winter.

As such, the proposal will not result in any overshadowing of any principal living room windows or areas of private open space and is satisfactory having regard to solar impacts on adjoining development.

Solar Access

The plans and shadow diagrams submitted with the application illustrate that the development complies with Council's solar access controls. The dwelling has principal living room windows that face both east and west that ensure the dwelling will receive in excess of 2 hours of solar access in mid-winter.

Given the above, the proposal is satisfactory regarding solar access.

(v) <u>Community Safety (Part 2.9)</u>

The development is reasonable having regard to community safety in that the dwelling contains bedroom and dining/kitchen widows facing Juliett Street allowing for passive and active surveillance of the street.

The development satisfies the objectives and controls contained in Part 2.9 of MDCP 2011.

(vi) Parking (Part 2.10)

Car and Bicycle Parking Spaces

The site is located in Parking Area 2. The following table summarises the car and bicycle parking requirements for the development:

Component	Control	Required	Proposed	Complies?
		Car Parking		
Residential Car Parking	0.25 car parking spaces per 1 bedroom unit	1 x 1 bed unit = 0.25 spaces	2 000000	Yes
	0.5 car parking spaces per 2 bedroom unit	3 x 2 bed units = 1.5 spaces	2 spaces	
	TOTAL:	2 spaces		



Component	Control	Required	Proposed	Complies?	
Bicycle Parking					
Resident Bicycle Parking	1 bicycle parking space per 2 units	4 units = 2 spaces	Nil	No	

Table 1: Car, Bicycle and Motorcycle Parking Control Compliance Table

As detailed above, the entire residential component of the development (including the proposed unit) generates a demand for 2 car parking spaces.

The development currently contains 1 commercial parking space and 2 residential parking spaces. As such, the development complies with the parking requirements under Part 2.10 of MDCP 2011.

As detailed in Table 1, the residential component of the development requires a total of 2 car bicycle parking spaces. Under Determination No. 201200061, an additional 1 bedroom unit was approved for the site. With a total of 3 dwellings on the site, at that time the development required 2 bicycle parking spaces under the bicycle parking requirements of MDCP 2011. However, under that determination the requirement for bicycle parking on the site was waived.

As the additional dwelling proposed under this application will not generate any additional demand for bicycle parking under MDCP 2011, the non-compliance with the bicycle parking controls is acceptable.

In view of the above, the development is satisfactory under the parking objectives and controls pursuant to MDCP 2011.

(vii) Energy Efficiency (Part 2.16)

Part 2.16 of MDCP 2011 contains the objectives and controls relating to energy efficiency. A BASIX Certificate was submitted for the development application that indicates that the proposed new dwelling would comply with the minimum water, thermal comfort and energy efficient targets of the BASIX scheme.

(viii) Landscaping and Open Spaces (Part 2.18)

Private and common open space

Part 2.18 of MDCP 2011 contains controls for landscaping and private open space for mixed used developments.

The existing building is constructed with a nil setback to the street frontages and therefore does not provide any landscaping at the front of the premises. The area to the rear of the building is dedicated to car parking and its associated manoeuvring area and as such there is negligible opportunity to provide landscaping in this area.

Given the site coverage remains unchanged as a result of the proposal, it is considered onerous to require the provision of landscaping.

Control (C23) requires each dwelling to have private open space in the form of a deck or balcony with a minimum area of 8sqm and minimum width of 2 metres. A balcony is provided for the new dwelling that has a minimum dimension of 2.16 metres and has an overall area of 7.37sqm, which is less than the prescribed criteria. The variation is very minor and it is assessed that the balcony is of sufficient size and dimension to service the outdoor recreation needs of the residents.



(ix) <u>Site Facilities and Waste Management (Part 2.21)</u>

2.21.3 Public utilities

The design and provision of public utilities will be required to conform with the requirements of the relevant servicing authority in accordance with the conditions included in the recommendation.

2.21.4 Mail boxes

Details regarding the location of mail boxes for the development were not submitted with the application. Given the omission of the above details, a condition is included in the recommendation requiring the submission of such details to the Certifying Authority's satisfaction before the issue of a Construction Certificate.

2.21.5 Building identification numbers

A condition is included in the recommendation requiring appropriate numbering to be placed on the site and the application for street numbering be approved by Council before the issue of an Occupation Certificate.

2.21.7 Recycling and Waste Management Plan

A Recycling and Waste Management Plan (RWMP) in accordance with Council's requirements was submitted with the application and is considered to be adequate.

2.21.11 Residential Waste

A minimum of 2 x 240 litre recycling bins and 2 x 240 litre general waste bins is required to be provided for the development.

A bin storage area is located on the ground floor with a capacity to accommodate the required waste facilities for recycling and general waste.

The application complies with the waste storage requirements under Part 2.21 of MDCP 2011.

PART 5 - COMMERCIAL AND MIXED USE DEVELOPMENT

Part 5 of MDCP 2011 contains controls for commercial and mixed use developments.

General Commercial and Mixed Use Development Controls

(i) <u>Massing and Setbacks (Part 5.1.3.3)</u>

Front Massing

Part 5.1.3.3 contains massing and setback controls for commercial and mixed use developments.

The proposal complies with the massing and setback controls in the following manner:

- Control (C6) requires the front 6 metres of infill developments with a Height of Building (HOB) standard set as 11 metres or less, to have a maximum height of 9 metres and contain a maximum 2 storeys. The proposed development contains two storeys and has a maximum height of 7.44 metres and thereby complies with the prescribed height and storey controls; and
- Control (C8) requires the street front portion of the building to be built to the predominant front building line. The new dwelling sits on the first floor of the building and is aligned with the ground floor (west) elevation facing Juliett Street. The development complies with the front setback control.

Rear Massing

Control (C14) specifies that the rear building envelope of the development must be contained within the combination of the rear height plane and a 45 degree sloping plane from a point 5 metres vertically above the ground level of the property being developed, measured at the boundary, and contain a maximum of one storey at the rear most building plane.

The development complies with this rear massing envelope as contained in MDCP 2011.

(ii) Building Depth (Part 5.1.3.4)

The development satisfies the building depth controls in that the overall building envelope does not exceed 22 metres and is more than the minimum required depth of 10 metres.

The development is acceptable having regard to the building depth controls as contained in MDCP 2011.

(iii) Building Separation (Part 5.1.3.5)

The proposed first floor dwelling provides a 2.8 metre building separation to the adjacent dwelling house at 124 Juliett Street with no windows provided on the southern wall of the proposed dwelling. The northern wall of the dwelling house at 124 Juliett Street is also a blank wall and sits on the zero lot line to the northern (common) boundary. According the proposed development will not cause any amenity impacts for the residents of this adjoining dwelling house.

In view of the above, the development is acceptable having regard to the building separation objectives and controls as contained in MDCP 2011.

(iv) Corners, Landmarks and Gateways (Part 5.1.3.6)

The proposed development satisfies the objectives and controls for corners as contained in MDCP 2011 in that the period building on the corner of the site is retained including the original roof parapet and the roof of the new dwelling is set approximately 2.1 metres below the ridge of the period corner building to be subordinate to the main body of the period building when viewed from the street. Together with the recently erected first floor dwelling fronting Llewellyn Street, the additions frame and provide a contemporary contrast to the period building.

In view of the above, the development complies with Part 5.1.3.6 of MDCP 2011.

- (v) Building Detail (Part 5.1.4)
- (a) Building Frontages (Part 5.1.4.1)

Part 5.1.4.1 of MDCP 2011 includes objectives and controls relating to building frontages.

The development satisfies the building frontage controls in that:

- The street front portion of the building mass reads as a continuous dominant element in the streetscape, with the new dwelling being subordinate to the main body of the period building when viewed from the street. The RL roof height of the dwelling is set approximately 2.1 metres below the ridge height of the period corner building and contains lightweight, fibre cement cladding material to provide a contemporary contrast to the period building;
- The dwelling emphasizes the street front portion of the building mass by orienting windows toward the street front and includes contemporary materials and finishes to complement the street front portion of the building;
- Air conditioning units are not visible in the streetscape; and



- The dwelling addition satisfies Control (C33) in that it fills the void behind the front façade and provides a relatively minor/subordinate addition to the existing building.
- (vi) Building Use (Part 5.1.5)
- (a) Mixed use development (Part 5.1.5.1)

The development is acceptable regarding the objectives and controls for mixed use development in that the development retains the ground floor commercial use (café), thereby maintaining an active shop front at certain times of the day.

In view of the above, the development is acceptable under the mixed use development objectives and controls of MDCP 2011.

(vii) <u>Ceiling heights (Part 5.1.5.3)</u>

Part 5.1.5.3 of MDCP 2011 prescribes a minimum floor-to-ceiling ceiling height of 2.7 metres for all habitable rooms on all floors, 2.4 metres is the preferred minimum for all non-habitable rooms, however 2.25 metres is permitted.

The proposed dwelling has a minimum floor to ceiling height of 2.7 metres, which complies with the prescribed ceiling heights under MDCP 2011.

PART 9 - STRATEGIC CONTEXT

The property is located in the Enmore Park Planning Precinct (Precinct 15) under Marrickville Development Control Plan 2011.

The development is acceptable regarding the desired future character of the area in that the development provides a sympathetic alteration and addition to the existing period building.

6. Marrickville Section 94/94A Contributions Plan 2014

The carrying out of the development would result in an increased demand for public amenities and public services within the area. A contribution of \$20,000 would be required for the development under Marrickville Section 94/94A Contributions Plan 2014. A condition requiring that contribution to be paid is included in the recommendation.

7. Community Consultation

The application was advertised, an on-site notice displayed on the property and residents/property owners in the vicinity of the property were notified of the development in accordance with Council's policy. Two submissions from the same property were received raising the following concerns which have already been discussed throughout the main body of this report:

- (i) Parking;
- (ii) Heritage, including proposed materials and design; and
- (iii) Streetscape.

While objecting to the proposed development, one letter of objection commented favourably on the proposed extension to the kitchen exhaust stating that it will assist in alleviating odours from the existing café.



8. Conclusion

The application seeks consent to carry out alterations and additions to an existing mixed use building to construct an additional first floor dwelling. 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 the application. The proposal generally complies with the aims, objectives and design parameters contained in Marrickville Local Environmental Plan 2011 and Marrickville Development Control Plan 2011. The development will not result in any significant impacts on the amenity of adjoining premises and the streetscape.

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 alterations and additions to an existing mixed use building to construct an additional first floor dwelling be **APPROVED** subject to the following conditions:

GENERAL

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

Plan, Revision and Issue No.	Plan Name	Date Issued	Prepared by	Date Submi tted
Job No. 1113 A-00	Site Plan/Erosion & Sediment Control	15/02/2 016	Design Delta Architects	18/02/2 016
Job No. 1113	First Floor	15/02/2	Design Delta	18/02/2
A-02	Plan	016	Architects	016
Job No. 1113	Roof Plan	15/02/2	Design Delta	18/02/2
A-03		016	Architects	016
Job No. 1113	Elevations	15/02/2	Design Delta	18/02/2
A-04		016	Architects	016
Job No. 1113	Elevations	15/02/2	Design Delta	18/02/2
A-05		016	Architects	016
Job No. 1113	Sections	15/02/2	Design Delta	18/02/2
A-06		016	Architects	016
Job No. 1113	External	15/02/2	Design Delta	18/02/2
A-12	Finishes	016	Architects	016
A240400	BASIX	10/02/2	Design Delta	18/02/2
	Certificate	016	Architects	016

and details submitted to Council on 18 February 2016 and 12 May 2016 with the application for development consent and as amended by the following conditions.

<u>Reason</u>: To confirm the details of the application submitted by the applicant.

2. Where any plans and/or information forming part of a construction certificate issued in relation to this consent are inconsistent with:

(a) the plans and/or information approved under this consent; or



(b) any relevant requirements of this consent,

the plans, information and/or requirements of this consent (as the case may be) shall prevail to the extent of the inconsistency.

All development approved under this consent shall be carried out in accordance with the plans, information and/or requirements of this consent taken to prevail by virtue of this condition.

<u>Reason</u>: To ensure the development is carried out in accordance with this Determination.

3. The materials and finishes of the building constructed pursuant to this consent must be strictly in accordance with the materials and finishes identified in Drawing Nos. A-12 dated 15/02/, prepared by Delta Design Architects. No changes may be made to these drawings except by way of an application under section 96 of the *Environmental Planning and Assessment Act 1979*.

<u>Reason</u>: To ensure the final built development has an appearance that accords with the approved materials and finishes.

4. Where units or dwellings are provided with separate individual hot water systems, these must be located within the internal area of the unit/dwelling and not on any balcony or terrace.

<u>Reason</u>: To ensure the aesthetics of the building and architecture are maintained.

5. No injury must be 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.

<u>Reason</u>: To ensure the operation of the premises does not affect the amenity of the neighbourhood.

- 6. The use of the premises, including any plant and equipment, must not give 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 5dB(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).

<u>Reason</u>: To prevent loss of amenity to the area.

7. Noise and vibration from the use and operation of any plant and equipment and/or building services associated with the premises must not give rise to "offensive noise' as defined by The Protection of the Environment Operations Act 1997 (NSW).

<u>Reason</u>: To protect the amenity of the surrounding neighbourhood.

8. The developer must liaise with the Sydney Water Corporation, Ausgrid, AGL and Telstra concerning the provision of water and sewerage, electricity, natural gas and telephones respectively to the property.

<u>Reason</u>: To ensure that the development is adequately serviced.

9. 3 off-street car parking spaces must be provided and maintained at all times in accordance with the standards contained within Part 2.10 of Marrickville Development Control Plan 2011 - Parking. The parking must be allocated as follows:



- a) A minimum of 2 spaces being allocated to the residential dwellings; and
- b) 1 car parking space allocated to the ground floor retail/commercial tenancy.

<u>Reason</u>: To ensure practical off-street car parking is available for the use of the premises.

10. All parking spaces and turning area thereto being provided in accordance with the design requirements set out within Part 2.10 of Marrickville Development Control Plan 2011 - Parking, and must be used exclusively for parking and not for storage or any other purpose.

<u>Reason</u>: To ensure adequate manoeuvrability to all car parking spaces and that the spaces are used exclusively for parking.

11. All building work must be carried out in accordance with the provisions of the National Construction Code (Building Code of Australia).

<u>Reason</u>: To ensure the work is carried out to an acceptable standard and in accordance with the National Construction Code (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 National Construction Code (Building Code of Australia).

12. <u>No work must commence</u> until:

a) A PCA has been appointed. Where an Accredited Certifier is the appointed, Council shall be notified within 2 days of the appointment; and

b) A minimum of 2 days written notice given to Council of the intention to commence work.

<u>Reason</u>: To comply with the provisions of the Environmental Planning and Assessment Act.

13. A Construction Certificate must be obtained <u>before commencing building work</u>. Building work means any physical activity involved in the construction of a building. This definition includes the installation of fire safety measures.

<u>Reason</u>: To comply with the provisions of the Environmental Planning and Assessment Act.

14. Sanitary facilities must be provided at or in the vicinity of the work site in accordance with the WorkCover Authority of NSW, Code of Practice 'Amenities for Construction'. Each toilet must be connected to the sewer, septic or portable chemical toilet <u>before work commences</u>.

Facilities must be located so that they will not cause a nuisance.

<u>Reason</u>: To ensure that sufficient and appropriate sanitary facilities are provided on the site.

15. All demolition work must:

a) Be carried out in accordance with the requirements of Australian Standard AS 2601 'The demolition of structures' and the Occupational Health and Safety Act and Regulations; and



b) Where asbestos is to be removed it must be done in accordance with the requirements of the WorkCover Authority of NSW and disposed of in accordance with requirements of the Department of Environment, Climate Change and Water.

<u>Reason</u>: To ensure that the demolition work is carried out safely.

16. Where any loading, unloading or construction is to occur from a public place, Council's Infrastructure Services Division must be contacted to determine if any permits or traffic management plans are required to be obtained from Council <u>before work commences</u>.

<u>Reason</u>: To protect the amenity of the area.

17. The site must be enclosed with suitable fencing to prohibit unauthorised access. The fencing must be erected as a barrier between the public place and any neighbouring property, <u>before work commences</u>.

<u>Reason</u>: To secure the area of the site works maintaining public safety.

- 18. A rigid and durable sign must be erected in a prominent position on the site, <u>before work</u> <u>commences</u>. The sign must 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'.

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

19. Where it is proposed to carry out works in public roads or Council controlled lands, a road opening permit must be obtained from Council <u>before the carrying out of any works</u> in <u>public roads or Council controlled lands</u>. Restorations must 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 as provided for in Council's adopted fees and charges.

Reason:

20. The person acting on this consent must 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 must submit a hoarding application and pay all relevant fees <u>before commencement of works</u>.

<u>Reason</u>: To secure the site and to maintain public safety.

 All street trees adjacent to the site must be protected at all times during demolition and construction, in accordance with Part 2.20 of Marrickville Development Control Plan 2011 - Tree Management. Details of the methods of protection of such trees must be submitted to and be approved by Council <u>before commencing works</u>.

<u>Reason</u>: To ensure that all street trees are appropriately protected during demolition and construction works.

22. All approved tree protection measures must be installed prior to commencing any work and must be maintained for the duration of construction.

<u>Reason</u>: To ensure that all street trees are appropriately protected during demolition and construction works.

23. Where scaffoldings or hoardings are to be erected, street trees must be protected during construction works as follows:



a) Tree trunk and major limb protection must be undertaken prior to or during the installation of any hoarding or scaffoldings. The protection must be installed by a qualified Arborist (AQF 2 or 3) and must include:

i) An adequate clearance, minimum 250mm, must be provided between the structure and tree branches, limbs and trunk at all times;

ii) Tree trunk/s and/or major branches, located within 500mm of any hoarding or scaffolding structure, must be protected by wrapped hessian or similar material to limit damage;

iii) Timber planks (50mm x 100mm or similar) must be placed around tree trunk/s. The timber planks must be spaced at 100mm intervals, and must be fixed against the trunk with tie wire, or strapping. The hessian and timber planks must not be fixed to the tree in any instance, or in any fashion; and

iv) Tree trunk and major branch protection must remain in place for the duration of construction and development works, and must be removed at the completion of the project.

b) All hoarding support columns must be placed a minimum of 300mm from the edge of the existing tree pits. Supporting columns must not be placed on any tree roots that are exposed.

c) Materials or goods, including site sheds, must not be stored or placed:

- i) around or under the tree canopy; or
- ii) within 2 metres of tree trunks or branches of any street trees.

d) Any damage sustained to street tree/s as a result of the erection of hoardings, scaffolding, or due to the loading/unloading of vehicles adjacent the site, must be immediately reported to the Council's Tree Management Officer on 29335 2242, in order to determine the appropriate action for maintaining the health and structural integrity of any damaged street tree.

<u>Reason</u>: To ensure that all street trees are appropriately protected during demolition and construction works.

24. a) The consent from Council must be obtained prior to the undertaking of any street tree pruning works. Only minor pruning works will be approved by Council.

b) Any pruning that is required to accommodate hoardings, scaffolding, or to accommodate the loading/unloading of vehicles, and has been approved by Council, must be carried out by a qualified Arborist (AQF3), and must be in accordance with AS4373 Australian Standards 'Pruning of Amenity Trees'.

c) The removal of any street tree approved by Council must include complete stump removal and the temporary reinstatement of levels so that no trip or fall hazards exist until suitable replanting occurs. Those works must be completed immediately following the tree's removal.

<u>Reason</u>: To ensure that all street trees are appropriately protected during demolition and construction works.

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

<u>Reason</u>: To protect existing trees during the construction phase.

26. If a new street number or a change to the street number (this includes unit and shop numbers) is required, a separate application must be made to and approved by Council prior to that street number being displayed.



Reason: To ensure that the building is easily identifiable.

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 the Construction Certificate.

27. a) This condition is imposed in accordance with Section 94 of the Environmental Planning and Assessment Act 1979.

b) <u>Before the issue of a Construction Certificate</u>, the Council must be paid a monetary contribution of \$20,000.00 indexed in accordance with Marrickville Section 94/94A Contributions Plan 2014 ("CP").

The above contribution is the contribution applicable as at 21 June 2016.

***NB** Contribution rates under Marrickville Section 94/94A Contributions Plan 2014 are indexed quarterly (for the method of indexation refer to Section 2.15 of the Plan).

The indexation of the contribution rates occurs in the first week of the months of February, May, August and November each year, following the release of data from the Australian Bureau of Statistics.

(CONTRIBUTION PAYMENT REFERENCE NO. DC001506)

c) The contribution payable has been calculated in accordance with the CP and relates to the following public amenities and/or services and in the following amounts:

•	Community Facilities:	\$2,260.94
•	Plan Administration:	\$392.16
•	Recreation Facilities:	\$17,104.04
•	Traffic Facilities:	\$242.86

d) A copy of the CP can be inspected at Council's offices at 2-14 Fisher Street, Petersham or online at <u>http://www.marrickville.nsw.gov.au</u>.

e) The contribution must be paid either in cash, by unendorsed bank cheque (from an Australian Bank only), via EFTPOS (Debit only) or credit card*.

*NB A 1% credit card transaction fee applies to all credit card transactions.

<u>Reason</u>: To ensure provision is made for the increase in demand for public amenities and services required as a consequence of the development being carried out.

28. Evidence of payment of the building and construction industry Long Service Leave Scheme must be submitted to the Certifying Authority's satisfaction <u>before the issue of a</u> <u>Construction Certificate</u>. (The required payment can be made at the Council Offices).

NOTE: 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. <u>http://www.lspc.nsw.gov.au</u>.



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

29. The approved plans must be submitted to a Sydney Water Quick Check agent to determine whether the development will affect any Sydney Water wastewater and water mains, stormwater drains and/or easement, and if any requirements need to be met. Plans will be appropriately stamped.

Please refer to the web site <u>www.sydneywater.com.au</u> for:

- Quick Check agents details see Plumbing, building and developing then Quick Check agents and
- Guidelines for Building Over/Adjacent to Sydney Water Assets see Plumbing, building and developing then Plan submissions

or telephone 13 20 92.

The stamped plans must be submitted to the Certifying Authority's satisfaction <u>before the issue</u> of a Construction Certificate.

<u>Reason</u>: To ensure compliance with Sydney Water requirements.

30. All plumbing and ductwork including stormwater downpipes must be concealed within the outer walls of the building so they are not visible. Plans and elevations detailing the method of concealment must be submitted to and approved by Council <u>before the issue of a Construction Certificate</u>. Any variation to this requirement requires Council approval.

Reason: To ensure the aesthetics of the building and architecture are maintained.

31. Letterboxes and mail collection facilities must be provided and adequately protected in accordance with details to be submitted to the Certifying Authority's satisfaction <u>before</u> the issue of a Construction Certificate.

<u>Reason:</u> To ensure adequate mail collection facilities are provided.

32. Plans fully reflecting the selected commitments listed in BASIX Certificate submitted with the application for development consent must be submitted to the Certifying Authority's satisfaction <u>before the issue of a Construction Certificate</u>.

NOTE: The application for the Construction Certificate must be accompanied by either the BASIX Certificate upon which development consent was granted or a revised BASIX Certificate (Refer to Clause 6A of Schedule 1 to the Regulation).

<u>Reason</u>: To ensure that the BASIX commitments are incorporated into the development.

33. Noise attenuation measures being incorporated into the development complying with Australian Standard 2021-2000 in relation to interior design sound levels shown in Table 3.3 (Indoor Design Sound Levels for Determination of Aircraft Noise Reduction), in accordance with details must 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.

34. <u>Before the issue of a Construction Certificate</u> the owner or builder must sign a written undertaking that they are responsible for the full cost of repairs to footpath, kerb and gutter, or other Council property damaged as a result of construction of the 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.

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

<u>Reason</u>: To reduce noise levels within the development from aircraft.



SITE WORKS

35. All excavation, demolition, construction, and deliveries to the site necessary for the carrying out of the development, must be restricted to between 7.00am to 5.30pm Mondays to Saturdays, excluding Public Holidays. Notwithstanding the above no work being carried out on any Saturday that falls adjacent to a Public Holiday.

<u>Reason</u>: To minimise the effect of the development during the construction period on the amenity of the surrounding neighbourhood.

36. The area surrounding the building work must be reinstated to Council's satisfaction upon completion of the work.

<u>Reason</u>: To ensure that the area surrounding the building work is satisfactorily reinstated.

37. 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 must comply with Council's Policy - 'Placement of Waste Storage Containers in a Public Place'.

<u>Reason</u>: 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.

- 38. All demolition work must be 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;
- all works involving the demolition, removal, transport and disposal of asbestos cement must 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, Climate Change and Water;
- all building materials arising from the demolition must be disposed of in an approved manner in accordance with Part 2.21 of Marrickville Development Control Plan 2011 – Site Facilities and Waste Management and any applicable requirements of the Department of Environment, Climate Change and Water;
- d) sanitary drainage, stormwater drainage, water, electricity and telecommunications must 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;
- all trucks and vehicles associated with the demolition, including those delivering to or removing material from the site, must only have 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;
- no waste collection skips, spoil, excavation or demolition material from the site must be 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 must ensure that all contractors and sub-contractors associated with the demolition are fully aware of these requirements.

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

39. 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 can only be carried out by the PCA. The critical stages of construction are:



- a) At the commencement of the building work;
- 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.

<u>Reason</u>: To ensure the building work is carried out in accordance with the Environmental Planning and Assessment Regulations and the National Construction Code (Building Code of Australia).

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

<u>Reason</u>: To provide for adequate site drainage.

BEFORE OCCUPATION OF THE BUILDING

- 41. You must obtain an Occupation Certificate from your PCA before you occupy or use the building. The PCA must notify the Council of the determination of the Occupation Certificate and forward the following documents to Council within 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.

<u>Reason</u>: To comply with the provisions of the Environmental Planning and Assessment Regulations.

42. Occupation of the building must 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.

<u>Reason</u>: To comply with the provisions of the Environmental Planning and Assessment Act.

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

Item 9



a) Forward a copy of the Final Safety Certificate and the current Fire Safety Schedule to the Commissioner of Fire and Rescue New South Wales 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 12 months after the Final Fire Safety Certificate is issued the owner must 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.

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

44. The Certifying Authority must be satisfied that each of the commitments listed in BASIX Certificate referred to in this Determination have been fulfilled <u>before the issue of an Occupation Certificate</u> (whether an interim or final Occupation Certificate).

<u>Reason</u>: To ensure that all of the BASIX commitments have been fulfilled and to comply with the requirements under Section 154B of the Environmental Planning and Assessment Regulations 2000.

45. The Certifying Authority must apply to the Director-General for a BASIX Completion Receipt within 2 days of the issue of a final Occupation Certificate. Completion Receipts can be applied for at <u>www.basix.nsw.gov.au</u>.

<u>Reason</u>: To ensure compliance with the requirements under Section 154C of the Environmental Planning and Assessment Regulations 2000.

46. 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 dwelling a report must be prepared and submitted to the Certifying Authority'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 must include external and internal noise levels to ensure that the external noise levels during the test are representative of the typical maximum levels that may occur at this development; 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 must be carried out and a further certificate being prepared and submitted to Council in accordance with the requirements as set down in Part a) of this condition.

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

47. <u>Before the issue of an Occupation Certificate</u>, a street number and identifier of separate occupancies (if applicable) must be clearly displayed in a readily visible location (numbers having a height of not less than 75mm). If any new street numbers or change to street numbers (this includes unit and shop numbers) are required they must have the prior approval of council before being displayed.

<u>Reason</u>: To ensure that the building is easily identifiable.

48. All works required to be carried out in connection with drainage, crossings, alterations to kerb and guttering, footpaths and roads resulting from the development must be completed <u>before the issue of an Occupation Certificate</u>. Works must be in accordance with Council's Standard crossing and footpath specifications and AUS-SPEC#2-"Roadworks Specifications".



ADVISORY NOTES

- A complete assessment of the application under the provisions of the National Construction Code (Building Code of Australia) has not been carried out.
- Contact "Dial Before You Dig" before commencing any building activity on the site.
- Useful Contacts

BASIX Information	1300 650 908 weekdays 2:00pm - 5:00pm www.basix.nsw.gov.au
Department of Fair Trading	13 32 20 <u>www.fairtrading.nsw.gov.au</u> Enquiries relating to Owner Builder Permits and Home Warranty Insurance.
Dial Before You Dig	1100 www.dialbeforeyoudig.com.au
Landcom	9841 8660 To purchase copies of Volume One of "Soils and Construction"
Long Service Payments Corporation	131441 www.lspc.nsw.gov.au
NSW Food Authority	1300 552 406 www.foodnotify.nsw.gov.au
NSW Government	<u>www.nsw.gov.au/fibro</u> <u>www.diysafe.nsw.gov.au</u> Information on asbestos and safe work practices.
NSW Office of Environment and Heritage	131 555 www.environment.nsw.gov.au
Sydney Water	13 20 92 www.sydneywater.com.au
Waste Service - SITA Environmental Solutions	1300 651 116 www.wasteservice.nsw.gov.au
Water Efficiency Labelling and Standards (WELS)	www.waterrating.gov.au
WorkCover Authority of NSW	13 10 50 <u>www.workcover.nsw.gov.au</u> Enquiries relating to work safety and asbestos removal and disposal.

B. THAT the persons who lodged a submission in respect to the proposal be advised of the Council's determination of the application.



C.THAT the Department of Planning and Environment be advised, as part of the quarterly review of the monitoring of Clause 4.6 of Marrickville Local Environmental Plan 2011 – Exceptions to Development Standards, that Council has agreed to the variation of the following development standards:

Premises:	30 Llewellyn Street, Marrickville
Applicant:	Demetrios Stavropoulos
Proposal:	To carry out alterations and additions to an existing
mixed use building to construct an ad	0
Determination:	Approval subject to conditions
<u>DA No</u> :	201600053
Lot and DP:	Lot A in DP385696
Category of Development:	9: Mixed
Environmental Planning Instrument:	Marrickville Local Environmental Plan 2011
Zoning of Land:	B1 - Neighbourhood Centre
Development Standard(s) varied:	Clause 4.4 – Floor Space Ratio
Justification of variation:	Strict compliance with the FSR development standard is
	vides a better urban design outcome than a compliant
development; The additional FSR doe	es not contribute to additional adverse amenity impacts on
adjacent development; The developm	ent is compatible with the bulk/scale and overall character
of the area.	
Extent of variation:	29.5%
Concurring Authority:	Council under assumed concurrence of the Secretary
	Department of Planning and Environment
Date of Determination:	

ATTACHMENTS

Nil.



Item No: C0716 Item 10

Subject: DEVELOPMENT APPLICATION - 575 KING STREET, NEWTOWN

File Ref: DA201500750/10/70897.16

Prepared By: Patrick Nash - Town Planner Development Assessment, Marrickville

Authorised By: Phil Sarin - Director, Planning and Environment

SUMMARY

This report concerns an application to demolish the existing structures and construct a 3 storey mixed use development comprising a retail tenancy on the ground floor and 7 dwellings above with associated car parking. The application was notified in accordance with Council's Notification Policy and 2 submissions were received.

The development results in a departure of 126m² (22%) from the FSR development standard prescribed by Clause 4.4 of Marrickville Local Environmental Plan (MLEP) 2011. The application was accompanied by a written request under Clause 4.6 of MLEP 2011 in relation to the variation which is supported for the reasons outlined in this report. The extent of the proposed non-compliances is not considered to result in any adverse impacts on the amenity of the adjoining development and/or the streetscape.

The application is referred to the Administrator for determination in view of the extent of the departure from the FSR development standard, which exceeds officer's delegation.

RECOMMENDATION

THAT the application be approved subject to the imposition of conditions in accordance with Part E of this report, and including endorsement of actions B and C contained therein.

PART A - PARTICULARS

Location:

Western side of King Street, Newtown between Dickson Street and Wells Street.

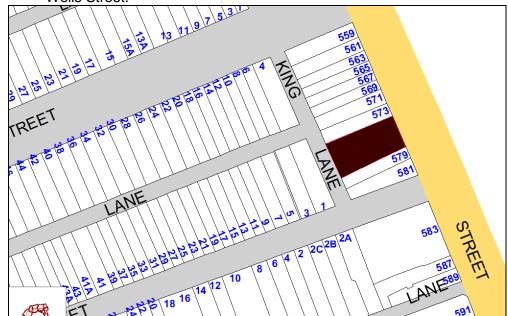


Image 1: Location Map



D/A No:	201500750
Application Date:	23 December 2015. Additional information submitted on 1 April 2016 and 29 April 2016.
Proposal:	To demolish the existing structures and construct a 3 storey mixed use development comprising a retail tenancy on the ground floor and 7 dwellings above with associated car parking.
Applicant:	Jitendra Singh Reshmi Rita Singh
Estimated Cost:	\$2,971 587
Zoning:	B2 - Local Centre

PART B - THE SITE AND ITS CONTEXT

Improvements:

One part two storey brick building



Image 2: The Site



Image 3: The Site as viewed from King Lane



Current Use: Ground floor retail premises (fruit shop) & first floor used for storage purposes. Prior Determinations: Determination No.16801, dated 2 December 1996, approved an application to carry out alterations and additions to an existing part 2 storey commercial building including the addition of a dwelling at first and second floor level and continued use of the ground floor as a shop and studio for a gold gilding business. Determination No.200100117, dated 21 May 2001, approved an application to carry out alterations to the premises and use the ground floor shop for the sale of groceries and fruit and vegetables. **Environment:** Mixed use development along King Street **PART C - REQUIREMENTS** 1. Zoning Is the proposal permissible under zoning provisions? Yes 2. **Development Standards (Statutory Requirements):** Type Required Proposed Height of Buildings (max) 14 metres 12.3 metres Floor Space Ratio (max) 1.5:1 1.83:1 **Departures from Development Control Plan:** 3. Type Required Proposed Car parking 6 Δ Rear building envelope Refer to comments in body of report Dwelling mix Refer to comments in body of report 4. **Community Consultation:** Required: Yes (newspaper advertisement, on-site notice and resident notification) Submissions: 2 submissions 5. Other Requirements: ANEF 2033 Affectation: 20-25 ANEF Marrickville Section 94/94A Contributions Plan 2014 \$74.938.20 State Environmental Planning Policy No.55 - Remediation of Land State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development State Environmental Planning Policy (BASIX) 2004 State Environmental Planning Policy (Infrastructure) 2007

<u> PART D - ASSESSMENT</u>

1. The Site and Surrounds

The site address is 575-577 King Street, Newtown. The property is located on the western side of King Street near the intersection with Wells Street, approximately 250 metres north of St Peters Railway Station. The legal property address is Lot 3 in DP 204608. The site has a frontage to King Street of 12.975 metres and a frontage to King Lane of 14.29 metres and has an area of 376.3m². A one part two storey brick building with a metal roof is located on site.



The existing building is occupied by 'One Stop Fruit Shop'. Parking located at the rear of the building accessed from King Lane.

The site is located within the King Street retail strip. The locality is characterised by 2 storey Victorian and Federation era shops, generally with high front parapets and continuous awnings. The exception to the historic development pattern is the subject site, which detracts from the overall character of the precinct. The site is within the King Street and Enmore Road Heritage Conservation Area (C2).

The development to the south west beyond King Lane and along Wells and Dickson Streets, is predominately residential, comprising a mix of single and 2 storey terraces and semi-detached dwellings from the late nineteenth and early twentieth centuries. St Peters Railway Station is located approximately 250 metres to the south of the site. King Street is serviced by a number of bus routes that provide access to the city along with surrounding suburbs.

2. The Proposal

Approval is sought to demolish the existing structures and construct a 3 storey mixed use development comprising a retail tenancy on the ground floor and 7 dwellings above with associated car parking. The development is further summarised as follows:

- <u>Ground Floor</u>: commercial tenancy and separate entry to the residential lobby fronting King Street, commercial and residential car parking and bin storage areas at the rear facing King Lane.
- Level 1: 4 x 1 bedroom apartments, central communal courtyard, lift and fire stairs.
- Level 2: 2 x studios and 1x 2 bed apartments, void, fire stairs.

The application was amended during the assessment process to address concerns raised by Council with respect to apartment layout, quality of external materials and finishes, building composition and appearance from the public domain and visual privacy. Additionally, further information was requested to address land contamination.

A copy of the amended site plan, floor plans, elevations and section of the development submitted with the application are reproduced below:

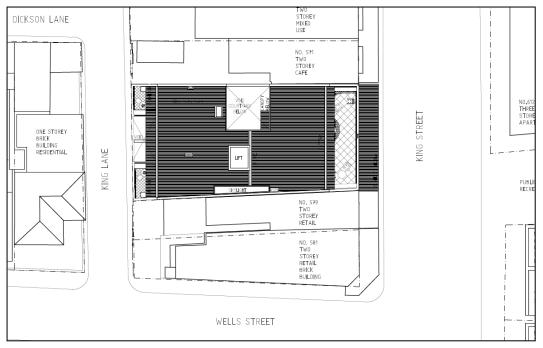


Image 4: Site Plan



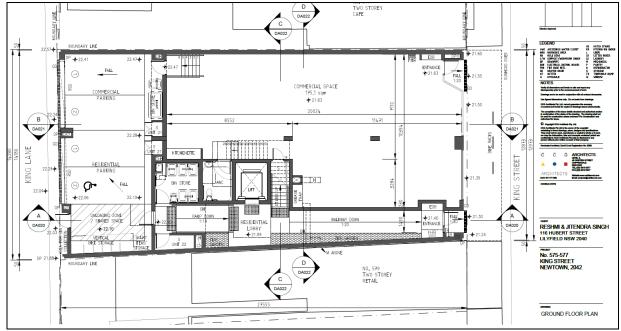


Image 5: Ground Floor Plan

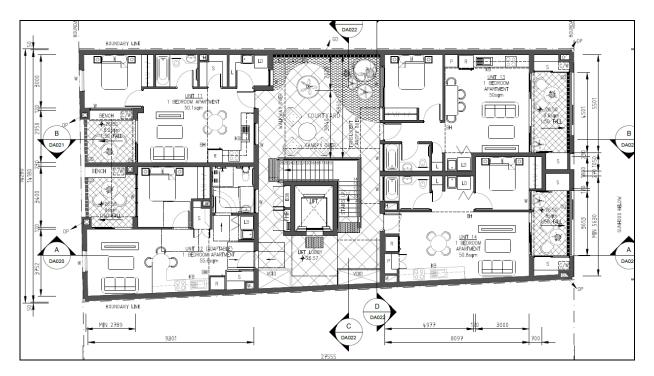


Image 6: First Floor Plan



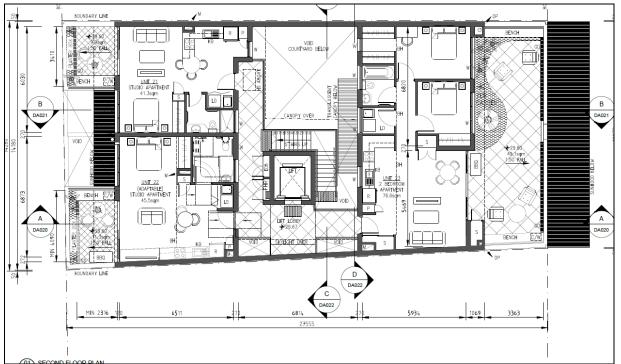


Image 7: Second Floor Plan

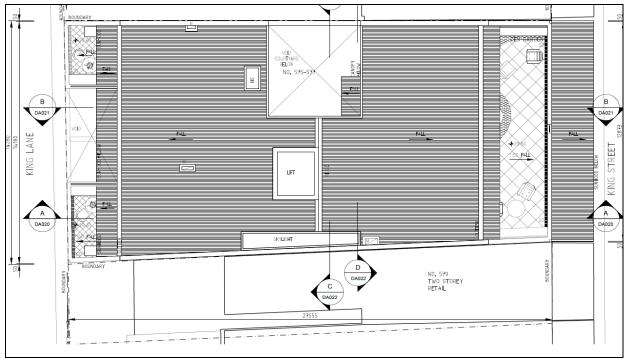
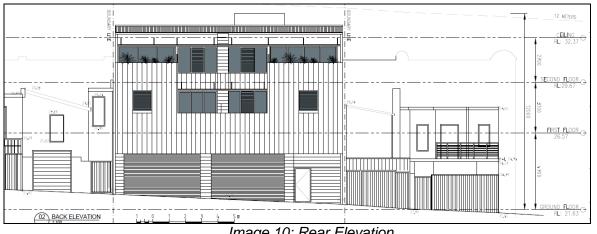


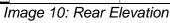
Image 8: Roof Plan

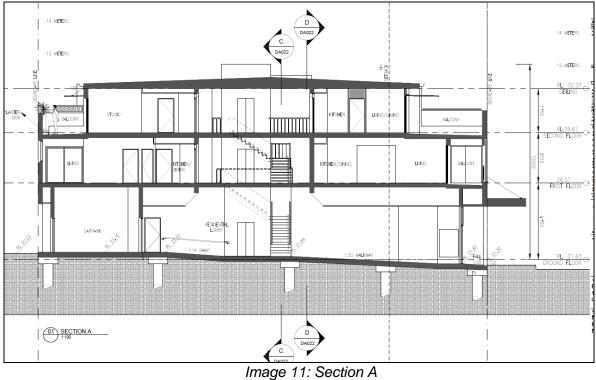




mage 9: Front Elevation







3. State Environmental Planning Policy No. 55 - Remediation of Land

State Environmental Planning Policy No. 55 - Remediation of Land (SEPP 55) and Part 2.24 of MDCP 2011 provides planning guidelines for remediation of contaminated land. SEPP 55 requires that remediation works must be carried out in accordance with a Remediation Action Plan (RAP) as approved by the consent authority and any guidelines enforced under the Contaminated Land Management Act 1997.

The Preliminary Site Investigation (PSI) submitted with the application concluded that:

- The assessment did find information on historical activities that could have resulted in contamination, however the noted industrial uses predate 1962, with the main contaminants of concern being related to petroleum hydrocarbons. If impact to the surface soils did occur, there would have been more than 50 years for this organic impact to naturally attenuate such that it no longer posed a risk to human health and the environment. Hence the risk posed from the main contaminant of concern (petroleum hydrocarbons) is considered low;
- Use of a portion of the site by a panel beater and car paint sprayer between circa 1951

 1961 would have been done inside a building and over a hardstand. Hence potential migration of associated chemicals into underlying soil/groundwater would likely have been blocked by the slab;
- Some potential filling of the site may have occurred during development of the site however the likelihood of significant contamination being present in soil is considered low;
- It is likely that based upon the age of the building, ACM or other hazardous materials may be present within the structure. The risk posed by any such hazardous materials is currently considered HIGH and must be appropriately managed, if not already done so, using a site HAZMAT register; and
- No further Stage 2 detailed assessment would be required and contamination would not pose unacceptable risk to current or future human users of the site and the environment. Hence contamination risk should not preclude proposed redevelopment.

The application was referred to Council's Environmental Services Section who raised no objection subject to the imposition of conditions which have been incorporated into the recommendation. Subject to compliance with those conditions, the application satisfies the requirements of SEPP 55.

4. State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development (Amendment No. 3)

The development is subject to the requirements of State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development (SEPP 65).

A statement from a qualified Architect was submitted with the application verifying that they designed/directed the design of the development. The statement also provides an explanation that verifies how the design quality principles are achieved within the development and demonstrates, in terms of the Apartment Design Guide (ADG), how the objectives in Parts 3 and 4 of the guide have been achieved.

The development is generally acceptable having regard to the 9 design quality principles.

Apartment Design Guide

The ADG contains objectives, design criteria and design guidelines for residential apartment development. In accordance with Clause 6A of the SEPP the requirements contained within MDCP 2011 in relation to visual privacy, solar and daylight access, common circulation and spaces, apartment sizes and layout, ceiling heights, private open space and balconies, natural ventilation and storage have no effect. In this regard, objectives, design criteria and design guidelines set out in Parts 3 and 4 of the ADG prevail.

The development has been assessed against the relevant design criteria within Part 3 and 4 of the ADG and is generally considered to be acceptable. The following summary points are noted:

- The size of all proposed apartments achieve the minimum internal areas for apartments within Part 4D of the ADG;
- Due to the site restrictions resulting in apartments facing east and west, the three apartments at the front facing slightly north of east will receive good direct sunlight for more than 3 hours in midwinter between 9am and 3pm; the northern second floor rear apartment will receive some direct sunlight via the central open space. All the apartments facing King Lane will receive direct sunlight in the late afternoon up to 3pm for approximately 1.5 hours and also beyond 3pm. All the apartments are well served by daylight;
- Despite the relatively small size of the development, a functional and well-designed communal area (courtyard) is provided in the centre of the site;
- The development does not provide the required deep soil zones required by the ADG. However, this is considered to be acceptable within a highly urbanised commercial centre and is characterised of surrounding mixed use development within the B2 – Local Centre zone;
- All of the apartments are naturally cross ventilated due to the inclusion of the central courtyard, complying with the ADG minimum of 60%;
- The development provides minimum 2.7 metre floor to ceiling heights for the residential component. A 4.3 metre floor to ceiling height is provided for the ground floor commercial tenancy which is considered to be acceptable and would enable flexibility for a range of future uses;
- Storage facilities are provided for each apartment in accordance with the ADG requirements; and
- All balconies with the development meet the minimum area/depth requirements outlined in the ADG.

5. State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

A BASIX Certificate was submitted with the application indicating the proposal achieves full compliance with the BASIX requirements. Appropriate conditions are included in the recommendation to ensure the BASIX Certificate commitments are implemented into the development.

6. State Environmental Planning Policy (Infrastructure) 2007

The site has a frontage to King Street which is a classified road.

Vehicular access to the property is provided from King Lane and as such is provided by a road other than the classified road. The development would not affect the safety, efficiency and on going operation of the classified road.

The development is a type of development that is sensitive to traffic noise or vehicle emissions. The application was accompanied by an acoustic report which includes recommendations to ameliorate road noise impacts.

7. Marrickville Local Environmental Plan 2011

(i) Land Use Table and Zone Objectives (Clause 2.3)

The property is zoned B2 - Local Centre under the provisions of Marrickville Local Environmental Plan 2011 (MLEP 2011). Shop top housing is permissible with Council's consent under the zoning provisions applying to the land. The development is considered acceptable having regard to the objectives of the B2 - Local Centre zone.

(ii) <u>Demolition (Clause 2.7)</u>



Clause 2.7 of MLEP 2011 states that the demolition of a building or work may be carried out only with development consent. The application seeks consent for demolition works. Council's standard conditions relating to demolition works are included in the recommendation.

(iii) <u>Height (Clause 4.3)</u>

A maximum building height of 14 metres applies to the property under MLEP 2011. The development has a maximum building height of 12.3 metres which complies with the height development standard.

(iv) Floor Space Ratio (Clause 4.4) and Exceptions to Development Standards (Clause 4.6)

A maximum floor space ratio (FSR) of 1.5:1 applies to the land under MLEP 2011.

The development has a gross floor area (GFA) of 691.87m² which equates to a FSR of 1.83:1 on the 376.97m² site which does not comply with the FSR development standard. This represents a breach of 126.35m² or 22%.

A written request, in relation to the development's non-compliance with the FSR development standards in accordance with Clause 4.6 (Exception to Development Standards) of MLEP 2011 was submitted by the applicant. The applicant considers the FSR breach to be acceptable for the following reasons:

- The proposed development is wholly consistent with objectives 1(a)(b)(c) and (d) of Clause 4.4 Floor Space Ratio of MLEP 2011;
- The development meets the other applicable standards under MLEP 2011 height and land use;
- The residential component above the rear garage is consistent with the applicable objectives, principles and controls of MDCP 2011 as demonstrated in the statement of environmental effects accompanying the application;
- The non-conformity with the 1.5:1 FSR standard is 22% over (including the internal courtyard and bicycle parking) and less when excluding the internal courtyard and bicycle parking. Therefore it is not of a significant magnitude, given the compliance of the proposed development with all the envelope controls of MLEP 2011 and MDCP 2011;
- The design of the addition is consistent with the two story shop and high parapet building typology of the conservation area in King Street;
- The proposed built form is a sensitive infill design in a heritage context replacing an intrusive element that created a gap tooth effect in the streetscape;
- The proposed development does not create any adverse amenity impacts on neighbouring development; and
- Whether the central courtyard and bicycle parking area are included in the FSR calculation or not has no impact on the overall bulk or scale of the proposed development.

Further to the applicant's justification above, the following comments are made:

- The justification provided in the applicant's written submission is considered to be well founded and worthy of support. It is considered that there are sufficient environmental planning grounds as to why the FSR development standard should be varied in this particular circumstance based on the outcomes of planning principles such as contained in Wehbe v Pittwater Council [2007] NSWLEC827, Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC90 or Moskovich v Waverley Council [2016];
- Council has through numerous decisions accepted variations to the FSR development standard prescribed under MLEP 2011 where the proposed development satisfied the maximum height development standard. Council has acknowledged that there is a disconnect between the height of buildings and FSR development standards that apply under the provisions of MLEP 2011 and as a consequence, a breach of the FSR development standard is common and in some cases such as this proposal, is considered appropriate. Given the variations that have been accepted by Council in the

past and the diminished importance of compliance being achieved with the numerical component of the standard, compliance with the standard is considered to be unnecessary and unreasonable in this circumstance;

- The proposed built form is consistent with the anticipated outcomes for adjoining sites given that the development is generally within the prescribed building envelope (i.e. – front and rear massing and the building height); and
- The contravention of the development standard does not raise any matter of significance for State and regional environmental planning, and there is no public benefit in maintaining strict compliance with the standard.

(v) <u>Heritage Conservation (Clause 5.10)</u>

The site fronts onto King Street and backs onto King Lane. It has a site area of 376.3sqm and contains a two storey commercial building built in the 1960s. In accordance with the Marrickville Contributory and Period Building Assessment and Mapping Project, the site is not identified as a heritage item nor a period building or contributory building. However, the site falls within the MLEP/MDCP 2011 King Street and Enmore Road Heritage Conservation Area (HCA 2). The site is surrounded by remarkably intact two-storey commercial buildings dating from the late 19th and early 20th centuries, which are characterized by narrow shopfronts, vertically proportioned fenestration, well detailed parapets, suspended awnings, etc.

The application was referred to Council's Heritage and Urban Design Advisor who raised various concerns with the proposal relating to apartment layout, quality of external materials and finishes, building composition and the appearance of the development from the public domain. Amended plans were submitted by the applicant who satisfactorily addressed the concerns that were raised subject to some further and relatively minor design amendments. Conditions requiring these changes have been incorporated into the recommendation.

(vi) Acid Sulfate Soils (Clause 6.1)

The site is not identified as land being affected by acid sulfate soils on the MLEP 2011 Acid Sulfate Soils Map.

(vii) Earthworks (Clause 6.2)

The development does not involve any extensive excavation works.

(viii) Development in areas subject to Aircraft Noise (Clause 6.5)

The land is located within the 20-25 Australian Noise Exposure Forecast (2033) Contour.

The development is likely to be affected by aircraft noise.

The carrying out of the development would result in an increase in the number of people affected by aircraft noise.

The development would need to be noise attenuated in accordance with AS2021:2000. An Acoustic Report was submitted with the application which details that the development could be noise attenuated from aircraft noise to meet the indoor design sound levels shown in Table 3.3 (Indoor Design Sound Levels for Determination of Aircraft Noise Reduction) in AS2021:2000. Conditions are included in the recommendation to ensure that the requirements recommended within the acoustic Report are incorporated into the development.

8. Marrickville Development Control Plan 2011

PART 2 - GENERIC PROVISIONS

(i) <u>Urban Design (Part 2.1)</u>

Item 10



The development is considered acceptable having regard to the relevant aspects of the 12 urban design principles.

(ii) Site and Context Analysis (Part 2.3)

A site and context analysis was submitted with the application and is considered acceptable.

(iii) Equity of Access and Mobility (Part 2.5)

Part 2.5 of MDCP 2011 specifies the minimum access requirements in accordance with the relevant Australian Standards for mixed use developments.

Residential Component

The development provides 2 adaptable dwellings, accessible entry and continuous path of travel within the development in accordance with the requirements of MDCP 2011. The matter of accessible car spaces is discussed below in this section of the report under the heading 'Parking (Part 2.10)'.

Commercial Component

- Appropriate access is provided for all persons through the principal entrance to each tenancy in accordance with the requirements of MDCP 2011;
- A Continuous Accessible Path of Travel (CAPT) to and within the premises is provided which allows a person with a disability to gain access to all areas within the building in accordance with the requirements of MDCP 2011; and
- Accessible sanitary facilities are provided for the ground floor tenancies in accordance with the requirements of MDCP 2011.

Further assessment of the application under the Premises Standards will occur at Construction Certificate stage. Appropriate conditions are included in the recommendation to ensure compliance.

(iv) Acoustic and Visual Privacy (Part 2.6)

The development would maintain an acceptable level of acoustic and visual privacy for the surrounding properties and ensure a high level of acoustic and visual privacy for future occupants of the development itself. The following points are noted:

 Concern was raised with the rear balcony provided for Unit 21 and its potential to cause overlooking impacts towards the private open space at the rear of No.1 Wells Street. The applicant amended the plans in response to this matter and made the following comments:

"Visual privacy was raised as a concern during the assessment process, specifically in relation to the rear balcony provided for Unit 21. Consideration was given to Council's recommendation to provide a privacy screen; however, an alternative solution has been devised involving the installation of a permanent planter box. The planter box proposed is 500mm wide, providing separation between the balustrade and anyone using the balcony. This will prevent people from being able to get close to the balustrade, thereby reducing overlooking. In addition, the planter box will provide the opportunity to plant shrubs which may extend beyond the balustrade thereby improving the privacy."

The modifications made in the amended plans are considered to be sufficient.

Balconies provided on the King Street elevation would generally overlook the street;



- Reciprocal privacy impacts between apartments within the development have generally been minimised; and
- A condition of consent has been included requiring any noise from plant and equipment (i.e. – air conditioning units) to not exceed 5dBa above background noise.

(v) Solar Access and Overshadowing (Part 2.7)

Overshadowing

The shadow diagrams submitted with the application illustrate the extent of overshadowing on adjacent properties. The development would not result in the unreasonable loss of sunlight to main internal living areas and/or private open space areas of surrounding residential properties as the additional overshadowing would predominately fall across the roofs of nearby development and the public road.

Solar Access

The SEPP 65 requirements prevail over the requirements prescribed by MDCP 2011.

(vi) <u>Community Safety (Part 2.9)</u>

Part 2.9 of MDCP 2011 contains objectives and controls relating to community safety. The proposal provides clear visible entrances to the building from King Street and King Lane, secure parking, separate entrances to the residential component and design features which would allow for casual surveillance of along both street frontages.

To minimise opportunities for vandalism and anti-social behaviour a condition is included in the recommendation requiring the rear elevation to be treated with anti-graffiti treatment. Also to ensure safety and security a condition is included in the recommendation requiring the provision of lighting within the entry areas.

(vii) Parking (Part 2.10)

Car Parking

The property is located in Parking Area 1 under Part 2.10 of MDCP 2011. The following summarises the car parking requirements for the development:

Non-adaptable resident car parking required = 2 spaces Non-adaptable visitor car parking required = Nil Adaptable resident car parking required = 2 spaces Adaptable visitor car parking required = Nil Retail = 2 spaces **TOTAL = 6 spaces**

The development provides a total of 4 car parking spaces, being 2 commercial parking spaces and 2 residential parking spaces, 1 of which is designed as an accessible space. As such the proposal presents a shortfall of 2 car parking spaces, one of which is required to be accessible.

Notwithstanding this, the site is well linked by public transport facilities (both train and bus) and is within the B2 – Local Centre wherein one of the MLEP 2011 zone objectives is *"To constrain parking and reduce car use"*. The development also provides bicycle storage facilities and a condition has been incorporated into the recommendation stating that owners and occupants of the proposed building shall not be eligible to obtain parking permits under any existing or future resident parking scheme for the area.

On the basis of the above, the shortfall in car parking spaces is supported.

(viii) Energy Efficiency (Part 2.16)

Part 2.16 of MDCP 2011 contains the objectives and controls relating to energy efficiency.



As stated earlier in this report, a BASIX Certificate was submitted for the development that indicates that the proposed new dwellings would comply with the minimum water, thermal comfort and energy efficient targets of the BASIX scheme.

Council's standard conditions are included in the recommendation relating to the provision of energy and water efficient fixtures and fittings for the commercial component of the development.

(ix) Landscaping and Open Spaces (Part 2.18)

Landscaped/Open Space Area

In accordance with Part 2.18 of MDCP 2011, landscaped/open space area for mixed use developments is determined on merit and depends on the overall streetscape and the desired future character of the area/precinct. The development does not include any landscaping/open space on the ground floor which is characteristic of most other commercial sites in the surrounding context and is therefore acceptable.

Private Open Space

The development provides balconies for each dwelling in accordance with SEPP 65 requirements, which prevail over the requirements prescribed by MDCP 2011.

(x) <u>Site Facilities and Waste Management (Part 2.21)</u>

2.21.2.1 Recycling and Waste Management

A Recycling and Waste Management Plan (RWMP) was submitted with the application and is considered to be adequate.

2.21.2.5 Residential Waste

Residential waste facilities have been provided on the ground floor level which can accommodate the required waste/recycling bins under Part 2.21.2.5.

2.21.2.6 Commercial Waste

Commercial waste facilities have been provided on the ground floor level which can accommodate the required waste/recycling bins under Part 2.21.2.6.

2.21.3.1 Clothes drying facilities

Under the provisions of Part 2.21.2 of MDCP 2011, external clothes drying areas are required at a rate of 3.75m² per dwelling, with a minimum 6 metres of clothes line for each dwelling.

The balconies proposed for each dwelling are considered to be capable of accommodating suitable clothes drying facilities for future occupants.

2.21.3.2 Public utilities

A condition is included in the recommendation advising the person acting on the consent to liaise with the relevant authorities/service providers for public utilities (Sydney Water Corporation, Ausgrid, AGL and Telstra) concerning the provision of water and sewerage, electricity, natural gas and telephones respectively to the property.



2.21.3.3 Mail Boxes

A condition is included in the recommendation to ensure that suitable letterbox facilities are provided in accordance with Part 2.21.4 of MDCP 2011.

2.21.3.4 Building identification numbers

A condition is included in the recommendation requiring appropriate numbering details to be submitted in accordance with Part 2.21.5 of MDCP 2011.

2.21.3.5 Telecommunication facilities

A condition is included in the recommendation requiring the provision of suitable telecommunication facilities in accordance with Part 2.21.6 of MDCP 2011.

PART 5 - COMMERCIAL AND MIXED USE DEVELOPMENT

(i) <u>Building form (Part 5.1.3)</u>

(a) Massing and Setbacks (Part 5.1.3.3)

Front massing

For new infill developments, where the Height Of Building standard is set as 14 metres or greater, the street front portion of the building mass in the front 6 metres must have a maximum height (measured from footpath level up to highest point on the front portion of the building) of 12 metres and contain a maximum 3 storeys.

The proposed development complies with this requirement and the proposed form is considered to be sympathetic to the streetscape which contains buildings of a comparable scale.

Rear massing

The rear building envelope must be contained within the combination of the rear boundary plane and a 45 degree sloping plane from a point 7.5 metres vertically above the lane ground level, measured at the rear boundary, and contain a maximum of 2 storeys on the rear most building plane.

There is a proposed breach of the rear building envelope that is generally limited to the balustrades on the upper most level and a portion of the sunhood(s) above the rear balconies.

The non-compliance is not considered to add any significant visual bulk to the building and would not cause any unreasonable amenity impacts for adjoining properties. The proposed breach is considered to have design merit in that the sunhoods over the upper floor balconies would provide weather protection, thereby increasing the amenity of the unit for future occupants. Compliance with the rear building envelope control in MDCP 2011 is unlikely to offer any appreciable benefit for the streetscape or adjoining properties. The existing building contains large, expansive blank walls presenting onto King Lane (see Image 3). The proposal would provide for a better outcome, replacing the existing bulky building. As such, the development is considered to satisfy Objective O9 within Part 5.1.3.3 of MDCP 2011 and is supported.

(b) Building Depth (Part 5.1.3.4)

All of the units proposed would comply with the maximum building depth (22 metres) and internal plan depth (18 metres) specified in Part 5.1.3.4 of MDCP 2011.



(ii) <u>Building Detail (Part 5.1.4)</u>

(a) Building Frontages (Part 5.1.4.1)

Whilst the site is located within a Heritage Conservation Area, the existing street façade is not required to be retained. The proposed King Street façade is considered to be of high quality contemporary architecture and will complement the future redevelopment of the adjoining properties. The application is considered acceptable in this regard.

(b) Active street frontage uses and shopfront design (Part 5.1.4.2)

The proposal is considered to satisfy the objectives and controls of Part 5.1.4.2 of MDCP 2011, as summarised below:

- The ground floor commercial tenancy is proposed to be built to the street alignment, contains shopfront glazing and a clearly identifiable entry door;
- A separate residential entry is provided adjacent to the northern boundary which is visible, of sufficient size and contains mail collection facilities; and
- A condition has been included in the recommendation for the provision of a pedestrian awning on the King Street frontage to ensure streetscape continuity.
- (iii) Building Use (Part 5.1.5)

(a) Mixed use development (Part 5.1.5.1)

The ground floor of the development provides a commercial component, therefore satisfying with requirements of MDCP 2011.

(b) Dwelling mix (Part 5.1.5.2)

Part 5.1.5.2 of MDCP 2011 prescribes the following dwelling mix requirements for mixed use developments containing 6 or more dwellings:

"**C54** New developments with six or more dwellings must provide the following mix of dwelling types:

<i>i</i> .	Studio	5% - 20%
ii.	1 bedroom	10% - 40%
iii.	2 bedroom	40% - 75%; and
iv.	3 bedroom or bigger	10% - 45%."

The development contains 7 dwellings and the above control is therefore relevant to the proposal.

The residential component of the development includes 2 x studio apartments (28% of the development), 4 x 1 bedroom apartments (57% of the development) and 1 x 2 bedroom dwellings (14% of the development). The development does not comply with the unit mix requirements.

It is difficult to achieve compliance with the dwelling mix ratios in a small development such as that proposed. The development contains a spread of dwelling types which is considered to be suitable to meet the demand for the local demographics.

(vi) <u>Vehicle access, parking, loading and unloading (Part 5.1.6)</u>

The proposal is considered to achieve the objectives within Part 5.1.6 of MDCP 2011. In particular, vehicle access is provided from the rear lane.



Appropriate conditions have been included in the recommendation requiring that all loading and unloading in connection with the development must be carried out from the street or the commercial car parking spaces at the rear of the site during the approved hours of operation of the commercial tenancy in such a manner as not to cause inconvenience to the public.

PART 9 - STRATEGIC CONTEXT

The property is located in the King Street and Enmore Road Planning Precinct (Precinct 37) under MDCP 2011. The development is considered to be consistent with the desired future character statements listed within Part 9.37.2 of MDCP 2011 as the proposal replaces an existing unsympathetic building with a contemporary designed building with adequate proportions and of a style and scale which compliments the locality.

9. Marrickville Section 94/94A Contributions Plan 2014

The carrying out of the development would result in an increased demand for public amenities and public services within the area. A contribution of \$74,938.20 would be required for the development under Marrickville Section 94/94A Contributions Plan 2014. A condition requiring that contribution to be paid is included in the recommendation.

10. Community Consultation

The application was advertised, an on-site notice displayed on the property and residents/property owners in the vicinity of the property were notified of the development in accordance with Council's policy. 2 submissions were received raising the following concerns which have already been discussed throughout the main body of this report:

- (i) Privacy;
- (ii) FSR breach;
- (iii) Number of storeys; and
- (iv) Streetscape.

In addition to the above, the submissions raised the following concerns which are discussed under the respective headings below:

(i) Failure of the application to provide information and inaccuracies in the applicant's claims

Comment:

The application contains sufficient information to enable a thorough assessment of the proposal against the requirements of Section 79C.

(ii) Structural damage to adjoining buildings

Comment:

Suitable conditions of consent have been incorporated into the recommendation addressing this concern.

The amended plans submitted were not required to be re-notified in accordance with MDCP 2011 because the proposal would result in similar or reduced impacts for surrounding properties and/or the streetscape. All relevant matters raised in the submissions able to be considered under the provisions of Section 79C of the Environmental Planning and Assessment Act have been discussed in the report.



11. Conclusion

The application seeks consent to demolish existing structures and construct a 3 storey mixed use development comprising a retail tenancy on the ground floor and 7 dwellings above with associated car parking.

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 the application.

The proposal generally satisfies the objectives contained in Marrickville Local Environmental Plan 2011 and Marrickville Development Control Plan 2011 with the exception of the floor space ratio development standard. A Clause 4.6 submission accompanied the application addressing the FSR departure and is considered to be well founded. The proposed FSR non-compliance would not result in any adverse impacts on the amenity of adjoining properties or the streetscape.

The application is considered suitable for approval subject to the imposition of appropriate conditions.

PART E - RECOMMENDATION

A. THAT the development application to demolish existing structures and construct a 3 storey mixed use development comprising a retail tenancy on the ground floor and 7 dwellings above, with associated car parking be **APPROVED** subject to the following conditions:

<u>GENERAL</u>

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

Plan, Revision and Issue No.	Plan Name	Date Issued	Prepared by	Date Submitted
DA002, Rev B	Site Plan	01.04.16	CCG Architects	1 April 2016
DA010, Rev B	Ground Floor Plan	01.04.16	CCG Architects	1 April 2016
DA011, Rev B	First Floor Plan	01.04.16	CCG Architects	1 April 2016
DA012, Rev B	Second Floor Plan	01.04.16	CCG Architects	1 April 2016
DA013, Rev B	Roof Plan	01.04.16	CCG Architects	1 April 2016
DA020, Rev B	Section A	01.04.16	CCG Architects	1 April 2016
DA021, Rev B	Section B	01.04.16	CCG Architects	1 April 2016
DA022, Rev B	Sections C & D	01.04.16	CCG Architects	1 April 2016
DA030, Rev B	Elevations	01.04.16	CCG Architects	1 April 2016
DA040, Rev B	Finishes Schedule	01.04.16	CCG Architects	1 April 2016
DA041, Rev B	Finishes	01.04.16	CCG Architects	1 April 2016
	Schedule – Internal Facades			
Certificate	BASIX	10	Efficient Living	23
Number 682345M	Certificate	December 2015		December 2015
Report	Road Traffic &	16	Rodney Stevens	23
150478R1	Aircraft Noise	December	Acoustics	December



	Assessment	2015		2015
116036	Preliminary Site	27 April	Environmental	29 April
	Investigation	2016	Earth Sciences	2016

and details submitted to Council on 23 December 2015, 1 April 2016 and 29 April 2016 with the application for development consent and as amended by the following conditions.

<u>Reason</u>: To confirm the details of the application submitted by the applicant.

- 2. Where any plans and/or information forming part of a construction certificate issued in relation to this consent are inconsistent with:
 - (a) the plans and/or information approved under this consent; or
 - (b) any relevant requirements of this consent,

the plans, information and/or requirements of this consent (as the case may be) shall prevail to the extent of the inconsistency.

All development approved under this consent shall be carried out in accordance with the plans, information and/or requirements of this consent taken to prevail by virtue of this condition.

<u>Reason</u>: To ensure the development is carried out in accordance with this Determination.

- 3. In order to ensure the architectural and urban design excellence of the development is retained:
 - i) The design architect is to have direct involvement in the design documentation, contract documentation and construction strategies of the project;
 - ii) The design architect is to have full access to the site and is to be authorised by the applicant to respond directly to the consent authority where information or clarification is required in the resolution of design issues throughout the life of the project;
 - iii) Evidence of the design architect's commission is to be provided to the Council prior to the release of the construction certificate.
 - iv) The design architect of the project is not to be changed without prior notice and approval of the Council.

Reason: To ensure design excellence is maintained.

4. The materials and finishes of the building constructed pursuant to this consent must be strictly in accordance with the materials and finishes identified in Drawing Nos.DA040 and DA041, dated 1 April 2016, prepared by CCG Architects. No changes may be made to these drawings except by way of an application under section 96 of the *Environmental Planning and Assessment Act 1979*.

<u>Reason</u>: To ensure the final built development has an appearance that accords with the approved materials and finishes.

5. Where units or dwellings are provided with separate individual hot water systems, these must be located within the internal area of the unit/dwelling and not on any balcony or terrace.

<u>Reason:</u> To ensure the aesthetics of the building and architecture are maintained.

6. Separate Development Consent or Complying Development Certificate must be obtained for the use of the ground floor shops/commercial suites prior to the occupation of that part of the premises.

<u>Reason</u>: To advise the applicant of the necessity of obtaining Council approval for the use of the shops/commercial suites prior to their occupation.



- 7. The ongoing use of the ground floor commercial tenancy complying with the following requirements at all times:
 - a) The areas to be used as a shop must be restricted to the ground floor commercial tenancy;
 - b) The shop window display areas must be maintained at all times with no roller shutters being installed across the shopfronts;
 - c) The hours of operation are restricted to between the hours of 7.00am to 7.00pm Monday to Saturday and not at any time on Sundays or public holidays;
 - All loading and unloading in connection with the use must be carried out from King Street or the commercial car parking spaces at the rear of the site, during the approved hours of operation and in such a manner so as to not cause an inconvenience to the public;
 - e) No storage of goods or equipment external to any building on the site is permitted; and
 - f) No signs or goods must be displayed for sale or stored on the footpath in front of the premises at any time without the prior approval of Council.
 - <u>Reason</u>: To ensure that the commercial uses are confined to the ground floor shop areas, to preserve the streetscape and character of the area and to ensure that the operation of the premises does not interfere with the amenity of the locality.
- 8. Each dwelling must be used exclusively as a single dwelling and not be adapted for use as backpackers' accommodation, serviced apartments or a boarding house and not be used for any industrial or commercial purpose.

<u>Reason</u>: To ensure that the proposed dwellings are used exclusively as single dwellings.

- A minimum of 2 adaptable dwellings must be provided in accordance with Part 2.5 of Marrickville Development Control Plan 2011 - Equity of Access and Mobility.
 <u>Reason</u>: To make reasonable provision in the development to provide residential accommodation suitable for people with a disability.
- 4 off-street car parking space must be provided and maintained at all times in accordance with the standards contained within Part 2.10 of Marrickville Development Control Plan 2011 - Parking. 2 of the car parking spaces are to be allocated to the commercial tenancy.

<u>Reason</u>: To ensure practical off-street car parking is available for the use of the premises.

11. 1 car parking space, for persons with a disability, required as part of the total parking required under this Determination must be provided and marked as disabled car parking spaces.

<u>Reason</u>: To ensure that disabled car parking spaces are provided and marked accordingly and that disabled persons are advised and directed to such parking.

12. All parking spaces and turning area thereto being provided in accordance with the design requirements set out within Part 2.10 of Marrickville Development Control Plan 2011 - Parking, and must be used exclusively for parking and not for storage or any other purpose.

<u>Reason</u>: To ensure adequate manoeuvrability to all car parking spaces and that the spaces are used exclusively for parking.

13. No injury must be 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.

- <u>Reason</u>: To ensure the operation of the premises does not affect the amenity of the neighbourhood.
- 14. The use of the premises, including any plant and equipment, must not give 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 5dB(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).

<u>Reason</u>: To prevent loss of amenity to the area.

15. Noise and vibration from the use and operation of any plant and equipment and/or building services associated with the premises must not give rise to "offensive noise' as defined by The Protection of the Environment Operations Act 1997 (NSW). In this regard the roller door to the car parking entry is to be selected, installed and maintained to ensure their operation does not adversely impact on the amenity of the surrounding neighbourhood.

<u>Reason</u>: To protect the amenity of the surrounding neighbourhood.

16. Separate Development Consent or Complying Development Certificate must be obtained prior to the erection of any advertisements or advertising structures. The shop windows must not be painted with advertisements and no flashing lights are to be installed on the premises.

<u>Reason</u>: To confirm the terms of Council's approval.

- The developer must liaise with the Sydney Water Corporation, Ausgrid, AGL and Telstra concerning the provision of water and sewerage, electricity, natural gas and telephones respectively to the property.
 <u>Reason</u>: To ensure that the development is adequately serviced.
- All trade waste must be stored within the site boundaries and contained in such a manner so as not to cause a nuisance.
 <u>Reason</u>: To provide for correct storage of wastes.
- All building work must be carried out in accordance with the provisions of the National Construction Code (Building Code of Australia).
 <u>Reason</u>: To ensure the work is carried out to an acceptable standard and in accordance with the National Construction Code (Building Code of Australia).
- 20. The proposed awning shall be of cantilever type and be set back at least 600mm from the kerb line. The proposed awning shall be a light weight structure and designed so as to be easily removed if required to in future. The owner shall maintain, modify or remove the structure at any time if given notification by Council or the RTA to do so. All works shall be at no cost to Council.

<u>Reason</u>: To ensure the awning complies with Council requirements.

21. Owners and occupants of the proposed building shall not be eligible to obtain parking permits under any existing or future resident parking scheme for the area. The person



acting on this consent shall advise any purchaser or prospective tenant of this condition. In addition the by-laws of any future residential strata plans created for the property shall reflect this restriction.

- <u>Reason</u>: To ensure the development does not reduce the amount of "on street" parking currently available.
- 22. All stormwater drainage being designed in accordance with the provisions of the Australian Rainfall and Runoff (A.R.R.), Australian Standard AS3500.3-2003 'Stormwater Drainage' 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.
- 23. 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. <u>Reason</u>: To provide for the existing and potential electrical power distribution for this development and for the area.
- 24. Dry-weather flows of any seepage water including seepage from landscaped areas will not be permitted through kerb outlets and must be connected directly to a Council stormwater system. Alternatively the water may be stored separately on site and reused for the watering of landscaped areas.

<u>Reason</u>: To ensure that there are no dry-weather flows of any seepage water directed to the kerb.

- 25. Should any undertaken remediation strategy result in residual contamination to remain on the site, a covenant must be registered with the title of the land binding site owners and future owners to be responsible for the compliance at all times with the requirements and responsibilities of any approved Environmental Management Plans developed.
 - <u>Reason</u>: To ensure compliance with the Environmental Management Plan and to prevent the future occurrence of a health hazard and the spread of contamination.

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 National Construction Code (Building Code of Australia).

26. A Hazardous Materials Survey (HAZMAT) shall be conducted and submitted to the satisfaction of Council <u>before commencing works</u>. This should address potential sources of contamination of existing site structures as per the recommendations in the Preliminary Site Investigation, Reference No. 116036, prepared by Environmental Earth Sciences NSW, dated 27 April 2016. Any recommendations of this assessment shall be acted upon.

<u>Reason:</u> To ensure hazardous materials are managed appropriately.



27. <u>No work must commence</u> until:

- a) A PCA has been appointed. Where an Accredited Certifier is the appointed, Council shall be notified within 2 days of the appointment; and
- b) A minimum of 2 days written notice given to Council of the intention to commence work.
- <u>Reason</u>: To comply with the provisions of the Environmental Planning and Assessment Act.
- 28. A Construction Certificate must be obtained <u>before commencing building work</u>. Building work means any physical activity involved in the construction of a building. This definition includes the installation of fire safety measures.

<u>Reason</u>: To comply with the provisions of the Environmental Planning and Assessment Act.

29. Sanitary facilities must be provided at or in the vicinity of the work site in accordance with the WorkCover Authority of NSW, Code of Practice 'Amenities for Construction'. Each toilet must be connected to the sewer, septic or portable chemical toilet <u>before work commences</u>.

Facilities must be located so that they will not cause a nuisance. <u>Reason</u>: To ensure that sufficient and appropriate sanitary facilities are provided on the site.

- 30. All demolition work must:
 - Be carried out in accordance with the requirements of Australian Standard AS 2601 'The demolition of structures' and the Occupational Health and Safety Act and Regulations; and
 - b) Where asbestos is to be removed it must be done in accordance with the requirements of the WorkCover Authority of NSW and disposed of in accordance with requirements of the Department of Environment, Climate Change and Water.

<u>Reason</u>: To ensure that the demolition work is carried out safely.

- 31. Where any loading, unloading or construction is to occur from a public place, Council's Infrastructure Services Division must be contacted to determine if any permits or traffic management plans are required to be obtained from Council <u>before work commences</u>. <u>Reason</u>: To protect the amenity of the area.
- 32. All services in the building being demolished must be disconnected in accordance with the requirements of the responsible authorities <u>before work commences</u>.
 <u>Reason</u>: To ensure that the demolition work is carried out safely.
- 33. A waste management plan must be prepared in accordance with Part 2.21 of Marrickville Development Control Plan 2011 – Site Facilities and Waste Management and submitted to and accepted by the PCA <u>before work commences</u>. <u>Reason</u>: To ensure the appropriate disposal and reuse of waste generated on the site.
- 34. The site must be enclosed with suitable fencing to prohibit unauthorised access. The fencing must be erected as a barrier between the public place and any neighbouring property, <u>before work commences</u>.
 <u>Reason</u>: To secure the area of the site works maintaining public safety.
- 35. A rigid and durable sign must be erected in a prominent position on the site, <u>before work</u> <u>commences</u>. The sign must 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'.
- <u>Reason</u>: To maintain the safety of the public and to ensure compliance with the Environmental Planning and Assessment Regulations.
- 36. A Soil and Water Management Plan must 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 must be submitted to and accepted by PCA <u>before work</u> <u>commences</u>. The plan must 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 must be constructed and maintained on site while work is carried out.

<u>Reason</u>: To prevent soil erosion and sedimentation of the stormwater network.

37. The person acting on this consent is responsible for arranging and meeting the cost of dilapidation reports prepared by a suitably qualified person. The reports are to include colour photographs and must be submitted to the Certifying Authority's satisfaction, with a colour copy being provided to Council and the respective property owner(s) of the identified properties, before work commences, on the buildings on the adjoining properties at 573 and 579 King Street, Newtown if the consent of the adjoining property owner(s) can be obtained. In the event that the consent of the adjoining property owner(s) cannot be obtained copies of the letter/s that have been sent via registered mail and any responses received must be forwarded to the PCA before work commences. Reason: To catalogue the condition of the adjoining properties for future reference in

the event that any damage is caused during work on site.

38. Before commencing works the person acting on this consent must provide a contact number for a designated person to be available during the demolition and construction for residents to contact regarding breaches of consent or problems relating to the construction.

<u>Reason</u>: To provide a person that residents can contact.

- 39. If new street numbers or a change to street numbers (this includes unit and shop numbers) are required, a separate application must be made to and approved by council prior to those street numbers being displayed.
 <u>Reason</u>: To ensure that the building is easily identifiable.
- 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. <u>Reason</u>: To ensure all necessary approvals have been applied for.
- 41. Where it is proposed to carry out works in public roads or Council controlled lands, a road opening permit shall be obtained from Council <u>before the carrying out of any works in</u>



<u>public roads or Council controlled lands</u>. 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 works as noted in Council's adopted fees and charges.

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

42. 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 <u>before commencement of works</u>.

Reason: To secure the site and to maintain public safety

- 43. A detailed Traffic Management Plan to cater for construction traffic shall be submitted to and approved by Council <u>before commencement of works</u>. Details shall include proposed truck parking areas, construction zones, crane usage, truck routes etc.
 - <u>Reason</u>: To ensure construction traffic does not unduly interfere with vehicular or pedestrian traffic, or the amenity of the area.
- 44. 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 <u>before commencement of works</u>.

<u>Reason</u>: 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 the Construction Certificate.

Section 94 Contribution

- 45. a) This condition is imposed in accordance with Section 94 of the Environmental Planning and Assessment Act 1979.
 - b) <u>Before the issue of a Construction Certificate</u> the Council must be paid a monetary contribution of \$74,938.20 indexed in accordance with Marrickville Section 94/94A Contributions Plan 2014 ("CP").

The above contribution is the contribution applicable as at 26 May 2016.

***NB** Contribution rates under Marrickville Section 94/94A Contributions Plan 2014 are indexed quarterly (for the method of indexation refer to Section 2.15 of the Plan).

The indexation of the contribution rates occurs in the first week of the months of February, May, August and November each year, following the release of data from the Australian Bureau of Statistics.

(CONTRIBUTION PAYMENT REFERENCE NO. DC001478)

c) The contribution payable has been calculated in accordance with the CP and relates to the following public amenities and/or services and in the following amounts:

Community Facilities	\$8,952.95
Plan Administration	\$1,469.36
Recreation Facilities	\$65,987.43
Traffic Facilities	\$-1,471.55

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- d) A copy of the CP can be inspected at Council's offices at 2-14 Fisher Street, Petersham or online at <u>http://www.marrickville.nsw.gov.au</u>.
- e) The contribution must be paid either in cash, by unendorsed bank cheque (from an Australian Bank only), via EFTPOS (Debit only) or credit card*.
 - *NB A 1% credit card transaction fee applies to all credit card transactions.
- <u>Reason</u>: To ensure provision is made for the increase in demand for public amenities and services required as a consequence of the development being carried out.
- 46. Amended plans shall be submitted to Council's satisfaction <u>prior to the issue of a</u> <u>Construction Certificate</u> reflecting the following design changes:
 - i. The height of the fixed glazing panels (below the transom windows) of the commercial/retail tenancy shall be increased from 2.1 metres to 2.4 metres; and
 - ii. The charcoal split face facebrick wall proposed along the Front (King Street) Elevation shall be 100mm high x 400mm long.

<u>Reason</u>: To ensure that the design is reflective of traditional shop fronts along King Street and to create a more prominent entry to the retail tenancy.

- 47. Evidence of payment of the building and construction industry Long Service Leave Scheme, must be submitted to the Certifying Authority's satisfaction <u>before the issue of a</u> <u>Construction Certificate</u>. (The required payment can be made at the Council Offices).
 - NOTE: 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.

<u>http://www.lspc.nsw.gov.au</u>.

- <u>Reason</u>: To ensure that the required levy is paid in accordance with the Building and Construction Industry Long Service Payments Act.
- 48. The approved plans must be submitted to a Sydney Water Quick Check agent to determine whether the development will affect any Sydney Water wastewater and water mains, stormwater drains and/or easement, and if any requirements need to be met. Plans will be appropriately stamped.

Please refer to the web site <u>www.sydneywater.com.au</u> for:

- Quick Check agents details see Plumbing, building and developing then Quick Check agents and
- Guidelines for Building Over/Adjacent to Sydney Water Assets see Plumbing, building and developing then Plan submissions
- or telephone 13 20 92.

The stamped plans must be submitted to the Certifying Authority's satisfaction <u>before the</u> issue of a Construction Certificate.

<u>Reason</u>: To ensure compliance with Sydney Water requirements.

49. A statement from a qualified Architect, verifying that the plans and specifications achieve

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or improve the design quality of the development for which development consent was granted, having regard to the design principles set out in Schedule 1 of State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development must be submitted to the Certifying Authority's satisfaction before the issue of a Construction Certificate.

To comply with the requirements under State Environmental Planning Policy Reason: No. 65 – Design Quality of Residential Apartment Development.

- 50. Letterboxes and mail collection facilities must be provided and adequately protected in accordance with details to be submitted to the Certifying Authority's satisfaction before the issue of a Construction Certificate. Reason: To ensure adequate mail collection facilities are provided.
- 51. Adequate outdoor clothes drying areas/facilities must be provided for the development in accordance with details to be submitted to the Certifying Authority's satisfaction before the issue of a Construction Certificate. Where such areas/facilities are provided on street facing balconies, the areas/facilities must be appropriately screened from view from the street.

To ensure adequate outdoor clothes drying facilities are provided. Reason:

- Lighting details of the pedestrian areas, parking areas and all entrances must be 52. submitted to the Certifying Authority's satisfaction before the issue of a Construction Certificate. Reason: To ensure appropriate lighting is provided to create a safe living environment.
- Plans fully reflecting the selected commitments listed in BASIX Certificate submitted with 53. the application for development consent must be submitted to the Certifying Authority's satisfaction before the issue of a Construction Certificate.
 - NOTE: The application for the Construction Certificate must be accompanied by either the BASIX Certificate upon which development consent was granted or a revised BASIX Certificate (Refer to Clause 6A of Schedule 1 to the Regulation).
 - Reason: To ensure that the BASIX commitments are incorporated into the development.
- 54. A hot water system with a minimum 3.5 energy star Greenhouse rating must be provided for each dwelling in accordance with details to be submitted to the Certifying Authority's satisfaction before the issue of a Construction Certificate. Reason: To ensure that the dwellings incorporate energy and water efficient measures.
- Noise attenuation measures being incorporated into the development complying with 55. Australian Standard 2021-2000 in relation to interior design sound levels shown in Table 3.3 (Indoor Design Sound Levels for Determination of Aircraft Noise Reduction), in accordance with details must be submitted to the Certifying Authority's satisfaction before the issue of a Construction Certificate together with certification by a suitably gualified acoustical engineer that the proposed noise attenuation measures satisfy the requirements of Australian Standard 2021-2000.

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

- Details of an anti graffiti treatment to the rear elevation of the development must be 56. submitted to and approved by Council before the issue of a Construction Certificate. Reason: To ensure the proposed development remains free of graffiti.
- 57. Before the issue of a Construction Certificate an amended plan must be submitted to the



Certifying Authority's satisfaction addressing the requirements of The Disability (Access to Premises – buildings) Standards 2010 (the Premises Standards). <u>Reason</u>: To ensure that the premises are accessible to all persons.

- 58. The person acting on this consent shall provide to Council a bond in the amount of \$14,112.60 and pay the related Section 138 (Roads Act) inspection fee of \$217.80 (GST inclusive) before the issue of a Construction Certificate to ensure 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.
- 59. 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.
- 60. All plumbing and ductwork including stormwater downpipes must be concealed within the outer walls of the building so they are not visible. Plans and elevations detailing the method of concealment must be submitted to and approved by Council <u>before the issue of a Construction Certificate</u>. Any variation to this requirement requires Council approval. <u>Reason:</u> To ensure the aesthetics of the building and architecture are maintained.
- 61. Alignment levels shall be submitted to and approved by Council <u>before the issue of the Construction Certificate</u>. Alignment levels must be provided at the boundary at a minimum distance of every 5m and at all pedestrian and vehicular access locations. Alignment levels shall match the existing back of footpath levels at the boundary along the King Street frontage. Along King Lane the alignment levels at the boundary shall match the invert level of the adjacent gutter plus 150mm.
 - <u>Reason</u>: In accordance with Council's powers under the Roads Act, 1993, alignment levels at the property boundary will be required to accord with Council's design or existing road and footpath levels.

SITE WORKS

- 62. All excavation, demolition, construction, and deliveries to the site necessary for the carrying out of the development, must be restricted to between 7.00am to 5.30pm Mondays to Saturdays, excluding Public Holidays. Notwithstanding the above no work being carried out on any Saturday that falls adjacent to a Public Holiday.
 <u>Reason</u>: To minimise the effect of the development during the construction period on the amenity of the surrounding neighbourhood.
- 63. During any construction works and activities, no injury must be 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.

<u>Reason</u>: To ensure the construction of the development does not affect the amenity of the neighbourhood.

64. The area surrounding the building work must be reinstated to Council's satisfaction upon completion of the work.

<u>Reason</u>: To ensure that the area surrounding the building work is satisfactorily reinstated.



65. 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 must comply with Council's Policy - 'Placement of Waste Storage Containers in a Public Place'.

<u>Reason</u>: 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.

- 66. All demolition work must be 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;
 - all works involving the demolition, removal, transport and disposal of asbestos cement must 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, Climate Change and Water;
 - all building materials arising from the demolition must be disposed of in an approved manner in accordance with Part 2.21 of Marrickville Development Control Plan 2011 – Site Facilities and Waste Management and any applicable requirements of the Department of Environment, Climate Change and Water;
 - d) sanitary drainage, stormwater drainage, water, electricity and telecommunications must 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;
 - all trucks and vehicles associated with the demolition, including those delivering to or removing material from the site, must only have 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;
 - no waste collection skips, spoil, excavation or demolition material from the site must be 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 must ensure that all contractors and subcontractors associated with the demolition are fully aware of these requirements.
 - <u>Reason</u>: To ensure that the demolition work is carried out safely and impacts on the surrounding area are minimised.
- 67. 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 can only be carried out by the PCA. The critical stages of construction are:
 - a) At the commencement of the building work;
 - 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

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required.

- <u>Reason</u>: To ensure the building work is carried out in accordance with the Environmental Planning and Assessment Regulations and the National Construction Code (Building Code of Australia).
- 68. If it is necessary to excavate below the level of the base of the footings of a building on the adjoining allotments, including a public place such as footways and roadways, the person acting on this consent must ensure:
 - a) At least 7 days' notice is given to the owners of the adjoining land of the intention to excavate below the base of the footings. The notice is to include complete details of the work; and
 - b) That any building is preserved and protected from damage.

Where a dilapidation report has not been prepared on any building adjacent to the excavation, the person acting on this consent is responsible for arranging and meeting the cost of a dilapidation report prepared by a suitably qualified person. The report is to be submitted to and accepted by the PCA <u>before works continue on site</u>, if the consent of the adjoining property owner can be obtained. Copies of all letter/s that have been sent via registered mail to the adjoining property owner and copies of any responses received must be forwarded to the PCA <u>before work commences</u>.

- <u>Reason</u>: To ensure that adjoining buildings are preserved, supported and the condition of the buildings on the adjoining property catalogued for future reference in the event that any damage is caused during work on site.
- 69. All vehicles carrying materials to, or from the site must have their loads covered with tarpaulins or similar covers.
 - <u>Reason</u>: To ensure dust and other particles are not blown from vehicles associated with the use.
- 70. Satisfactory methods and/or devices must be employed on the site to prevent the tracking of mud/dirt onto the surrounding streets from vehicles leaving the site.
 <u>Reason</u>: To prevent soil particles from being tracked and deposited onto the streets surrounding the site.
- A certificate of survey from a registered land surveyor must be submitted to the PCA upon excavation of the footings and before the pouring of the concrete to verify that the structure will not encroach on the allotment boundaries.
 <u>Reason</u>: To ensure all works are contained within the boundaries of the allotment.
- 72. A clear unobstructed path of travel of not less than 1,000mm must be provided to all exits and paths of travel to exits.
 <u>Reason</u>: To provide safe egress in case of fire or other emergency.
- 73. Fixtures for bathroom and kitchen taps, showerheads, dishwashers, toilet cisterns and urinals must have a minimum 3 Star WELS rating for the commercial premises.

NOTE: Information on the star rating scheme, and all 'star' rated products are available to view at the Water Efficiency Labelling and Standards (WELS) website: <u>www.waterrating.gov.au</u>.

Reason: To conserve water.

74. New or replacement toilets must have a minimum 3 Star WELS rating and being 6/3 litre dual flush or more efficient for the commercial premises.

NOTE: Information on the star rating scheme, and all 'star' rated products are available to view at the Water Efficiency Labelling and Standards



(WELS) website: www.waterrating.gov.au.

To conserve water. Reason:

- 75. All roof and surface stormwater from the site and 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. To provide for adequate site drainage. Reason:
- 76. The site stormwater drainage shall be constructed generally in accordance with Stormwater Management Plan 9010/H1 dated November 2015. To provide for adequate site drainage. Reason:
- 77. Any disposed soil from the site shall be classified in accordance with the NSW Environmental Protection Authority's Waste Classification Guidelines 2014 and being carried out in accordance with the requirements of the NSW Environmental Protection Authority. Reason: To provide for correct disposal of wastes.
- If during site works there are significant unexpected occurrences, site works shall 78. immediately cease. A suitably gualified environmental consultant shall be engaged to assess the site and determine if remediation is required in accordance with the NSW Environmental Protection Authority's Guidelines for Consultants Reporting on Contaminated Sites 2011. Any unexpected occurrences and management plans to address these shall be reported to and approved by Council. Note that Council may request that a NSW EPA Accredited Site Auditor review any proposed remedial or management plans.

To ensure compliance with SEPP 55. Reason:

79. Upon the completion of any remediation works stated in the RAP (if required), the person acting on this consent shall submit to Council a Validation and Monitoring Report demonstrating evidence that the site has been remediated and is suitable for the proposed development. Should any undertaken remediation strategy result in residual contamination to remain on the site, an Environmental Management Plan, must be provided to the satisfaction of Council that outlines measures to ensure people and the environment are protected from any contamination. All reports are to be prepared in accordance with the NSW Environment Protection Authority's Guidelines for Consultants Reporting on Contaminated Sites 2011. Note that Council may request the applicant to engage a NSW EPA Accredited Site Auditor to provide a Site Audit Statement to certify site suitability.

To ensure any contamination risks are managed. Reason:

80. Any water (including water from excavations) shall be discharged to sewer, with the appropriate licence to be obtained; or disposed off-site to a suitably licensed facility. Alternatively, any water to be discharged to Council's stormwater system shall comply with the ANZECC Guidelines for Marine and Freshwater Quality for Protection of Aquatic Ecosystems (95% protection level for marine ecosystems). To ensure the protection of the environment from contaminated groundwater.

Reason:

BEFORE OCCUPATION OF THE BUILDING

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

Extraordinary Council Meeting

5 July 2016

INNER WEST COUNCIL

- 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.

<u>Reason</u>: To comply with the provisions of the Environmental Planning and Assessment Regulations.

- 82. Occupation of the building must 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.

<u>Reason</u>: To comply with the provisions of the Environmental Planning and Assessment Act.

- 83. The owner of the premises, as soon as practicable after the Final Fire Safety Certificate is issued, must:
 - a) Forward a copy of the Final Safety Certificate and the current Fire Safety Schedule to the Commissioner of Fire and Rescue New South Wales 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 12 months after the Final Fire Safety Certificate is issued the owner must 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.

- <u>Reason</u>: To ensure compliance with the relevant provisions of the Environmental Planning and Assessment Regulations and Building Legislation Amendment (Quality of Construction) Act.
- 84. The Section 73 Certificate must be submitted to the Principal Certifying Authority <u>before</u> the issue of an Occupation Certificate.
 - a) A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Make early application for the certificate, as there may be water and sewer pipes to be built and this can take some time. This can also impact on other services and building, driveway or landscape design.
 - Application must be made through an authorised Water Servicing Coordinator. For help either visit <u>www.sydneywater.com.au</u> > Plumbing, building and developing > Providers > Lists or telephone 13 20 92.

Reason: To ensure compliance with Sydney Water requirements.

85. A statement from a qualified Architect, verifying that the plans and specifications achieve or improve the design quality of the development for which development consent was granted, having regard to the design principles set out in Schedule 1 of State



Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development must be submitted to the Certifying Authority's satisfaction before the issue of an Occupation Certificate.

- Reason: To comply with the requirements under State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development.
- 86. The Certifying Authority must be satisfied that each of the commitments listed in BASIX Certificate referred to in this Determination have been fulfilled before the issue of an Occupation Certificate (whether an interim or final Occupation Certificate). To ensure that all of the BASIX commitments have been fulfilled and to Reason: comply with the requirements under Section 154B of the Environmental Planning and Assessment Regulations 2000.
- 87. The Certifying Authority must apply to the Director-General for a BASIX Completion Receipt within 2 days of the issue of a final Occupation Certificate. Completion Receipts can be applied for at www.basix.nsw.gov.au.
 - Reason: To ensure compliance with the requirements under Section 154C of the Environmental Planning and Assessment Regulations 2000.
- Upon completion of the required noise attenuation measures referred to in the 88. a) "Before the Issue of a Construction Certificate" Section of this Determination, and prior to the occupation of the development a report must be prepared and submitted to the Certifying Authority'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 must include external and internal noise levels to ensure that the external noise levels during the test are representative of the typical maximum levels that may occur at this development: and
 - Where it is found that internal noise levels are greater than the required dB(A) b) rating due to faulty workmanship or the like, necessary corrective measures must be carried out and a further certificate being prepared and submitted to Council in accordance with the requirements as set down in Part a) of this condition.
 - To reduce noise levels within the development from aircraft and to ensure Reason: that the noise attenuation measures incorporated into the development satisfactorily comply with the relevant sections of Australian Standard 2021-2000.
- 89. Before the issue of an Occupation Certificate, a street number and identifier of separate occupancies (if applicable) must be clearly displayed in a readily visible location (numbers having a height of not less than 75mm). If any new street numbers or change to street numbers (this includes unit and shop numbers) are required they must have the prior approval of council before being displayed. Reason: To ensure that the building is easily identifiable.
- 90. 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 the Occupation Certificate. Works shall be in accordance with Council's Standard crossing and footpath specifications and AUS-SPEC#2-"Roadworks Specifications".

To ensure person acting on this consent completes all required work. Reason:

You are advised that Council has not undertaken a search of existing or proposed utility 91. services adjacent to the site in determining this application. 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.



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

92. 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 <u>before the issue of the Occupation Certificate</u>.
Research: To ensure there is no encreachment onto Council's Read

<u>Reason</u>: To ensure there is no encroachment onto Council's Road.

93. The existing stone kerb adjacent to the site is of local heritage value 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 <u>before the issue of the Occupation</u> <u>Certificate</u>.

<u>Reason</u>: To ensure that items of local heritage value are preserved.

94. Under awning lighting to match the existing whiteway lighting scheme in the area must be installed <u>before the issue of the Occupation Certificate</u>. All works required to install and connect the system (including the need to install a "special small service") to the mains power supply shall be at no cost to Council.

<u>Reason</u>: To ensure adequate lighting is provided for pedestrians adjacent to the site.

95. Heavy duty concrete vehicle crossings, in accordance with Council's Standard crossing and footpath specifications and AUS-SPEC#2-"Roadworks Specifications" shall be constructed at the vehicular access locations <u>before the issue of the Occupation</u> <u>Certificate</u> and at no cost to Council.

<u>Reason</u>: To allow vehicular access across the footpath and/or improve the existing vehicular access.

96. All 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" <u>before the issue of the Occupation Certificate</u> 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.

<u>Reason</u>: To eliminate redundant crossings and to reinstate the footpath to its normal condition.

- 97. The existing damaged or otherwise defective kerb and gutter, footpath and/or road pavement adjacent to the site 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 <u>before the issue of the Occupation Certificate</u>.
 - <u>Reason</u>: 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.
- 98. The footpaths and vehicular crossings adjacent to the site in King Street and King Lane shall be reconstructed in accordance with Draft Public Domain Technical Manual and Council's standard plans and specification. The above works shall be undertaken at no cost to Council and <u>before the issue of the Occupation Certificate</u>.
 - <u>Reason</u>: To provide suitable means of public pedestrian access to the development and to ensure that the amenity of the area is in keeping with the standard of the development.
- 99. Before occupation of the site 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 being 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. <u>Reason</u>: To ensure drainage works are constructed in accordance with approved plans.

100. <u>Prior to issue of the Occupation Certificate</u> 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.

ADVISORY NOTES

- 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.
- A complete assessment of the application under the provisions of the National Construction Code (Building Code of Australia) has not been carried out.
- 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.
- The property lies within the 20-25 Australian Noise Exposure Forecast (ANEF) Contour (2033), as advised by the Commonwealth Department of Aviation, and it would be advisable to noise attenuate the development in accordance with Australian Standard AS 2021 'Acoustics - Aircraft noise intrusion - Building siting and construction'.
- Buildings built or painted before the 1970's may have surfaces coated with lead-based paints. Recent evidence indicates that lead is harmful to people at levels previously thought safe. Children particularly have been found to be susceptible to lead poisoning and cases of acute child lead poisonings in Sydney have been attributed to home renovation activities involving the removal of lead based paints. Precautions should therefore be taken if painted surfaces are to be removed or sanded as part of the proposed building alterations, particularly where children or pregnant women may be exposed, and work areas should be thoroughly cleaned before occupation of the room or building.
- Contact "Dial Before You Dig" before commencing any building activity on the site.
- Useful Contacts

<u>Reason</u>: To ensure that all Road, Footpath and Civil Works required to be undertaken as a result of this development have been completed satisfactorily.



BASIX Information	1300 650 908 weekdays 2:00pm - 5:00pm www.basix.nsw.gov.au
Department of Fair Trading	13 32 20 www.fairtrading.nsw.gov.au Enquiries relating to Owner Builder Permits and Home Warranty Insurance.
Dial Before You Dig	1100 www.dialbeforeyoudig.com.au
Landcom	9841 8660 To purchase copies of Volume One of "Soils and Construction"
Long Service Payments Corporation	131441 www.lspc.nsw.gov.au
NSW Food Authority	1300 552 406 www.foodnotify.nsw.gov.au
NSW Government	<u>www.nsw.gov.au/fibro</u> <u>www.diysafe.nsw.gov.au</u> Information on asbestos and safe work practices.
NSW Office of Environment and Heritage	131 555 www.environment.nsw.gov.au
Sydney Water	13 20 92 www.sydneywater.com.au
Waste Service - SITA Environmental Solutions	1300 651 116 www.wasteservice.nsw.gov.au
Water Efficiency Labelling and Standards (WELS)	www.waterrating.gov.au
WorkCover Authority of NSW	13 10 50 <u>www.workcover.nsw.gov.au</u> Enquiries relating to work safety and asbestos removal and disposal.

- **B. THAT** those persons who lodged a submission in respect to the proposal be advised of the Council's determination of the application.
- **C. THAT** the Department of Planning and Environment be advised, as part of the quarterly review of the monitoring of Clause 4.6 of Marrickville Local Environmental Plan 2011 Exceptions to Development Standards, that Council has agreed to the variation of the following development standard:

Premises:	575 King Street, Newtown
<u>Applicant</u> :	Jitendra Singh
	Reshmi Rita Singh
Proposal:	To demolish existing structures and construct a 3 storey



	mixed use development comprising a retail tenancy on
	the ground floor and 7 dwellings above, with associated
	car parking
Determination:	Consent subject to conditions
<u>DA No</u> :	201500750
Lot and DP:	Lot 3 DP 204608
Category of Development:	9 - Mixed
Environmental Planning Instrument:	Marrickville Local Environmental Plan 2011
Zoning of Land:	B2 - Local Centre
Development Standard(s) varied:	Clause 4.4 – Floor Space Ratio
Justification of variation:	The proposal satisfies the objectives of the building
	envelope controls; provides high residential amenity;
	results in no unreasonable amenity impacts to adjoining
	properties in the site circumstances; is consistent with
	the objectives of the development standards and
	respective zone; and is appropriate in the context.
Extent of variation:	126.35m ² (22%)
Concurring Authority:	Council under assumed concurrence of the Secretary
	Department of Planning and Environment
Date of Determination:	

ATTACHMENTS

Nil.



Item No: C0716 Item 11

Subject: DRAFT OPERATIONAL PLAN AND BUDGET 2016-17

File Ref: 16/4718/74274.16

Prepared By: Helen Tola - Manager Customer Service and Corporate Planning, Leichhardt

Authorised By: Matthew Phillips - Director, Corporate Services and Nellette Kettle - Director, Innovation and Strategy

SUMMARY

The purpose of this report is to:

- 1. report on submissions received to date in relation to the Draft Operational Plan 2016/17 as prepared to combine the draft operational plans 2016/17 of the former councils of Ashfield, Leichhardt and Marrickville, including budget and fees and charges.
- 2. formally adopt the Inner West Council Operational Plan 2016/17.
- 3. make and levy the Rates for 2016/17 for the former Local Government Areas of Ashfield, Leichhardt and Marrickville.

RECOMMENDATION

THAT the Administrator:

- 1. adopts the exhibition copy of the Inner West Council Draft Operational Plan 2016/17, as its adopted Operational Plan 2016/17, subject to the minor amendments detailed in this report;
- 2. makes and levy the Rates for 2016/17 as contained in this report for each former Local Government Area, having given public notice of its Draft Operational Plan in accordance with section 405 of the *Local Government Act 1993*;
- 3. adopts the Business Rate Airport lands as the basis for determining equivalent rate payments (for the former Marrickville LGA);
- 4. adopts the rate of 8% as the interest rate to apply on outstanding rates, in accordance with section 566(3) of the *Local Government Act 1993; and*
- 5. adopts the Schedule of Fees and Charges, annexed to the Operational Plan 2016/17 as amended in terms of this report, as Council's Fees and Charges for 2016/2017 for each of the former Council areas of Ashfield, Leichhardt and Marrickville.

BACKGROUND

The Local Government (Council Amalgamations) Proclamation 2016 issued on 12 May 2016 states that a new council must have an Operational Plan by 1 August 2016 (s.22 (1)).

The NSW Department of Premier and Cabinet (DPC) issued guidance on the preparation of the Operational Plan for the new council (*Managing Change: Guidance for key staff*, May 2016) along with additional, specific guidelines regarding the responsibilities of the Interim General Manager.

Key points raised in the Guidelines included:

• Within the first 30 days the new council is required to prepare and commence exhibition of a draft operational plan, budget and fees and charges for 2016/17



- The day by which a new council must have an Operational Plan is 1 August 2016
- The Operational Plan 2016/17 and associated budget, revenue policy and fees and charges should be based primarily on the direction provided in the delivery programs and long term financial plans of the former councils. i.e. the operational plan of the new council will be, as far as practicable, a composite of the existing draft plans of the former councils
- The proclamation requires new councils to apply the rating structure, rating categories and sub-categories that applied in each former council area for 2015-16 in 2016/17
- New councils are required to publicly exhibit a draft operational plan for a minimum of 28 days
- When planning the adoption of the operational plan 2016/17, new councils should give consideration to the time required to serve the first rate notice
- A new council may hold a meeting for the purposes of approving expenditure and voting money for the period from 1 July 2016 until the adoption by the council of the first operational plan for the council.

At a minimum, new councils were required to prepare an Operational Plan in the name of the new council, which (inter alia) physically combines the draft operational plans 2016/17 of the former councils, including budget and fees and charges, but not integrate the content.

The Inner West Council prepared and publically exhibited the Inner West Council Draft Operational Plan 2016/17 (Draft Plan) from Friday 3 June to Thursday, 30 June 2016 (inclusive), which satisfied the statutory exhibition period of 28 days.

This report outlines the public consultation program, the submissions received during the public exhibition period and recommends adoption of the Inner West Council Operational Plan 2016/17.

FINANCIAL IMPLICATIONS

2016-17 Budget

The Inner West Council is committed to remaining financially sustainable, maintaining existing services and funding all currently scheduled major projects from the three former Councils of Ashfield, Leichhardt and Marrickville.

The Council is committed to ensuring assets are adequately maintained and renewed without deferring costs to future residents and ratepayers and maintain service delivery levels provided for the community.

The combined Draft Budget 2016/17 delivers on these commitments.

In 2016/17, Council's estimated operating revenue is \$281.1 million, with operating expenses of \$238.9 million resulting in a net operating result of \$42.2 million.

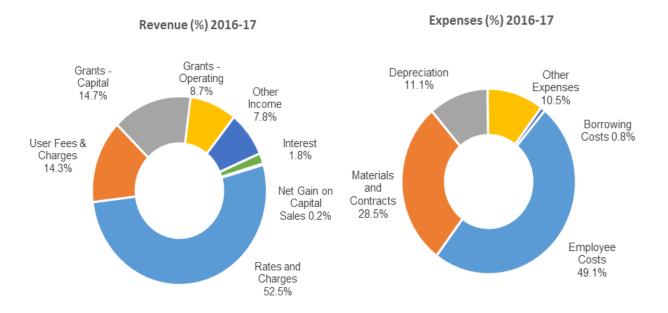
Our overall 2016/17 Operating Statement is:

	2016/17 Budget \$'000
Income from Continuing Operations	
Rates and Charges	147,789
User Fees & Charges	40,387
Interest	4,942
Other Income	21,826



	2016/17 Budget \$'000
Grants - Operating	24,461
Grants - Capital	41,284
Net Gain on Capital Sales	494
Total Income from Continuing Operations281,7	
Expenditure	
Employee Costs	117,385
Materials and Contracts	67,992
Borrowing Costs	1,944
Other Expenses	25,120
Depreciation	26,487
Total Expenditure from Continuing Operations	238,928
Net Operating Result from Continuing Operations	42,255

The major components of Council's operating revenue and expenditures are summarised in the two graphs below:



The 2016/17 Budget includes any changes endorsed by three former Council's.

Major Projects Plan 2016/17

Provides a detailed overview of its Major Projects for 2016/17. This information is provided to increase transparency of the Council's activities by providing a comprehensive listing of property, infrastructure and community projects that are funded from Reserves and Section 94 Developer Contributions.



Other Staff Acknowledgment

The Director Corporate Services, Director Innovation and Strategy, Chief Financial Officers, Corporate Strategy/Corporate Planning and Communications staff have contributed to the development of this report.

Public Consultation

Each of the three former Council prior to amalgamation had individually commenced public exhibition of their respective Operational Plan 2016/17 prior to the 12 May 2016.

Therefore submissions received during such time have also been reported as part of this report along with submissions received as part of the Inner West Council Operational Plan 2016/17.

For ease of reference the submissions received are summarised in two parts being:

- 1. Public exhibition by Inner West Council
- 2. Public exhibition by former local government areas (i.e. Ashfield, Leichhardt & Marrickville Councils)

Part 1 : Public Exhibition by Inner West Council

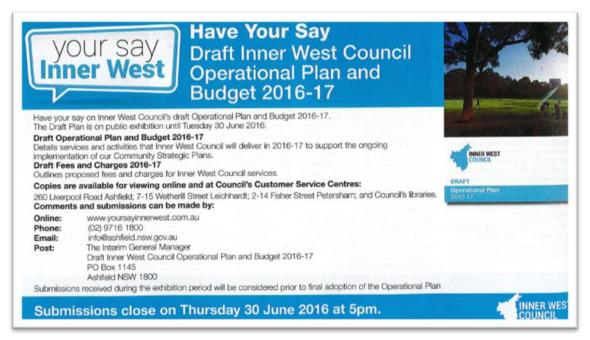
Inner West Council publicly exhibited the Draft Operational Plan for 2016/17 from 3 June to 30 June 2016.

The draft plan was exhibited online at Council's online engagement hub *Your Say Inner West*, and in hard copy at Council's Ashfield, Leichhardt & Petersham Service Centres and libraries.

Community feedback was invited by a submission form online or via a submission box located at the service centres and libraries, or in writing, by email or by phone to Council.

The public exhibition was promoted via:

- Presentation of the Operational Plan 2016/17 to the newly established Local Representation Advisory Committees in June 2016.
- A dedicated webpage 'Your Say Inner West' http://www.yourspyinperwest.com.au//inner.west.council.com
- http://www.yoursayinnerwest.com.au//inner-west-council-draft-operationalplans
- Placement of advertisements in the *Inner West Courier* on the 14 June 2016 and 21 June 2016





Your Say Council's online engagement hub

Improving our cycling network We've designed a significant improvement to the cycling network. View the concept designs for Regional Route 7 from Lewisham to Newtown and tell us your thoughts. Simplifying the process to hold public events and activities View and comment on the new draft Local

View and comment on the new oratt Local Approvals policy which aims to make it simpler to hold public events and activities (former Leichhardt local government area only).



Inner West Council's Draft Operational Plan

The Draft Plan guides the direction of Council and outlines Council's actions for 2016-17. View the Draft Plan and have your say.



www.yoursayinnerwest.com.au Have your say online and register to receive our monthly e-news.

- Exhibition of the Draft Plan, rating maps, supporting information and submission boxes to all three service centres (i.e. Ashfield, Leichhardt & Petersham)
- Exhibition of the Draft Plan at all libraries across the newly formed local government area
- Council noticeboards
- Council's website (including the use of an online feedback form via the Inner West Council - Have Your Say webpage, sliders and news items on the home page of Council's website
- Social Media including Facebook, Twitter and eNews
- Advice to management and members of staff.

Responses

Local Representation Advisory Committees

The Draft Operational Plan 2016/17 was also presented to the newly established Local Representation Advisory Committees in June 2016.

Feedback from the LRAC's is provided in the table below.

LRAC	Precis of recommendation
Ashfield	That the Administrator gives consideration to waive the fees for outdoor
(14 June)	dining until the new Council is appointed.
Leichhardt	That a quarterly budget review be reported to the LRACs.
(15 June)	
Leichhardt	That a quarterly review of progress on major infrastructure projects be
(15 June)	reported to the LRACS.
Marrickville	That the Council report on the Operational Plan and Budget considers
(23 June)	the impact of not proceeding with the \$25 increase in the Domestic Waste Management Charge for the former Marrickville LGA for 2016-17
	financial year.



In response to the waiving of the fees for outdoor dining, as recommended by the Ashfield LRAC, the Administrator has asked the Interim General Manager to prepare a report in relation to such.

In response to the impact of not proceeding with the \$25 increase in the Domestic Waste Management Charges as recommended by the Marrickville LRAC, the following comment is provided:

In accordance with the Local Government Act Domestic Waste Management Charges are set to recover the costs of delivering the service.

If the DWM charge is not increased by the recommended 5% to cover the costs of delivering the service, Council will need to review and most likely reduce service levels.

Your Say Inner West

During the exhibition period, 602 visitors were aware (i.e. viewed the project page), 409 visitors were informed (i.e. performed an action such as downloading a document) and 15 were engaged (i.e. made a submission).

Submission	Précis of Submission
Submission 1	The submission requests that Council update resident parking strategies when large scale residential developments are approved.
Submission 2	The submission notes that no elected official involved and requests an immediate election.
Submission 3	The submission asks when will the community get to vote on whether we want the amalgamated council or not and also for our own local councillor
Submission 4	The submission opposes the \$6/day increase in childcare fees for the Annandale Child Care Centre due to its shorter hours and Christmas shutdown in comparison with similar centres.
Submission 5	No comments were made.
Submission 6	The submission requests early return of democracy and local representation; and opposition to WestConnex to be included in the plan. Additionally it requests the publication of the amalgamation plan and budget, and information on how the public is to be included in the DA planning process.
Submission 7	The submission requests an election and a referendum on amalgamation.
Submission 8	The submission requests alternative sites for the Darley Road netball courts due to the merger, and makes three suggestions for sites; and notes the cost of the replacement of green space and trees.
Submission 9	No comments were made.
Submission 10	No comments were made.
Submission 11	The submission is approving of the inclusion of long-standing celebrations, the upgrade of significant public space e.g. pool and Marrickville Park, services for the aged community and improved community consultation. The submission requests the (Marrickville) verge garden program be rolled out across the new LGA, and that new street trees and planted and additional street tree maintenance is carried out, particularly in the former Ashfield area. The submission also requests less overdevelopment of the Inner West and more collaboration between local and state governments around infrastructure preceding development.
Submission 12	The submission requests decisions on development be suspended until the LGA has democratic representation and comments on the legitimacy of the amalgamation process.



Submission	Précis of Submission
Submission 13	The submission opposes the Darley Road netball courts and asks whether Shields Park is an appropriate space for a sportsground based on safety issues to children, and use of the space by the community.
Submission 14	The submission refers to an email sent by the submitter on 30/06/16 – see individual submissions below.
Submission 15	The submission opposes the Darley Road netball courts on the basis that the merger has made the construction unnecessary and that the proposal contravenes 15 of Council's stated future objectives (outlined in detail in the submission).
Submission 16	The submission opposes the Darley Road netball courts on the grounds of safety, lack of parking, amount of courts available in the new LGA, nearby development, preference for green space and expenditure.

Two further email submissions were received and are summarised below:

Submission	Precis of submission
Submission 17	The submission opposed the for the Darley Road Netball courts, amenities block and road drainage works as proposed.
Submission 18	The submission opposed the plans for the Darley Road area just around the light rail station specifically in relation to the clearing it for sports facilities.

The Your Say Inner West – full submission responses, and the additional two emails received as mentioned above are provided as **Attachment 2.**

Other submissions

There were three individual submissions made to the Inner West Council – Ashfield, Leichhardt or Marrickville Service Centres by phone, letter or email in relation to the composite Inner West Council Operational Plan 2016/17.

Submission	Precis of submission
Submission 1	The submission requests that Inner West Council should NOT fully fund the reconstruction of the former diving pool at the Ashfield Aquatic Centre and that it should only proceed after a commitment has been received for a substantial funding commitment from the water polo group that has lobbied the former Ashfield Council for that part of the Ashfield Aquatic Centre Redevelopment.
Submission 2	The submission highlights the absence of the interim staff restructure for the Inner West Council Operational Plan and details in relation to such, nor cost for officers voluntary redundancies and request that information be made available to residents. The submission also seeks clarification and information including where the following items will be funded from: • Inner West Council IHAP(s)
	 additional mergers costs for the new Council relating to information technology, branding, social media, signage, banners, advertisements Strategic studies to develop a context for all actions and capital works such as recreation and open space, traffic and transport, economic development, housing, community facilities, LEP and DCP, s94 plan and VPA policies.



Submission	Precis of submission
Submission 3	This submission outlined strong and widespread community opposition to the installation of netball courts at Shields Park, as well as the recent Council mergers and recommends that in the public interest Council reconsiders this budget proposal when the new Council is elected in September 2017.

Part 2:

Public exhibition by former local government areas (i.e. Ashfield, Leichhardt & Marrickville Councils)

Given the new Inner West Council Operational Plan 2016/7 as prepared is a composite of the former Operational Plans 2016/17 submissions received have also been included in this report for consideration by the Administrator.

Details of the public exhibition by former local government areas is provided below.

Public Exhibition by former Ashfield Council

The former Ashfield Council publicly exhibited the Draft Annual Plan and Council Plan from 12 May to 9 June 2016.

The draft plans were exhibited online via Council's website, social media including facebook, twitter, and in hard copy at Council's Customer Service Centre and Council libraries.

Community feedback was invited by a submission form online, or in writing to Council or via a submission box.

No submissions were received during the exhibition period by the former Ashfield Council.

Public Exhibition by former Leichhardt Council

The former Leichhardt Council publicly exhibited the Draft Delivery Program 2014-2018 (year 3), Operational Plan 2016/17, Resourcing Strategy, Budget, and Fees and Charges, from 6 May to 7 June 2016.

The draft plans were exhibited online via Council's website, social media including facebook, twitter, and in hard copy at Council's Customer Service Centre and Leichhardt and Balmain Libraries.

Community feedback was invited by a submission form online, or in writing to Council or via a submission box.

A total of twenty (20) submissions were received during the exhibition period of the former Leichhardt Council Draft Operational Plan 2016/17 and these are tabled for consideration by the Administrator with this report.

Details of the person making the submission have been excluded and redacted from the report under the *Privacy and Personal Information Act 1998.*

A summary of the matters raised in the submissions, are provided in the table below:



Submission	Précis of Submission			
Submission 1	The submission requests increased budget allocation for open green space and planting of more trees. The submission from the APIA Leichhardt Tigers requests that Council assists			
Submission 2	 The submission from the APIA Leichhardt Tigers requests that Council assists with full funding or part funding of the following projects in Lambert Park totalling \$590,000 which includes: Electronic Video Screen / Scoreboard - \$94,700 			
	Separation Field Safety Netting - \$66K			
	CCTV Camera Security System - \$59.9K			
	Replace western end entry secondary gates - \$14K			
	Equipment Storage Facility - \$58K			
	Security Shutters to Main Grandstand - \$9K			
	Returf Training Facility and Install Irrigation - \$25K			
	 Install concrete slab ramp to training/warm up (grass) area - \$27K 			
	Upgrade existing public toilets - \$44K			
	Install 12 Park Benches - \$36K			
	Install Security Light Poles and Safety Lights - \$8.5K			
	Install retaining wall - \$32K			
	 Paint Marion Street Grandstand and surrounding concrete block fencing - \$31K 			
	Greening Lambert Park - \$15K			
	• Shade Sail - \$4.9K.			
Submission 3	The submission encourages Council to extend the library services, especially the extension of the Interlibrary Loan system and applauds the emphasis on community, environment, heritage preservation, bikeways, and generally to make the inner west human friendly as opposed to giving over to ugly development and highways.			
Submissions 4 to 18	These submissions consider that Water Polo as an Olympic Sport, and in an Olympic year should be provided recreational funding priority. It is understood that Dawn Fraser Baths should receive \$120,000 on restoration annually from 2016/17 to 2019/20 plus the additional budgeted \$213,187, and is seeking for such to be confirmed? Further the submissions raise that the highest priorities for spend at Dawn Fraser Baths is the improvement of lighting (safety) and the inclusion of a secure club room for BWPC (security) and welcomes the opportunity to meet with Council to outline multiple other areas which require improvement.			
Submission 19	The submission requests Council's commitment that the funds committed to the Dawn Fraser Baths to ensure particularly the lighting and security is of such a standard as to make the pool compliant with the requirements of the National Water Polo League.			



Submission	Précis of Submission
Submission 20	The submission by the Bicycle Network assesses bicycle expenditure by local councils across Australia. The 'BiXE' (Bicycle Expenditure Index) rating – a figure which shows the amount of bicycle related spending per resident, the BiXE for Leichhardt's draft 2016-2017 budget as \$6.81 per person, which is above the threshold of \$5 per person per year. Bicycle Network commends your commitment to cycling, with special mention of the Hawthorne Canal Cycleway.

Copies of the submissions received are provided as **ATTACHMENT 3**.

Public Exhibition by the former Marrickville Council

The former Marrickville Council publicly exhibited the Draft Delivery Program 2013-17 (year 4), Operational Plan 2016/17, Resourcing Strategy, Budget, and Fees and Charges, from 21 April – 19 May 2016.

The draft plans were exhibited online at Council's online engagement hub *Your Say Marrickville*, and in hard copy at Council's Administration Centre and Marrickville Library.

Community feedback was invited by a submission form online, or in writing to Council or via a submission box.

Your Say Marrickville

During the exhibition period, 98 visitors were aware (i.e. viewed the project page), 36 visitors were informed (i.e. performed an action such as downloading a document) and one was engaged (i.e. made a submission).

The submission was from Sydney Airports as follows:

Submission	Précis of Submission
Submission 1	The submission objects to the proposed Rating Category and rate in the dollar for a parcel of land at Swamp Road Tempe, on the basis that the Category and rate are inconsistent with comparable property. The submission requests that Council apply a Category and rate in the dollar consistent with other lands classed as open space. The submission contains more detail and is attached to this report.

Individual invitations to attend the meeting will be forwarded to all persons who have made a submission on the Inner West Council Operational Plan 2016/17 and/or former Council plans, advising that all submissions will be considered at Council's Extraordinary Meeting on 5 July 2016.

Amendments to Operational Plan

The following minor amendments will be incorporated into the final version of the Inner West Council Operational Plan 2016/17.

Former LGA	Amendment
Leichhardt	Former Leichhardt Council at its Extraordinary Council Meeting on the 3 May 2016 resolved (C220/16E) in relation to the Draft - Budget, Delivery Program 2014- 2018 & Operational Plan 2016/17 and Resourcing Strategy 2014 -



	2018 (Year 3) resolved in part:				
	 Amend the draft budget to include \$60,000 for public art funded from reserves and Council officers provide a report on options regarding commissioning for this public art. 				
	 In line with the adopted Callan Park Masterplan, that Council fund in the 2016/17 budget 				
	a. Management and implementation plans for each Callan Park Master Plan bush care and regeneration area				
	b. A Callan Park site wide tree and habitat survey to inform on going management implementation				
	c. A Callan Park terrestrial and aquatic habitat assessment				
	This requires additional funding of \$20,000 to be sourced from either Reserves or the Parks and Assets budget for 2016/17.				
	That the Community Events Grants Program increase from the current \$37,250 to \$45,000 and the Community Grants Program increase from \$28,000 to \$35,000 be funded from Council Reserves.				
Marrickville	An additional \$300,000 was included in the former Marrickville Council's capital budget as a result of a resolution of the May 2016 Council meeting to upgrade the Waterplay facility at Steel Park funded by Developer Contributions.				

Rate in the dollar

The rate in the dollar has changed marginally from the draft Operational Plan. In the period since the draft Operational Plan was adopted for the purpose of public exhibition, several monthly valuation updates from the Valuer General have been received and processed. As the rates are based on land values, these updates have resulted in minor changes to the rate in the dollar.

I.e. That Council make and levy the Rates for 2016/17, as:

Former Ashfield LGA

Council's rating valuation register has been finalised with any new land values being added since the meeting to place the Operational Plan 2016/17 documents on exhibition on 3 June 2016. This has resulted in some minor changes to the exhibited rates in the dollar and base rate amounts. The following rates will now apply.

- 1. That, in accordance with Sections 534, 535 and 538 of the Local Government Act, 1993, Council makes the following rates and charges for every parcel of rateable land within the Inner West Council Ashfield LGA for the year commencing 1 July 2016.
 - A Residential Ordinary Rate of 0.153131 cents in the dollar and a Base Amount of five hundred and eighty seven dollars and eighty cents (\$587.80) per assessment in accordance with section 537 of the Local Government Act 1993 levied on the land value of all rateable land within the Inner West Council -



Ashfield LGA. This Rate be named RESIDENTIAL.

Further that the percentage of the base amount, pursuant to Section 500 of the Local Government Act 1993 is 49.5% of the total amount payable by the levying of the rate.

- (ii) A Business Ordinary Rate of 0.638551 cents in the dollar levied on the land value of all rateable land within the Inner West Council - Ashfield LGA categorised as business in accordance with Section 518 of the Local Government Act, 1993, subject to a minimum amount of six hundred and thirty seven dollars only (\$637.00). This rate be named BUSINESS.
- (iii) An Environmental Levy Special Rate of 0.001648 cents in the dollar be levied on the value of all rateable land within the Inner West Council - Ashfield LGA subject to a base amount of \$6.70, which will levy 49.58% of the total amount raised within this rate. This rate be named ENVIRONMENTAL LEVY.
- (iv) That, in accordance with Section 496 (1) of the Local Government Act 1993, the charge for the Domestic Waste Management Service for each rateable residential property, be now made for the period 1 July 2016 to 30 June 2017 be set as follows.
 - a. \$350.40 per annum for Category A Domestic Waste Collection Service (includes a 120- litre mobile garbage bin collected weekly and a 240-litre mobile recycling bin collected fortnightly, or equivalent).
 - \$350.40 per annum for Category B Domestic Waste Collection Service -Strata (includes a 120- litre or shared 240-litre mobile garbage bin collected weekly and 240-litre mobile recycling bin collected fortnightly, or equivalent).
 - c. \$350.40 per annum for Category C Domestic Waste Collection Service Non Strata (includes a 120- litre mobile garbage bin or shared 240 – litre mobile garbage bin collected weekly and a 240-litre mobile recycling bin collected fortnightly, or equivalent).
 - d. \$700.80 per annum for Category D Domestic Waste Collection Service (includes a 240- litre mobile garbage bin collected weekly and 240-litre mobile recycling bin collected fortnightly, or equivalent).
 - e. \$350.40 per annum for Additional Garbage Bin (120 litre mobile garbage bin)
- (v) That, in accordance with Section 501 of the Local Government Act 1993, the following Business Waste Service charges be made for the period 1 July 2016 to 30 June 2017.
 - a. \$545.30 for Category A Business Waste Collection Service (includes a 120litre mobile garbage bin collected weekly and a 240-litre mobile recycling bin collected fortnightly, or equivalent).
 - b. \$849.80 for Category B Business Waste Collection Service (includes a 240litre mobile garbage bin collected weekly and 240-litre mobile recycling bin collected fortnightly, or equivalent).
 - c. \$82.60 for a Garden Organics Collection Service (240-litre mobile collection bin collected fortnightly, or equivalent).
 - d. \$187.80 for Category A Recycling Service (includes an additional 240- litre mobile recycling bin collected fortnightly, or equivalent. Only available to existing Business Waste Services customers).
 - e. \$206.50 for Category B Recycling Services (includes a 240-litre mobile recycling bin collected fortnightly, or equivalent. Available to customers not utilising Council's waste service).



- (vi) That in accordance with Section 496A of the Local Government Act 1993, the Stormwater Management Service Charge be levied for the period 1 July 2016 to 30 June 2017, at the following rates:
 - a. Strata titled residential home units \$12.50 per unit
 - b. Other residential property \$25.00 per rateable property
 - c. Business rateable properties \$25.00 per 350 sq metres of land area
 - d. Business rateable Strata Properties \$12.50 per unit
- (vii) That an interest rate of 8.0% p.a., accruing daily on rates and charges that remain unpaid after they become due and payable, be now set for the period 1 July 2016 to 30 June 2017, in accordance with Section 566 of the Local Government Act 1993.
- (viii) That aggregation of parcels of land, subject to a minimum or base amount, be permitted in accordance with Section 548A of the Local Government Act 1993.

Former Leichhardt LGA

Residential	0.18804 cents in \$1
Business	0.8470 cents in \$1
Minimum Rate	\$628.00

Former Marrickville LGA

RATE TABLE – Former Marrickville LGA				
Rate Charge	No. of	Land Values*	Rate in \$	Yield
Description	Properties			
Residential - Ad				
Valorem	20867	16,211,614,488	0.00132155	\$21,424,459.13
Residential -				
Minimum	10307	1,673,586,726	649.00	\$6,689,243.00
Business - General	1964	1,815,778,381	0.00461667	\$8,382,849.58
Business - Industrial				
Marrickville	926	721,496,548	0.00835790	\$6,030,196.00
Business - Industrial				
St Peters	167	271,044,400	0.00835790	\$2,265,361.99
Business – Industrial				
St Peters Nth	91	93,133,300	0.00835790	\$778,398.81
Business - Industrial				
Camperdown	83	47,337,420	0.00835790	\$395,641.42
Business -				
Marrickville Metro	1	29,000,000	0.01427605	\$414,005.45
Business - Airport	2	3,949,000	0.01548320	\$61,143.16
Subtotal	34408	20,866,940,263		\$46,441,298.53
Newtown Urban				
Centre	323	326,626,593	0.00022160	\$72,380.45
Marrickville Urban				
Centre	241	211,416,052	0.00029490	\$62,346.59



Petersham Urban Centre	74	49,490,832	0.00026811	\$13,268.99
Dulwich Hill Urban Centre	116	94,358,070	0.00034121	\$32,195.92
Subtotal	754	681,891,547		\$180,191.95
Total				\$46,621,490.48
Plus Property Growth Allowance	295		649.00	191,455.00
Grand Total				\$46,812,945.48

* Land Values are based on a valuation as at 1 July 2015.

Minor amendment to 2016/17 Fees and Charges

A few minor fees and charges errors identified by staff during the exhibition period have been corrected:

Former Ashfield 2016/17

There were errors in the Companion animal Registration Fees listed in the Ashfield Fees & Charges. Fees & Charges require amendment to reflect the following:

COMPANION ANIMAL REGISTRATION FEES - *

For desexed animal not owned by an eligible pensioner * G N \$53.00 For desexed animal owned by an eligible pensioner * G N \$22.00 For an animal that is not desexed and is kept by a recognised breeder for breeding purposes. * G N \$53.00 For an animal that is not desexed (except an animal kept by a recognised breeder for breeding purposes.) * G N \$195.00 For a greyhound formerly registered under the Greyhound Racing Authority Act 1985 * G Ν \$0.00 For an animal kept for research purposes * G N \$0.00 Dangerous/Restricted Dog Certificate * G N \$150.00

Former Leichhardt

There were several typographical errors in the fees for Leichardt Park Aquatic Centre:

• At Leichhardt Park Aquatic Centre, a 50% reduction is provided for the children of Leichhardt Council staff and Councillors in the LTS program. This was incorrectly detailed in several sections of the fees and charges to be a 10% discount. This has now been corrected.



• The direct debit transaction fee and the direct debit failed payment fee were incorrectly listed as \$2.10 and \$16.60 respectively. These should have remained at the previous level of \$2.00 and \$16.00 respectively. This has now been corrected.

Former Marrickville

Noting that a proposed increase to Child Care Fees from 1 January 2017 was published in the draft Fees and Charges schedule (former Marrickville Council) placed on public exhibition. This increase was an administrative error and has been deleted from Fees and Charges Schedule.

Formatting and Typographical Errors

Formatting of charts and tables to ensure consistency has been undertaken and minor typographical errors identified during the exhibition period. These have not altered the intent of the document in any way.

Following consideration of the submissions received by Council any proposed amendments will be incorporated into the final version of the suite of documents.

A copy of the final version of the Operational Plan 2016/17 will be circulated to the Administrator and Senior Staff and made available on Council's website following adoption by the Administrator.

Summary/Conclusion

The Inner West Council placed its *Draft Operational Plan 2016/17* was placed on public exhibition from 3 June 2016 to the 30 June 2016 in accordance with the Department of Premier and Cabinet Guidelines.

A total of nineteen (19) submissions were received as a result of the public exhibition of the Draft Plan. A summary of the matters raised in the submissions are provided in this report.

There are no amendments to the Inner West Council Operational Plan 2016/17 recommended in response to the submissions received.

Following consideration of the submissions received a final version of the suite of documents shall be published.

It is therefore recommended that Administrator adopts the exhibition version of Draft Operational Plan 2016/17 (including the Budget and Rating Structure), subject to the minor amendments outlined in this report.

ATTACHMENTS

- 1.<u>1</u>. Submissions by LRAC Committee Members
- 2.1 Your Say Inner West full submission reponses
- **3.** <u>U</u> Submissions received by former Leichhardt Council
- 4. <u>U</u> Submissions received by former Marrickville Council



ATTACHMENT 1

Inner West Council Individual Submissions

Submissions by LRAC Committee Members

Submission 1

General Manager

At the workshop on 14/03/2016 convened for briefing/discussion on the proposed 2016/17 Budget mention was made that Council was providing a "Regional" purpose built Water Polo pool as part of the Aquatic Centre redevelopment.

When Council embarked on a community consultation program for comment on the then proposed special rate variation, resident/ratepayer response provided the mandate for council to proceed with a major initiative for redevelopment of the Ashfield Aquatic Centre.

While it could be argued that council has a mandate to repair the existing former diving pool, (\$1milliom for replacement of the water treatment plant and minor modifications to keep it in operation); Council does not have a mandate to build a new Olympic standard "Regional" water polo pool or extend the existing pool to meet Olympic competition standard.

If a "Regional" Olympic standard water polo pool is to be created as part of the Ashfield Aquatic Centre Redevelopment it should be co-funded by either the State Government or Water Polo regional groups or regional councils such as Burwood, Marrickville, Leichhardt and Canterbury Councils.

The appointed consultant for the project in their report to the Ashfield Aquatic Centre Redevelopment Steering Committee, for consideration on 15/03/16 indicated that repairs to the existing former diving pool at a cost estimate of \$1million and cost of replacing the pool with an Olympic Standard Water Polo Pool at \$2.65million.

Given the absence of resident/ratepayer mandate for a "Regional" Water Polo Pool facility it could be that Council should rethink that part of the Aquatic Centre Redevelopment and give consideration to demolishing the existing former diving pool and reallocating the authorised expenditure to provide a facility that could be used by every patron of the Aquatic Centre; perhaps installation of surface mounted adult fitness equipment similar to that installed adjacent to the children's play centre near Leichhardt Oval No. 3 in Maliyawul Street Lilyfield. Such a facility could require considerably less capital expenditure and maintenance.

I request that the Aquatic Centre Redevelopment Steering Committee give consideration to the above at its meeting on 15th March 2016.

Councillor Ted Cassidy psm



Submission 2

From: "Kelly, Linda" Date: 28 June 2016 at 6:06:19 PM AEST To: "<u>VanessaC@ashfield.nsw.gov.au</u>" <<u>VanessaC@ashfield.nsw.gov.au</u>>, "Leichhardt Council, Email" <<u>leichhardt@lmc.nsw.gov.au</u>> Subject: Submission for 2016-17 draft Inner West Council operational plan and budget

Dear Vanessa Chan

Please accept this email as a budget submission. As a recent former Councillor of Leichhardt Council, I have spent countless hours giving direction to the balanced Leichhardt budget by participating in many budget workshops with former Councillors and officers, and by preparation, giving notice and debate of many motions in Council with direct relevance to this budget.

At the first Leichhardt Representative Advisory Committee held 15 June, I made inquiry regarding the carried unanimous 10 May 2016 Council endorsed budget amendment for public art - \$60 000 from reserves. I was having difficultly locating this amendment in the draft budget on exhibit, my question that evening was taken on notice, remains unanswered, and I would appreciate a response. Having had more time now since that meeting to consider the Inner West Council 2016-2017 draft operational plan and budget, I am grateful for this opportunity to comment.

I wish to highlight the absence of the staff restructure for the new Inner West Council from the exhibited draft operational plan and budget. On many occasions the NSW State Government has indicated senior staff restructure and sharing resources of merged bigger Councils will have a significant impact on savings for Local Government and communities. It is disappointing to not see this restructure on exhibit with the draft operational plan and budget, including any new Directorates requiring funding, and restructure related net savings. Likewise to also not see the cost for officer voluntary redundancies included and how the staff restructure offsets these additional costs currently not budgeted for. Could this information please be made available for residents? In addition, I cannot locate information relevant to remuneration for senior positions that now have much larger responsibility, such as the interim GM, Directors and the new Administrator position. Could you also please make this information available and where it is being funded from?



I note the intention of the Administrator to implement an IHAP across the Inner West Council. I cannot locate details regarding this in the budget papers, only the current budget for the Leichhardt Planning Panel. How will additional costs for the Inner West Council IHAP(s) be funded?

There is also no reference to additional merger costs for the new Council such as information technology and management systems, branding and other related changes to webpages, social media, and signage, banners and bunting etc, as well as advertisement costs in the local newspapers. And likewise for strategic studies to develop a context for all actions and capital works such as: recreation and open space; traffic and transport; economic development; housing; community facilities; LEP and DCP; s94 plan; and VPA policy. Could this information also please be made available, including where it will be funded from?

Thank you again for opportunity to make comment, and I look forward to your response regarding questions I have raised in this submission.

Regards

Linda Kelly Former Leichhardt Council Councillor



Submission 3

From: John Stamolis Date: 30 June 2016 at 1:21:28 PM AEST To: "Phillips, Matthew" <<u>matthewp@lmc.nsw.gov.au</u>> Subject: Budget submission - John Stamolis

Budget submission – Shields Park Netball Courts

Given the strong and widespread community opposition to the installation of netball courts at Shields Park, as well as the recent Council mergers, I feel that it would be in the public interest to reconsider this budget proposal when the new Council is elected in September 2017.

My supporting statements are:

- During the Council debate, a primary reason put forward to install the courts at Shields Park was to provide netball courts within the Leichhardt Municipality. The Council debate was heavily focused on this and while it was noted that there were several courts nearby, these were not in the Leichhardt Municipality. Since the merger, however, these courts are now in the new Inner-West Council area.
- It would be of considerable public benefit, now, to conduct a sporting facilities stocktake across the newly merged Council to ensure that the provision of sporting amenities are optimised in order to provide the best value for ratepayers funds and to effectively respond to community needs.
- The Council resolution required that alternative locations be considered in the Leichhardt Municipality. There has been no report back on other options. This part of Councils' resolution is now more relevant as the Council merger could open up more practical options and much better aligned financial outcomes.
- The community have not been given a balanced, fair, nor reasonable hearing by Council during assessment or debate of this proposal and their concerns about loss of very limited open space in their locality was dismissed. The debate lacked due care and diligence in responding to community concerns about loss of their very limited open space.
- Given Councils' policy direction is to purchase open space for recreational use, including pocket parks, it seems counterintuitive that Council would seek to remove green space – a very costly asset - from the local environment. The budget proposal will place a heavy financial burden on Council to replace a very costly asset to replace the loss that will be experienced.

1

 Future financial decisions of Council to purchase open 'green' space could be undermined if the public feel that the Council could, at any time, cover the space with bitumen and built structures.

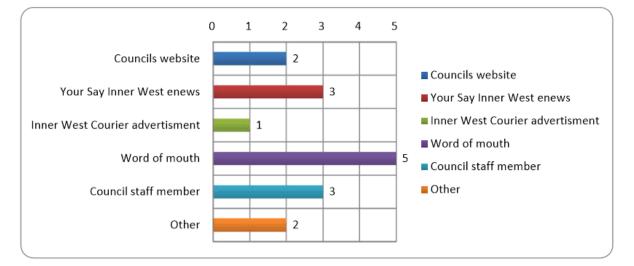
Thank you John Stamolis

5 July 2016



Attachment 2

Your Say Inner West - full submission responses



Question 1: Where did you hear about the Draft Operational Plan and Budget?

Questions 2, 3 and 4 - Table of Responses

	SUBMISSION 1
What do you like about the Draft Operational Plan and Budget 2016- 17?	
Are there any other key priorities or actions that you think should be included in the Draft Operational	Update resident parking strategies synchronously with approvals for large scale residential developments in an area. For instance the top NE corner of Marrickville (above Addison Rd) has at least 6 DAs in progress (or under construction) for apartment blocks or townhouse complexes which will effectively double the population density of the precinct.
Plan and Budget 2016-17?	As soon as construction begins on even a small block, 3-10 resident car places disappear from our streets and lanes due to building zones and the influx of trade vehicles. When residents move in the pressure for car-spots doubles as they often forego internal parking - or they bring visitors to the area. Some of the new developments include commercial operations with additional street parking requirements. There is no plan to restructure street parking before or after all this work, either by doubling space with parallel places turned to rear-to-kerb, or creating & enforcing time limits. We already have local businesses abusing street places by leaving occasionally used vehicles on the street (carelessly taking up multiple places) for weeks at a time.
Additional comments	
comments	SUBMISSION 2
What do you like	No elected officials involved. I want elected representation involved.
about the Draft	
Operational Plan and Budget 2016- 17?	
Are there any other	An election, immediately



key priorities or actions that you	
think should be included in the	
Draft Operational	
Plan and Budget 2016-17?	
Additional comments	
	SUBMISSION 3
What do you like about the Draft	
Operational Plan	
and Budget 2016- 17?	
Are there any other	
key priorities or actions that you	
think should be	
included in the	
Draft Operational Plan and Budget	
2016-17?	
Additional	This seems to be the only place I can ask- when will we get to vote on whether
comments	we want the amalgamated council or not and also for our own local councillor?. Nothing you do or say will be accepted or legitimate until we can vote. Please
	stop trying to ingratiate yourselves. It's just embarrassing. Thank you.
	SUBMISSION 4
What do you like about the Draft	
Operational Plan	
and Budget 2016-	
17?	
Are there any other key priorities or	
actions that you	
think should be	
included in the Draft Operational	
Plan and Budget	
2016-17?	
Additional comments	I oppose the proposed \$6 a day increase in child care fees for the Annandale Child Care Centre. The Centre operates shorter hours than comparable
comments	services, and has a 3 week shut down over Christmas/ January. This means I
	need to pay for private nannies the days my children are in childcare to make
	the pick up time, and for the shut down period. I recently had a call from another provider nearby offering me a spot from 7am to 6pm, with no long shut
	down over the Christmas break, for less than current ACCC fees. The rebate of
	\$7500 has not increased since my children started care at ACCC yet the fees
	have gone up year on year above inflation. Please reconsider the fees, or
	change the opening hours. SUBMISSION 5
What do you like	
about the Draft	
Operational Plan and Budget 2016-	
17?	
Are there any other	
key priorities or actions that you	
think should be	
included in the	



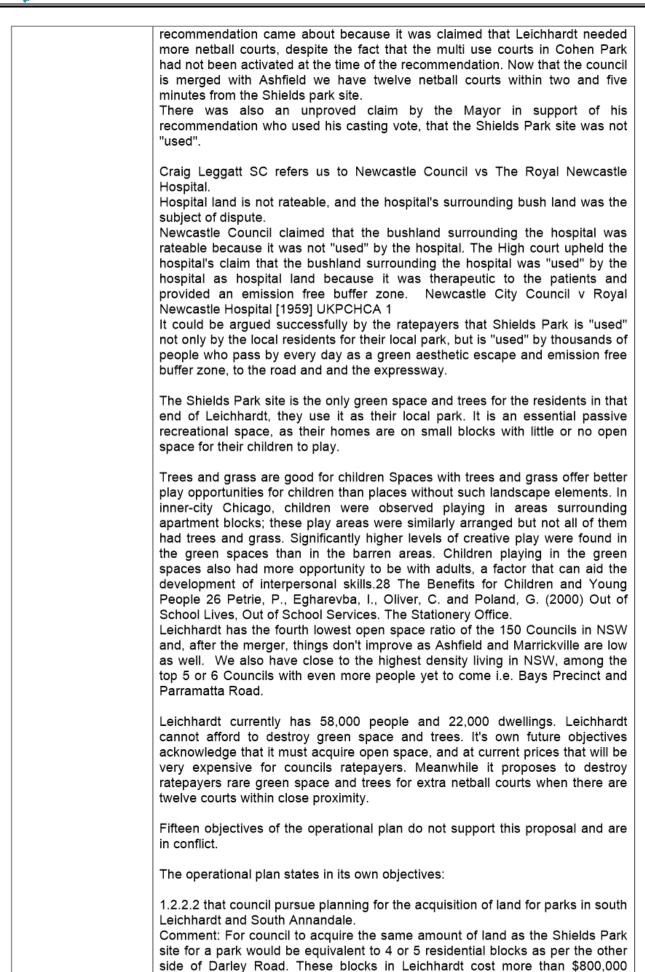
Draft Operational	
Plan and Budget 2016-17?	
Additional	
comments	
	SUBMISSION 6
What do you like about the Draft Operational Plan and Budget 2016-	Nothing. It is less than the sum of its parts.
17?	
Are there any other	Early return of democracy and local representation
key priorities or actions that you think should be included in the Draft Operational Plan and Budget	Opposition to West Connex and its severely deleterious effects on Marrickville.
2016-17?	
Additional	There is no statement of the tangible benefits of amalgamation in the plan,
comments	apart from the government grant, and even there, no indications of how it is to be spent. When is the draft amalgamation plan and its budget to be published ?
	How is the public to be included in the DA planning process ?
	SUBMISSION 7
What do you like about the Draft Operational Plan and Budget 2016- 17?	Nothing. Give us our ELECTED council back.
Are there any other key priorities or actions that you think should be included in the Draft Operational Plan and Budget 2016-17?	Yes. A referendum for the people on whether they want to be gerrymandered by taking our council off us and forcing an unwanted amalgamation on us.
Additional comments	
	SUBMISSION 8
What do you like about the Draft Operational Plan and Budget 2016- 17?	These comments below should be added to my original submission.
Are there any other key priorities or actions that you think should be included in the Draft Operational Plan and Budget 2016-17?	The proposal for Darley road netball courts should be amended so that the location is changed. Now that Leichhardt has been merged with asfield and marrickville, alternative locations could be found. Hawthorne canal reserve would be ideal. There are also two other sites, peace park and mort bay park.
Additional comments	The situation with regard to this proposal has changed since amalgamation. It would be very expensive, millions of dollars to replace this green space and trees if you could find owners willing to sell in a row, then demolition and landscaping costs. A lose lose for ratepayers who were unanimously opposed to the proposal.
What do you like	SUBMISSION 9 Unsure at moment
what do you like	onsure at moment



about the Draft	
Operational Plan	
and Budget 2016-	
17?	
Are there any other	See above
key priorities or	
actions that you	
think should be	
included in the	
Draft Operational	
Plan and Budget	
2016-17?	
Additional	
comments	
comments	
	SUBMISSION 10
What do you like	Tba
about the Draft	
Operational Plan	
and Budget 2016-	
17?	
Are there any other	See above
key priorities or	
actions that you	
think should be	
included in the	
Draft Operational	
Plan and Budget	
2016-17?	
Additional	
comments	
Comments	SUBMISSION 11
What do you like	It keeps some of the longstanding public celebrations eg tastes of Inner West (
	feed ate)
about the Draft	food etc)
Operational Plan	The upgrade of significant public space eg Pool, Marrickville park.
Operational Plan and Budget 2016-	The upgrade of significant public space eg Pool, Marrickville park. Keeps most services for aged community
Operational Plan and Budget 2016- 17?	The upgrade of significant public space eg Pool, Marrickville park. Keeps most services for aged community The documented commitment to improvement of community consultation.
Operational Plan and Budget 2016-	The upgrade of significant public space eg Pool, Marrickville park. Keeps most services for aged community
Operational Plan and Budget 2016- 17? Are there any other	The upgrade of significant public space eg Pool, Marrickville park. Keeps most services for aged community The documented commitment to improvement of community consultation. Verge gardens (spectacularly successful in Marrickville) to be adopted in all of
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Operational Plan and Budget 2016- 17? Are there any other key priorities or actions that you think should be included in the Draft Operational Plan and Budget 2016-17? Additional comments What do you like about the Draft Operational Plan and Budget 2016- 17?	The upgrade of significant public space eg Pool, Marrickville park. Keeps most services for aged community The documented commitment to improvement of community consultation. Verge gardens (spectacularly successful in Marrickville) to be adopted in all of Inner West Council. This would enhance the already planned environment plans eg water waste, run off etc and add additional and much needed soft landscapes and green to areas crying out for it. Increase the number of street trees, especially where there are no electricity wires eg Smith street Summer Hill Some of the street trees are really struggling, some are dead. There should be ongoing maintainence and new planting every twelve months There is never enough mulch around trees and some of the trees are ring barked by inexperienced equipment operators, could the council horticulturalist or tree preservation officer check every twelve months the health of trees . The tree scape and general health of gardens and trees in the former Marrickville and Leichhardt Councils are healthier and better cared for in stark contrast to the previous Ashfield Council trees and public gardens I see this as a priority for the newly formed Inner West Council. SUBMISSION 12 I don't like that they go ahead and waste money with plans that are not justified.



think should be included in the	budget.
Draft Operational	
Plan and Budget	
2016-17?	
Additional comments	They want to putting 3 netball courts between the busy Darley rd and light rail, and every day I see people playing with the kids, dogs and frizbees or just
comments	laying around reading in it, and if you look at the tracks they have made in the
	grass you will know how much it is used by the residents too, so you will also
	know that Darcy Byrne went ahead and voted on this just for the budget. But
	my main issue is the danger to the children that will use these grounds no matter what barriers you make, as there have been cars that skid into the park
	that are not reported because they were not stopped by the trees etc and
	nobody cares enough to admit this, so take responsibility and make sure you
	think of them first before allowing this ridiculous plan to go ahead.
	SUBMISSION 13
What do you like about the Draft	N/A
Operational Plan	
and Budget 2016-	
17?	
Are there any other	N/A
key priorities or actions that you	
think should be	
included in the	
Draft Operational	
Plan and Budget 2016-17?	
Additional	Please refer to my submission, sent on 30 June at approximately 4pm, to Matt
comments	Phillips, and Vanessa Chan, via email.
14/1-14-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-	SUBMISSION 14
What do you like about the Draft	I do not approve of the proposal on Page 209 for the Darley Road netball courts, amenities block and drainage. This proposal should be relocated as per
	courte, amendee block and ananage. This proposal should be relocated as per
Operational Plan	the report to the March 2016 Policy meeting. The proposal does not support 15
and Budget 2016-	
and Budget 2016- 17?	the report to the March 2016 Policy meeting. The proposal does not support 15 of councils objectives as are detailed below.
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dollars and they would require demolition then landscaping development and

 2.2 Environmental conditions are improved as measured by the air quality index. Comment: The site between Darley Road, the light rail and the M4 is one of the busiest areas for traffic in the LGA and will not be improved by destruction and tarmacing of green space and mature trees. The netball courts are intended to attract more vehicle traffic to the site. 2.4 Promote walking by developing a legible, direct and safe pedestrian network that encourages an increased number of people to walk. Comment: The netball courts would not promote walking, as most people would travel by car to the site. 3.1 Our town plan and place plans optimise the potential of our area through integrating the built and natural environment with a vision of how we want to live as a community and how areas should should develop (or not) to meet our future needs. Measured by area of public open space any lable) (hectares per thousand residents) within the LGA. Comment: There is very little open space in Leichhardt and the entire LGA as was, had one of the the lowest amounts of open space drastically. This proposal was opposed by a large number of residents with none in support, and their wishes were ignored. 3.1.1 Minimise negative impacts of urban development on the natural, social, economic, physical and historical environment. 3.1.2 Identify, protact, and conserve environmental and cultural heritage, public spaces and community buildings. 3.2.2 Continue policy development and project planning (land use, market housing, transport, environment, built and spatial environment etc.) Comment: This proposal is in conflict with the objective. 3.2.4 Clear consistent and equitable planning framework and process is provided that enables people to develop our area according to a shared vision for the community. Comment: This proposal is in conflict with the objective. 3.2.3.1. Review and the adverfront. Comment: This propos	drainage work.
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KSA4 A sustainable environment	opportunities to strategically acquire land and fund infrastructure aimed at establishing sustainable, connected, walkable and cyclable neighbourhoods. Comment: this proposal is in direct conflict with the objective as it is destroying
	KSA4 A sustainable environment

4.1 Our natural environment and native biodiversity is protected, restored and enhanced within our urban context. comment: this proposal is in direct conflict with the objective.
4.1.1 Protect, restore and enhance our natural environment. Comment: the proposal is in direct conflict with the objective.
4.1.1.11 Review and update the LCUF strategy and incorporate information from councils urban heat island mapping, canopy cover and adaptive capacity assessments to help inform and prioritise locations and species for planting. Comment: the proposal is in conflict with the objective.
4.1.2 Improve opportunities for native biodiversity within our urban context. Comment: the proposal is in conflict with the objective.
It is now clear given the arguments against the proposal that it must not proceed in this location. There are two alternative locations mentioned in the council report.
There are already twelve netball courts within a short distance from Shields Park, thus making the cost of this development to the ratepayers unnecessary. If there were such an available site, the cost of replacing the green space and mature trees for extra netball courts is too great given the loss to the residents of their local park
The loss of amenity and environmental benefit to the residents is huge and highly unlikely to be replaced given the current cost of several million dollars.
SUBMISSION 15
I would like to submit an objection to the proposal on page 209 Major Projects Draft Operational Plan for Darley Road netball courts; estimate \$200,000, Darley Road amenities block estimate \$350,000, and Page 193 Darley Road drainage: estimate \$165,000. This should not be included in this plan, as I feel the expenditure is unnecessary, for numerous reasons., First and foremost, the safety of courts location, ie Darley Road, secondly, the lack of parking facilities, thirdly, the amount of courts already in use in the Inner West Council areaand the lack of use that the current courts have. Fourth, with the development of the unit block on the corner of Allen and Flood streets, this will add to an already overcrowded precinct. Fifth, locals would prefer a green space, that ALL residents can access, not just a select few. This expenditure, could be better utilised in repairing roads such as that on Allen street, near the flood st roundabout.



ATTACHMENT 2

Your Say Inner West – Email submissions as received

Submission 16

SUBMISSION RELATING TO DRAFT OPERATIONAL PLAN AND BUDGET 2016-17

NB I have also completed the form 16/SF209 'Have Your Say' on the Inner West Council website that contains my details but no comments, as it refers to this email submission.

My concerns specifically relate to the proposal on page 209 Major Projects Draft Operational Plan for Darley Road netball courts; estimate \$200,000, Darley Road amenities block estimate \$350,000, and Page 193 Darley Road drainage: estimate \$165,000.

This is a proposal that has serious safety concerns and significant resident opposition, and despite not one person being able to submit a reason why Darley Road is a good site for netball courts, some Councillors of the former Leichhardt Council proceeded, largely with the sole reason given as 'no netball courts in the Leichhardt LGA'. A number of submissions to that Council item pointed out that there are underused courts two minutes away at Richard Murden Reserve in the former Ashfield LGA, to no avail.

I submit that given these and many other netball courts are within the inner west LGA (to give an idea, there are 11-12 courts within only 5 minutes of this site), this expensive, potentially dangerous legacy proposal should be reconsidered and funds should be allocated to projects that support the whole Inner West LGA, such as expanding the Richard Murden Courts or providing multi use courts at locations that are not along a known dangerous stretch of road such as Darley Road. I note that not even the netball advocates said that Darley Road is a good site for netball courts. The former Leichhardt Council report from 2014 states that 4 courts is the minimum required for netball training at one site, yet this site is proposed with 3.

I also submit that once the new Council is elected, a gap analysis should be conducted of all sporting and recreation in the LGA. This should result in allocating finite ratepayer funds in a solid evidence-based manner. Without that and without at the very least a serious review of all existing netball facilities and possible sites in the Inner West LGA, there is a real risk of wasting ratepayers money.

There has not been proper consultation on this expenditure – had someone not told me personally, I had no idea that there was an operational plan with budget being proposed, let alone that I could comment on it. This equates with my experience of the Council process for the netball courts, where the community was not properly notified by Council and many did not have any idea of it until the vote had already occurred. Such a large expenditure on removal of a whole community park should not be conducted without rigorous community consultation and agreement. I know that there is the appearance of consultation if you search for the correct item and process on the website, but ticking the box of technically consulting is not sufficient for a project of such major impact to the local community.

The mayor used his casting vote, saying the park is underused. Yet despite Council not providing any infrastructure at all, people play there, people walk through it (as evidenced by trails across the park) and all passing light rail users and road users enjoy viewing it. This statement was not backed by any evidence and would be refuted by the most cursory site review.

The courts are proposed for use 2-3 nights per week for netball training only. There are 2 possibilities here which would apply to any site – if this is really the intention, then they are a very serious waste of money for a few hours' use for one sport only and will cause noise and parking problems as local residents (most of whom have no onsite parking) who are

returning home from work. If, as I believe, they are being proposed in this way to make the DA more likely to be granted, then would be scheduled for expanded operating hours onto weekends, then this is misleading residents and IHAP, and it would have very significant noise and parking impacts on local residents who already have significant noise and lack of parking.

Council is at the same time intending to utilise ratepayers money to buy sites for greenspace, as it has a stated policy platform to purchase more greenspace sites (refer Council's own operating plan 1.2.2.2). Also there is a stated policy intention to protect restore and enhance the natural environment (KSA4). The former Leichhardt LGA has one of the lowest greenspace ratios of all Councils in NSW. Given that the vicinity of Darley Road is already a high density area with 2 very large developments within 2 blocks and a further huge residential development going up within one block from this park, I submit that it is questionable decision-making to make the already poor greenspace ration intentionally worse by removing a whole park, and to create direct conflict with Council's own objectives. Also, to replace this park by purchasing on another site would cost an estimated \$4 million - I submit that this could this cost could not be justified to ratepayers, who will simply be left with diminishing greenspace.

In conclusion I submit that this proposal makes very poor financial sense, particularly so now that the Council LGA is now Inner West. I submit that it is a waste of finite ratepayers funds, it creates serious safety issues, it is a niche legacy project of some former Councillors, it is not fit for purpose (minimum 4 courts required on one site) and it should be removed from the Operating Budget for 2016-17.





Submission 17

From: Date: Thursday, 30 June 2016 Subject: Fwd: Darley Rd

Dear Richard,

Just after 4 pm today, I tried to use the website to lodge an objection to the plans for the Darley Rd area just around the light rail station. There was a glitch in the system so I was unable to do so. Please record this as my formal objection.

It is a pleasant, and in my view socially and environmentally useful, piece of green space in an area which is slowly becoming more built up. I often walk my old dog there, before taking him across the light rail line and into the park. The idea of clearing it for sports facilities might look appealing at first sight, but a short walk further on makes it seem simply absurd. The point is that, just across the bridge on the other side of the park, is a massive sports facility which duplicates everything that is promised in this proposal. Yes, those facilities were built by what was then a neighbouring municipality, but now after the merger, this project will look like what it is - blatant duplication and a waste of public money.

Yours sincerely





ATTACHMENT 3

Submissions received by former Leichhardt Council

Submission 1

-			
From: Sent: Tuesday, 10 M	av 2016 3:30 PM		
Sent; Tuesuay, 10 M	ay 2010 5.50 PM		

Subject: Dead trees

Hi

Thanks for council budget info

Should ask Council cost of inefficient staff doing secret deals with catholic church. How many hours are wasted finding culprit. Cutting down trees on Saturday morning! Not good for council image. Should be money in budget for increasing green space and more trees as recommend by Paris Climate Change meeting.





Submission 2

S COTBALL CLUB

ABN 91 507 539 877

Proud Major Sponsor of Leichhardt Tigers Junior Soccer Club



A.P.I.A. LEICHHARDT TIGERS OCEANIA'S SOLE REPRESENTATIVE VIAREGGIO ITALY

Correspondence: A.P.I.A. Leichhardt Tigers Football Club Inc. P.O. Box 225 Haberfield NSW 2045 Australia

Administration Office: Lambert Park Marion Street Leichhardt NSW 2040 Australia

T: 61 2 9572 6888 F: 61 2 9572 9888 E: admin@apiatigers.com www.apiatigers.com

MAJOR SPONSOR



9 May, 2016 Mr Peter Head General Manager Leichhardt Council P O Box 45 Leichhardt NSW 2040

Dear Peter Re: Community Funding Projects Seeking Council Assistance - Lambert Park

We are writing to you, following on from the Club's correspondence dated 30th April, 2016. Enclosed is a copy of previous correspondence.

The Club is seeking Council's support regarding the above, and would like to bring to your attention, and to the Mayor, and all the Councillors, a number of matters and issues, that we, the Club, feel are significantly relevant to our current submission, for support and assistance with current and pending projects, relative to Lambert Park.

We wish to highlight from the outset, that the Club has been in existence and based in Leichhardt for 65 years. Originally establishing itself as a social and sporting Club in Norton Street, Leichhardt, in 1951, and, in 1954, entering the NSW Federation of Clubs, and commencing sporting activities at Lambert Park in 1954.

As stated by our Chairman, at the Extraordinary Meeting held on 3rd May 2016, during Spring and Summer, Lambert Park, as a facility, is used by, and has approximately 4,000 participants, utilising the facility in a 7-day period, which means that during this period, there is no higher-used facility within the municipality, of its kind.

It is of concern to us, hearing constantly, that the club is not the community when, in fact, we are the community. We are a proud historical Club and a significant community icon.



Due to the Club's efforts, the community has a showpiece facility, and it has been through the Club's efforts, that we have been able to achieve for the community and the club, and turned a dream into a reality.

The Club's importance, history, tradition, heritage and wide spread community benefits were acknowledged, by the record funding granted back in 2013.

The Club is made up of junior players from under 6s boys and girls to mature aged Over 35 and Over 45s teams, inclusive of parents, volunteers, sponsors, supporters and friends.

The inescapable fact, and it must be said and acknowledged, is that the Club has been in the area since 1951, and throughout this time, it has provided a very valuable community service.

The Club has never received any funding from Leichhardt Council.

Lambert Park is valuable Crown Land, and it is a necessity, and is a vital part of the area that, together with the Club, forms the social fabric of our society and community.

The Club is the community, providing a service for the young especially, giving all participants an advantage through participation and development via a healthy and enjoyable sporting environment.

From the time the Under 6 year olds register, right through their youth and semi-professional participation, they are with us, and they generally become healthy and responsible adult citizens, sons and daughters of all our residents.

We are, in fact, the most elite club in the area, providing pathways for our players throughout their participation, one of which being via our Skill Acquisition Program teams (Under 9s to U11s), which we first started to provide our players with qualified coaches, so as to give them the best possible advantage in the overall world game of football. Our Club is open to all people from every walk of life, with no threat of discrimination as long as they have a love of the sport, and wish to participate, and develop their social skills through team spirit, they are welcome.

Unbeknown to Council, the Club does restrict many activities in order to bring down the noise levels, especially



during the week. For instance, we stopped PA announcements during the NSW National Premier Youth League matches even though they were part of the FNSW Competition criteria. In fact, we never started, just so that we would not disturb our neighbours on a Saturday.

The Club's volunteers do not get paid for their efforts. In fact, anything but. The Club's Board of Management comprises only volunteers and their superhuman efforts are, more often than not, miraculous and unrewarded.

The Club lobbied the State Government and Clubs NSW in 2012 - 2013 for funding, and were successful because of the great community service the Club provides, just so that this iconic sports ground could survive, and not only did they do that, but also successfully generated additional financial support via benefactors, sponsors and supporters to almost match the grant which was needed to upgrade 80% of the Club administration block and amenities.

At great additional cost, the club installed a lift and two disabled access facilities so that the ground would be accessible to all sections of our community.

The local schools use the facility, Technical Academies use the facilities and the Club uses the facilities for all Competition matches and training sessions etc.

There is always a huge need for car parking in the area, whether it is on a week night or the weekend because of the thriving hospitality industry that has made this area so famous and popular. People from far and wide come to visit and support the local community. The light rail is a testament to the need for transport advancement in the area.

We all need to work harder, with Council, to see how best we can all work towards creating better parking opportunities. Whether you are in Norton Street or Foster Street or Marion Street, there is no difference to the parking opportunities. There are none, there has only ever been limited parking. We must all put our thinking caps on to come up with a better solution for all.

As such, we refer you to the importance of Item 8 in our previous correspondence, which relates to creating 6 off street parking spots within Lambert Park.



Also, in order to bring the current break ins and vandalism under control, the Club has had to install a sophisticated CCTV system, which will enable us to capture what is truly going on. It could also be a benefit to Council and to the local residents in the long term, in the spirit of the collective neighbourhood watch. And, even though, this non-profit organisation, cannot really afford this system, it is just a necessity as the Club will be able to monitor the ins and outs of all activity at the ground from all periphery and internal points.

The Club, at all times, strives to work in harmony with everyone, most especially Leichhardt Council and our neighbours, the local residents of Marion and Davies Streets, especially.

It is also important to mention that, upon installing the synthetic pitch, the Club first suggested to Council to open a Trust Fund in order for the Club to put aside \$45K annually, in order to accumulate enough funds over the life of the pitch, which is envisaged at approx 8 years, so that it can be replaced. Of course, Council embraced this suggestion and made it one of the Lease conditions.

However, it is disappointing, at this stage, that the Club cannot count on Council's support to the extent that Mt Druitt Rangers, Blacktown Spartans, received from their local government bodies.

We attach recent, relative news articles relating to Blacktown Council's extraordinary support, and financial assistance to the Mount Druitt Town Rangers, and Blacktown Spartans.

Blacktown Spartans, who play in the NSW National Premier League Competition, received \$1.7M from Blacktown Council, for further works to their home base at Blacktown Olympic Park.

This extraordinary and world class facility, in its entirety, was leased to the Blacktown Spartans Football Club after the completion of the Sydney 2000 Olympics. It was an Olympic Facility, so one can imagine the level and standard of this football facility.

In essence, Blacktown Spartans, have not had, nor needed to part with one solitary cent, since occupying exclusively this facility.



In regards to the Mt Druitt Town Rangers, who play in the NSW National Premier League's 2nd Division, the one below APIA Leichhardt Tigers, they have just been granted, a record breaking, \$5M Grant. Their club, unlike APIA has never parted with a solitary cent in regards to Popondetta Park.

We merely mention, all of the above, to give significant argument regards our Club's position, that we have never been a burden on the rate payers of the Leichhardt Municipality.

Whilst on this subject, the club, and we cannot put a date on the following, as it is so long ago, approached the Council namely its current General Manager, Peter Head, to allow the Club to take over the management, upkeep and maintenance of Lambert Park.

At that time, this was agreed upon as Council had two full time groundsmen, whose sole responsibility was the maintenance, and upkeep of Lambert park. The Club now plays this role.

We are very proud of our achievements, of being such a 65 continuous years, which is no mean feat.

It is worth mentioning, that Lambert Park has provided public toilet facilities to the local residents, since the Club's inception.

In particular, the mothers and children that frequent the Lambert Park Reserve, during the day, over a seven-day period, are constant and frequent users of our public toilet facilities.

At this point, we refer you to Item 9 in our previous correspondence.

This facility is used daily and the club provides this service inclusive of the daily maintenance, supplies and general upkeep. The club has always welcomed playing this role in the community.

The Gates at Lambert Park are opened daily from 8am, seven days a week, even when there is no activity.

The Club does not, and will not, ever close the gates or place a lock on the public toilets, so as not to block access to our neighbours and local residents.



This facility, however, now badly needs upgrading, and we have had to temporarily close the toilets, inviting use of the new toilets on the other side of the facility, whose upgrade was thanks to financial contributions from the Club's sponsors, benefactors and volunteers.

The toilets and hand wash facilities was not through government funding, but as indicated above.

In regards to Leichhardt Oval, which simply cannot be compared to Lambert Park, Leichhardt Oval is only available for elite events and elite games, whereas Lambert Park is the only ground in the municipality, that is utilised daily, nightly, weekly, and by the entire community. It is <u>the</u> community football ground, in the area.

At the Extraordinary Council Meeting last Tuesday 3rd May, it was publicly stated, when the question was asked, if it was ok for Council to fund a scoreboard at Leichhardt Oval, then why not at Lambert Park?

The reply was, that Leichhardt Oval is managed and is under the control of Leichhardt Council, and that Lambert Park is managed and under the care of APIA Leichhardt Tigers.

The argument absolutely does not hold water, because Leichhardt Council expends approx \$300K per annum, maintaining Leichhardt Oval, whereas APIA Leichhardt Tigers has a financial responsibility for this role, in regards to Lambert Park.

Lambert Park is not a burden on the rate payers, whereas Leichhardt Oval is.

In order to be able to utilise Leichhardt Oval, there is a substantial cost and fee involved. This is not an issue. But no community organisation or entity, can use Leichhardt Oval at any time, unless a fee is paid.

APIA Leichhardt Tigers, is also a frequent user of Leichhardt Oval, to which our Club has to pay a fee to the Council.

Although, in certain areas, there are also fees needed to be paid at Lambert Park, for certain events and tournaments, there are community opportunities, when space is available, for the use of the ground, at no cost. No fee is charged.



The Club is an outstanding community servant, as it gives the opportunity to various organisations, the use of the facility, as stated above, at no cost.

We now mention who has been provided with the use of the facility, at no cost previously, currently and in the future.

AWD – Athletes with disabilities.

APIA Leichhardt Tigers in conjunction with our 365 Soccer Sixes Program, created and provided the first ever grass roots AWD community competition.

Athletes with Disability competitions are run throughout NSW for elite competitions, but, at APIA Leichhardt, we created the first weekly 6-a-aside competition, at grassroots community level.

The AWD program was played every Tuesday afternoon/evening with a proper draw and official referees.

The competition games were played with the field being provided free of charge.

The AWD competition was fully funded by APIA Leichhardt Tigers, waving all the teams entry fees, and player registration fees, whilst paying for the referee fees and all the players' insurance fees.

Girls Football Academy Australia

APIA Leichhardt Tigers provides Lambert Park for free, 6 hours and 2 nights a week, for a new Grassroots Female Only Football academy, run by Australian Women's Football player, Teresa Polias.

The Club feels that it is imperative to help these grassroots community programs, especially for something such as female football, which is the fastest growing sport, number wise, in the country.

There is no other program, such as this, within not only the Inner West, but all of Sydney.

Sydney FC – The Cove Fundraising Day.

APIA Leichhardt Tigers provides Lambert Park free of change, two weekends a year for the Cove, who are the supporter group of A-League Club, Sydney FC.

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The Cove use the facilities on two Sundays during the year, playing their own, in house, 6 a side competition.

To raise funds, the Cove charge a team entry fee, and player registration fee, and not a dollar is given to APIA Leichhardt Tigers.

The Club, to assist in The Cove fundraising, paid all the referee fees.

Added to which, Lambert Park has also been utilised, free of charge, by:

- Leichhardt Council Staff
- Canterbury District Soccer Football Association (CDSFA)
- For Friday night CDSFA Over 35 and Over 45s association teams during the Winter Competition
- Local Schools such as Christian Bros Lewisham
- Newington College
- Metropolitan Catholic Colleges; and
- All Saints Catholic School
- National Australia Bank Staff
- The Sydney Flying Bats, who compete in the Annual Pride Football Australia Tournament, which aims to bring together football players and supporters, regardless of their gender or sexuality, to share their love of the game and promote equality, acceptance and diversity.
- The Australian Socceroos

All requests, received by the Club from various entities, community organisations, and not-for-profit sporting clubs, or otherwise, that have been submitted to the Club, since the opening of the facility on 23rd March 2014, when the Club was of the opinion that these organisations were similar to ours, not one application received a no answer, from the Club, seeking a waiver of either a hiring fee or cleaning fee. The Club, without any hesitation, granted total and complete use of the facility, to these organisations.

No other Club, anywhere in NSW, that has a leased facility with extraordinary annual maintenance costs, would even consider or have, within their club DNA, such communityminded spirit and understanding.

Finally, in closing, no better emotive words have been written than from the enclosed extract of a newspaper article in regards to the Official Opening, published in Ciao Magazine, written by a neutral and independent observer:

⁸



"On Saturday 22nd March, I was privileged to attend the rededication of Lambert Park, Leichhardt. Discreefly positioned, Lambert Park is a football ground which could easily be overlooked, especially if you are new to the area, but is home to our APIA Leichhardt Tigers Football Club.

First started in 1954, APIA has cemented its position in both the community and the football world providing more players for the Australian Socceroos than any other club.

However, as with many sporting venues, time had taken its toll but thanks to the upgrade Lambert Park has a proper surface, decent undercover stands for families to sit, hygienic change rooms, a simple but important grandstand for the Club's training officials and a space for members.

After the official speeches, I not only saw a packed grandstand ready to watch the inaugural game, but also a proper community celebrating to its full potential.

As I walked up Marion Street later, I didn't know who was luckier; the community, the APIA Club or myself, for having witnessed what I had seen. I think it was all of us. May the APIA Leichhardt Tigers continue to have good fortune and may those that assisted them also continue to prosper and be honoured." End of quote.

We enclose a copy of the Club's Assets Register, which gives a strong overview of the commitment of the Club to this facility.

In closing, we kindly ask Council to please consider and support a one-off financial assistance, as it is the first time that the Club has asked Council for assistance, and as stated previously, the Club has never received funding from Council.

We ask Council to consider our submission dated 30th April 2016.

We would be forever grateful if Council, was to give the Club the recognition that it deserves, by supporting this funding application.

The Club has a solid track record and it has proven that it is able to deliver significant assets on time and in budget.

Other Councils community assets have been enriched because of Council's strong support, we sincerely ask to be

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treated equally, like all the other sporting entities within the municipality.

Kind regards

Board of Management

Cc: The Mayor

Cc: Councillors

Footnote:

As a matter of information, a private citizen, who is not even a member of the Club, that being Gerry Davis, funded the painting of Lambert Park (\$29.600), and supplied the funding for the gates to the entry to Lambert Park (\$10,780).

This man does not have a son or daughter playing with the Club, and its was an extraordinary act of generosity, as such no Club funds nor NSW State Government funds. Merely a private citizen.

As well, Armando Gardiman, another person who is not a member of the Club, nor has a child playing for the Club, funded the cement rendering of the Club's, upstairs spectator, viewing area (\$6,000).

Enclosures:

Correspondence dated 30th April, 2016.

Recitals

Assets Register

News Articles re Mount Druitt Rangers and Blacktown Spartans.



30th April 2016 Mr Peter Head General Manager Leichhardt Council P O Box 45 Leichhardt NSW 2040 ABN 91 507 539 877 Dear Peter Proud Major Sponsor of Re: Community Funding Projects - Lambert Park Leichhardt Tigers **Junior Soccer Club** We write to you in regards to the above, hoping that Council can assist with the full funding, or part funding of the following projects. They are as follows: 1. Electronic Video Screen / Scoreboard - \$94.7K; plus Scoreboard Footings, Steel Framework Infrastructure, Electrical, Cabling and Computer System in Media Room -\$65K 2. Separation Field Safety Netting - \$66K A.P.I.A. LEICHHARDT TIGERS OCEANIA'S 3. CCTV Camera Security System - \$59.9K SOLE REPRESENTATIVE VIAREGGIO ITALY 4. Replace western end entry secondary gates, identical to Main Entry Gate to Lambert Park - \$14K Correspondence: A.P.I.A. Leichhardt Tigers 5. Equipment Storage Facility (western and railway end of the Football Club Inc. ground) - \$58K. P.O. Box 225 Haberfield NSW 2045 Australia 6. Security Shutters to Main Grandstand - \$9K Administration Office: 7. Returf Training Facility and install Irrigation (railway, western Lambert Park end of the ground) - \$25K Marion Street Leichhardt NSW 2040 8. Install a Concrete Slab Ramp to the Training / Warm Up Australia (grass) area (western end of the ground), inclusive of safety T: 61 2 9572 6888 fencing and strip drain - \$27K F: 61 2 9572 9888 E: admin@apiatigers.com Also to facilitate six (6) off street parking spots, within www.apiatigers.com Lambert Park. MAJOR SPONSOR 9. Upgrade existing Public Toilets (at the eastern end of the ground), including fixtures, fittings, tiling and plumbing, BASHFIELD eagues





ABN 91 507 539 877

Proud Major Sponsor of Leichhardt Tigers Junior Soccer Club



A.P.I.A. LEICHHARDT TIGERS OCEANIA'S SOLE REPRESENTATIVE VIAREGGIO ITALY

Correspondence:

A.P.I.A. Leichhardt Tigers Football Club Inc. P.O. Box 225 Haberfield NSW 2045 Australia

Administration Office: Lambert Park

Marion Street Leichhardt NSW 2040 Australia

T: 61 2 9572 6888 F: 61 2 9572 9888 E: admin@apiatigers.com www.apiatigers.com

MAJOR SPONSOR



currently closed since March 2014, due to failure of meeting minimal hygiene standards - \$44K

- 10. Install 12 Park Benches including footings and granite slab -\$36K
- 11. Install a further four (4) Security Light Poles and Safety Lights - \$8.5K
- 12. Install Retaining Wall (behind existing water tanks) \$32K
- Paint Marion Street Grandstand and surrounding concrete block fencing - \$31K
- 14. Greening Lambert Park \$15K
- 15. Shade Sail \$4.9K

Total = \$590,000

Thanking you for your support.

Kind Regards

Board of Management





A.P.I.A. Leichhardt Tigers is one of Australia's pioneer football clubs having been formed in 1954 in the suburb of Leichhardt – a club that has great presence and commands respect not only from our local community, but nationally.

A.P.I.A. Leichhardt Tigers is a multicultural club and although still reflecting Leichhardt's Italian heritage, the club is a multicultural club, with a large English and Scottish influence.

A.P.I.A. Leichhardt Tigers represents the region at the highest level. The club has been selected by Football NSW to represent the district and region at the highest level of football in NSW. A.P.I.A. Leichhardt Tigers, at the NSW Premier League level (Seniors and Under 20s) and at representative Premier Youth League Level (Under 18, 16, 15, 14, 13 and U12) represents the Inner West Region. There is no other club in the region that has this role.

A.P.I.A. Leichhardt Tigers has national significance throughout its 60 year history having produced the greatest number of Socceroos than any other football club in the history of Australian Soccer during its 60 year illustrious history, not to mention also the most number of national team captains.

A.P.I.A. Leichhardt Tigers is Oceania's sole representative with an exclusive invitation to the Coppa Carnevale, annually. This elite World Youth Tournament is based in Viareggio, Italy, and is the most prestigious Under20s club side tournament in the world.

The competition includes 48 club sides in total. Out of those 48 sides, 23 are from Italy and the remaining from abroad. Sides such as AC Milan, Newcastle United, Manchester United, Juventus, Inter, Bayern Munich, Santos & Roma are only some of the glamour clubs that showcase their star players in this prestigious and world class tournament. Many former and current football superstars have participated in the Coppa Carnevale. The likes of Paolo Maldini, Francesco Totti, Gabriel Battistuta and Alex Del Piero are just some of the names from a huge list of players that have international recognition and Superstar Status from the sport.

In 2015 the club will be participating for the 14th consecutive year.

A.P.I.A. Leichhardt Tigers' association with Lambert Park

Lambert Park in Leichhardt has been the home ground for the A.P.I.A. Leichhardt Tigers since its formation in 1954. Lambert Park has become synonymous with the A.P.I.A. Leichhardt Tigers Football Club so much so that the ground was recognised internationally in 2006 when an image of Lambert Park, in the club's colours, was chosen as one of 14 images

VINNER WEST COUNCIL

from around the world to be issued in conjunction with the 2006 World Cup as one of the official World Cup posters.

Lambert Park is maintained at a high level so as to allow the club to compete in the highest level of football in N.S.W. The standard of the playing surface is paramount and crucial to the club's participation in the highest level of football in N.S.W. hence the current upgrade which has been graciously summarised in the President's Message contained within the ticket/programme.

A.P.I.A. Leichhardt Tigers' First Grade and Under 20 Teams....

The club's Senior and Under 20s teams currently compete in the IGA NSW Premier League Men's 1 Competition which is the highest league in the State and the league immediately beneath the A-League.

A.P.I.A. Leichhardt Tigers' representative Premier Youth League Teams The Under 12, 13, 14, 15, 16 and U18 teams compete in the NSW Premier Youth League Competition conducted by Football NSW. Football NSW conducts three representative youth leagues; the Premier Youth, the Super Youth and the Development League. The Premier Youth League in which the club competes is the highest youth league in the state.

A.P.I.A. Leichhardt Tigers' Women and Girls' State League

The club also fields five teams in the 2014 NSW Women's State League being Under 13, 14, 15, Reserve and First Grades. The club has been fielding Women and Girls competition teams successfully since 2008.

A.P.I.A. Leichhardt Tigers' SAP (Skills Acquisition Program) Teams The club participates in the Football NSW Skills Acquisition Program which was developed to provide a clear, professionally delivered development opportunity for young NSW footballers that underpins the National Premier Leagues NSW Men's and Women's Competitions by providing the State's young players the best possible learning environment for them to realise their footballing dreams. The club currently fields 6 teams; two teams in each of the following age groups; Under 8, Under 9 and Under 10s.

A.P.I.A. Leichhardt Tigers....also has numerous Nursery and Children's, Youth, All Age Men and Women's, Over 35s and O45 teams that compete in the Canterbury District Soccer Football Association Competitions. Every year the numbers increase and the club continues to build on its grass roots development plan.

A.P.I.A.Leichhardt Tigers commencing 1 September 2014 is launching its inaugural **365** Soccer Sixes Competition in conjunction with Football NSW. The 365 refers to Soccer Sixes being played from Monday to Friday (every weeknight) from September 2014 through to March 2015 as well as two nights per week at Lambert Park during the winter months.

Our 365 Soccer Sixes provides for competitions in all age groups commencing from under 6s though to All age , over 35s, over 45s, mixed teams and of course competitions for the booming Women and Girls' significant involvement in the world game.

The club's facilities are next to none as family and friends of participating players can watch them live on four plasma screens within our grandstand and pavilion areas. Also Lambert Park will soon have a monster scoreboard featuring live action of the games taking place on the field. A lift is also available to assist the elderly and disabled to the grandstand.

365 Soccer Sixes provides ongoing football opportunities for players that appreciate to play all year round.

OUR CURRENT PLANS are to achieve the installation of a new Electronic Scoreboard, a Caretaker's Residence, finalisation of the Gymnasium and the installation of Security Fencing and CCTV Monitoring through the complex.

OUR FUTURE PLANS Now that the upgrade of Lambert is near completion our future plans are to generate the income required to upgrade the Marion Street Grandstand to incorporate a two tier cantilevered 3,500 seated grandstand over Marion Street, which will also house a National Football Museum. This project requires vision and drive and an enormous ego from the club...but we will achieve it.

OUR VISION

To be recognised as a model for soccer development in Australia by:

- Providing every player with the opportunity and the means to achieve their highest potential.
- Providing a competitive playing environment to the highest levels of Australian soccer.
- Providing the best possible coaching facilities and administration at all levels.
- Providing a supportive community based environment where all players enjoy their soccer and outstanding success.
- Implementing a policy of continuous improvement.
- Attracting sponsors with long term commitment to the vision and values of the club.
- The realisation of the vision of the club is guided by the principle of our integrity.



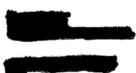
Submission 3

	EST COUL	ICIL	
			Subn
From:	web@imc.nsw.gov.au		
To: Subject: Date:	Feedback Online Submission - Deliver Thursday, 16 June 2016 10:	Program, Operational Plan, Resourcing Strat	tegy
The followir website:	ig information has b	een submitted from the Inne	er West Council
our Draft 2014-2018	you hear about Delivery Program 3 (Year 3) and	Inner West Courier	
and/or Dra	al Plan 2016-17 aft Resourcing 014-2018(Year		
3)? :		T analysis of the appropriate on	community.
Draft Deliv 2014-2018 Operationa and/or Dra Strategy 2 3)? :	very Program 3 (Year 3) al Plan 2016-17 aft Resourcing 014-2018 (Year	I applaud the emphasis on environment, heritage prese and generally to make the friendly as opposed to givin development and highways you to extend the library se extension of the Interlibrary realise this is rather the res councils)	ervation, bike ways, inner west human ig over to ugly , I would encourage ervices, esp the / Loan system (tho
Draft Deliv 2014-2018 Operationa and/or Dra	d you rate our rery Program 3 (Year 3) al Plan 2016-16 aft Resourcing 014-2018 (Year	Good	
Comments In what w Draft Deliv 2014-2018 Operation and/or Dra	ays could the rery Program 3 (Year 3) al Plan 2016-17 aft Resourcing 014-2018 be		
priorities t should be Draft Deliv 2014-2011	any other key hat you think included in the very Program 3 (Year 3) al Plan 2016-17?		26
missed in Delivery P 2018 (Yea Plan 2016 Resourcin	nything we have our Draft rogram 2014- r 3) Operational -17 and/or Draft g Strategy 2014- r 3) that you		
would like the future	considered in ? :		
Do you ha	ve any additional		
	4		



comments about the Draft Delivery Program 2014-2018 (Year 3) Operational Plan 2016-17 and/or Draft Resourcing Strategy 2014-2018 (Year 3)? : Would you like to be No involved in future consultation and/or public meetings on our Integrated Planning & Reporting Framework? : Your details Name : Address/Suburb : Phone : Email : Would you like your personal details to remain confidential? :

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Submission 4

From:	web@lmc.nsw.gov.au
To:	Feedback
Subject:	Online Submission - Delivery Program, Operational Plan, Resourcing Strategy
Date:	Monday, 6 June 2016 12:17:18 AM

The following information has been submitted from the Inner West Council website:

website:	
Where did you hear about our Draft Delivery Program 2014-2018 (Year 3) and Operational Plan 2016-17 and/or Draft Resourcing Strategy 2014- 2018(Year 3)? :	•
What do you like about our Draft Delivery Program 2014-2018 (Year 3) Operational Plan 2016-17 and/or Draft Resourcing Strategy 2014-2018 (Year 3)? :	The inclusion Dawn Fraser Baths development funding to 2020. The 2016/17 budget of \$213,187 is absolutely necessary to meet minimum requirements for safety (lighting) and security (club room) for the Balmain Water Polo Club (BWPC) which is the oldest club in Australia. The BWPC is fighting hard to maintain the use of the iconic Dawn Fraser Baths by complying with national and international water polo safety standards. BWPC competes in Australia's premier league (the National Water Polo League) and international competitions (Water Polo By The Sea).
How would you rate our Draft Delivery Program 2014-2018 (Year 3) Operational Plan 2016-16 and/or Draft Resourcing Strategy 2014-2018 (Year 3)? :	
Comments :	The rating would be 10/10 if the extent of 2016/17 funding was emulated in the following years to 2019/20. The large drop off of funding might from \$213,187 to \$93,187 annually might be adequate if we can ensure the 2016/17 budget covers the absolute requirements to ensure Dawn Fraser Baths are in a compliant condition.
In what ways could the Draft Delivery Program 2014-2018 (Year 3) Operationa Plan 2016-17 and/o Draft Resourcing Strategy 2014-2018 be improved? :	l r
Are there any other key priorities that	It should be considered that Water Polo as an Olympic Sport, and in an Olympic year should be provided recreational funding priority. It could itemise the t different budgets that will feed into all aspects of the restoration, improvement and compliance of Dawn



2014-2018 (Year 3) Fraser Baths. As per the OP, it is understood that Dawn Fraser Baths should receive \$120,000 on restoration annually from 2016/17 to 2019/20 plus the additional 2016-17? : budgeted \$213,187. If this can be confirmed the restoration of this iconic council facility will improve the community perspective of council spend. Is there anything we The added importance of Dawn Fraser Baths being have missed in our Draft Delivery Draft De Program 2014-2018 people travel from Canberra to play in this club! The (Year 3) Operational club also has the appeal to attract international players Plan 2016-17 and/or each year. **Draft Resourcing** Strategy 2014-2018 (Year 3) that you would like considered in the future? : The highest priorities for spend at Dawn Fraser Baths is Do you have any additional comments the improvement of lux for lighting (safety) and the about the Draft inclusion of a secure club room for BWPC (security). about the Draft Delivery Program 2014-2018 (Year 3) Operational Plan There are multiple other areas that require improvement, and the club is happy to meet with council to ensure these requests are heard. 2016-17 and/or Draft Resourcing Strategy 2014-2018 (Year 3)? : Would you like to be Yes involved in future consultation and/or public meetings on our Integrated Planning & Reporting Framework? : Your details Name : Address/Suburb : Phone : Email : Would you like your personal details to remain confidential?

:



From

Subject Date:

To:

web@lmc.nsw.gov.au

Monday, 6 June 2016 6:52:40 AM

Feedback

Online Subn

Submission 5

The following information has been submitted from the Inner West Council website: Where did you hear Council's website about our Draft Delivery Program 2014-2018 (Year 3) and Operational Plan 2016-17 and/or **Draft Resourcing** Strategy 2014-2018(Year 3)? : What do you like The inclusion Dawn Fraser Baths development funding to 2020. The 2016/17 budget of \$213,187 is absolutely necessary to meet minimum requirements for safety about our Draft Delivery Program 2014-2018 (Year 3) Operational Plan 2016-17 and/or (lighting) and security (club room) for the Balmain Water Polo Club (BWPC) which is the oldest club in Australia. The BWPC is fighting hard to maintain the use of the iconic Dawn Fraser Baths by complying with **Draft Resourcing** Strategy 2014-2018 (Year 3)? : national and international water polo safety standards. BWPC competes in Australia's premier league (the National Water Polo League) and international competitions (Water Polo By The Sea). How would you rate Satisfactory our Draft Delivery Program 2014-2018 (Year 3) Operational Plan 2016-16 and/or Draft Resourcing Strategy 2014-2018 (Year 3)? : Comments : The rating would be 10/10 if the extent of 2016/17 funding was emulated in the following years to 2019/20. The large drop off of funding might from \$213,187 to \$93,187 annually might be adequate if we can ensure the 2016/17 budget covers the absolute requirements to ensure Dawn Fraser Baths are in a compliant condition. Maintain Dawn Fraser Baths budget from 2016/17 to In what ways could the Draft Delivery 2019/20 Program 2014-2018 (Year 3) Operational Plan 2016-17 and/or Draft Resourcing Strategy 2014-2018 be improved? : Are there any other It should be considered that Water Polo as an Olympic Sport, and in an Olympic year should be provided key priorities that you think should be recreational funding priority. It could itemise the

ission - Delivery Program, Operational Plan, Resourcing Strategy



included in the Draft different budgets that will feed into all aspects of the **Delivery Program** restoration, improvement and compliance of Dawn Fraser Baths. As per the OP, it is understood that Dawn Fraser Baths should receive \$120,000 on restoration 2014-2018 (Year 3) Operational Plan annually from 2016/17 to 2019/20 plus the additional budgeted \$213,187. If this can be confirmed the 2016-17? : restoration of this iconic council facility will improve the community perspective of council spend. Is there anything we The added importance of Dawn Fraser Baths being have missed in our Draft Delivery home to the BWPC, and many Olympians. The club services all local schools and has a pull far and wide – Program 2014-2018 people travel from Canberra to play in this club! The (Year 3) Operational club also has the appeal to attract international players Plan 2016-17 and/or each year. **Draft Resourcing** Strategy 2014-2018 (Year 3) that you would like considered in the future? : Do you have any Delivery Program 2014-2018 (Year 3) Operational Plan 2016-17 and/or **Draft Resourcing** Strategy 2014-2018 (Year 3)? : Would you like to be Yes involved in future consultation and/or public meetings on our Integrated Planning & Reporting Framework? : Your details Name : Address/Suburb : Phone : Email : Would you like your personal details to remain confidential?

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The highest priorities for spend at Dawn Fraser Baths is additional comments the improvement of lux for lighting (safety) and the about the Draft inclusion of a secure club room for BWPC (security). There are multiple other areas that require improvement, and the club is happy to meet with council to ensure these requests are heard.





Submission 6

From: web@lmc.nsw.oov.au Feedback To: Subject: ion - Delivery Program, Operational Plan, Resourcing Strategy Online Sub Date: Monday, 6 June 2016 8:28:33 AM The following information has been submitted from the Inner West Council website: Where did you hear Council's website about our Draft Delivery Program 2014-2018 (Year 3) and Operational Plan 2016-17 and/or Draft Resourcing Strategy 2014-2018(Year 3)? : What do you like The inclusion Dawn Fraser Baths development funding to 2020. The 2016/17 budget of \$213,187 is absolutely necessary to meet minimum requirements for safety about our Draft **Delivery Program** 2014-2018 (Year 3) Operational Plan (lighting) and security (club room) for the Balmain Water Polo Club (BWPC) which is the oldest club in Australia. The BWPC is fighting hard to maintain the use 2016-17 and/or **Draft Resourcing** of the iconic Dawn Fraser Baths by complying with Strategy 2014-2018 (Year 3)? : national and international water polo safety standards. BWPC competes in Australia's premier league (the National Water Polo League) and international competitions (Water Polo By The Sea) How would you rate Good our Draft Delivery Program 2014-2018 (Year 3) Operational Plan 2016-16 and/or **Draft Resourcing** Strategy 2014-2018 (Year 3)? : Comments : The rating would be 10/10 if the extent of 2016/17 funding was emulated in the following years to 2019/20. The large drop off of funding might from \$213,187 to \$93,187 annually might be adequate if we can ensure the 2016/17 budget covers the absolute requirements to ensure Dawn Fraser Baths are in a compliant condition. In what ways could Maintain Dawn Fraser Baths budget from 2016/17 to the Draft Delivery 2019/20 Program 2014-2018 (Year 3) Operational Plan 2016-17 and/or Draft Resourcing Strategy 2014-2018 be improved? : Are there any other It should be considered that Water Polo as an Olympic key priorities that Sport, and in an Olympic year should be provided you think should be recreational funding priority. It could itemise the included in the Draft different budgets that will feed into all aspects of the **Delivery Program** restoration, improvement and compliance of Dawn



2016-17?: **Draft Resourcing** Strategy 2014-2018 (Year 3) that you would like considered in the future? : Do you have any **Delivery Program** 2014-2018 (Year 3) Operational Plan 2016-17 and/or Draft Resourcing Strategy 2014-2018 (Year 3)? : Would you like to be Yes involved in future consultation and/or public meetings on our Integrated Planning & Reporting Framework? : **Your details** Name : Address/Suburb : Phone : Email : Would you like your personal details to remain confidential?

2014-2018 (Year 3) Operational Plan 2016-17? : Fraser Baths should receive \$120,000 on restoration annually from 2016/17 to 2019/20 plus the additional budgeted \$213,187. If this can be confirmed the restoration of this iconic council facility will improve the community perspective of council spend

Is there anything we The added importance of Dawn Fraser Baths being have missed in our Draft Delivery Program 2014-2018 (Year 3) Operational club also has the appeal to attract international players Plan 2016-17 and/or each year.

Do you have any
additional commentsThe highest priorities for spend at Dawn Fraser Baths is
the improvement of lux for lighting (safety) and the
inclusion of a secure club room for BWPC (security).
There are multiple other areas that require
improvement, and the club is happy to meet with
council to ensure these requests are heard

d you like your onal details to in confidential?

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From: web@imc.nsw.gov.au Feedback To: Online Submission - Delivery Program, Operational Plan, Resourcing Strategy Subject Monday, 6 June 2016 8:54:35 AM Date: The following information has been submitted from the Inner West Council website: Where did you hear Other:website about our Draft Delivery Program 2014-2018 (Year 3) and Operational Plan 2016-17 and/or Draft Resourcing Strategy 2014-2018(Year 3)? : The inclusion Dawn Fraser Baths development funding to 2020. The 2016/17 budget of \$213,187 is absolutely necessary to meet minimum requirements for safety What do you like about our Draft **Delivery Program** (lighting) and security (club room) for the Balmain Water Polo Club (BWPC) which is the oldest club in Australia. The BWPC is fighting hard to maintain the use of the iconic Dawn Fraser Baths by complying with national and international water polo safety standards. 2014-2018 (Year 3) Operational Plan 2016-17 and/or Draft Resourcing Strategy 2014-2018 (Year 3)? : BWPC competes in Australia's premier league (the National Water Polo League) and international competitions (Water Polo By The Sea). How would you rate Good our Draft Delivery Program 2014-2018 (Year 3) Operational Plan 2016-16 and/or Draft Resourcing Strategy 2014-2018 (Year 3)? : The rating would be 10/10 if the extent of 2016/17 Comments : funding was emulated in the following years to 2019/20. The large drop off of funding might from \$213,187 to \$93,187 annually might be adequate if we can ensure the 2016/17 budget covers the absolute requirements to ensure Dawn Fraser Baths are in a compliant condition. Maintain Dawn Fraser Baths budget from 2016/17 to In what ways could the Draft Delivery 2019/20 Program 2014-2018 (Year 3) Operational Plan 2016-17 and/or **Draft Resourcing** Strategy 2014-2018 be improved? : It should be considered that Water Polo as an Olympic Are there any other Sport, and in an Olympic year should be provided key priorities that you think should be recreational funding priority. It could itemise the included in the Draft different budgets that will feed into all aspects of the restoration, improvement and compliance of Dawn **Delivery Program**



Draft Resourcing Strategy 2014-2018 (Year 3) that you would like considered in the future? : Do you have any Delivery Program 2014-2018 (Year 3) Operational Plan 2016-17 and/or **Draft Resourcing** Strategy 2014-2018 (Year 3)? : Would you like to be Yes involved in future consultation and/or public meetings on our Integrated Planning & Reporting Framework? : **Your details** Name : Address/Suburb :

Address/Subdro : Phone : Email : Would you like your personal details to remain confidential?

2014-2018 (Year 3) Operational Plan 2016-177 : Fraser Baths. As per the OP, it is understood that Dawn Fraser Baths should receive \$120,000 on restoration annually from 2016/17 to 2019/20 plus the additional budgeted \$213,187. If this can be confirmed the restoration of this iconic council facility will improve the community perspective of council spend

Is there anything we The added importance of Dawn Fraser Baths being have missed in our Draft Delivery Program 2014-2018 people travel from Canberra to play in this club! The (Year 3) Operational club also has the appeal to attract international players Plan 2016-17 and/or each year.

Do you have any additional comments about the Draft Delivery Program 2014-2018 (Year 3) Operational Plan The highest priorities for spend at Dawn Fraser Baths is inclusion of a secure club room for BWPC (security). There are multiple other areas that require improvement, and the club is happy to meet with council to ensure these requests are heard.



web@lmc.nsw.gov.au From: Eeedback To: Online Submi Subject sion - Delivery Program, Operational Plan, Resourcing Strategy Monday, 6 June 2016 9:24:48 AM Dates The following information has been submitted from the Inner West Council website: Where did you hear Council's website about our Draft Delivery Program 2014-2018 (Year 3) and Operational Plan 2016-17 and/or **Draft Resourcing** Strategy 2014-2018(Year 3)? : The inclusion Dawn Fraser Baths development funding to 2020. The 2016/17 budget of \$213,187 is absolutely What do you like about our Draft Delivery Program 2014-2018 (Year 3) Operational Plan necessary to meet minimum requirements for safety (lighting) and security (club room) for the Balmain Water Polo Club (BWPC) which is the oldest club in Australia. The BWPC is fighting hard to maintain the use 2016-17 and/or of the iconic Dawn Fraser Baths by complying with national and international water polo safety standards. **Draft Resourcing** Strategy 2014-2018 (Year 3)? : BWPC competes in Australia's premier league (the National Water Polo League) and international competitions (Water Polo By The Sea). How would you rate Satisfactory our Draft Delivery Program 2014-2018 (Year 3) Operational Plan 2016-16 and/or **Draft Resourcing** Strategy 2014-2018 (Year 3)? : The rating would be 10/10 if the extent of 2016/17 Comments : funding was emulated in the following years to 2019/20. The large drop off of funding might from \$213,187 to \$93,187 annually might be adequate if we can ensure the 2016/17 budget covers the absolute requirements to ensure Dawn Fraser Baths are in a compliant condition. Maintain Dawn Fraser Baths budget from 2016/17 to In what ways could the Draft Delivery 2019/20 Program 2014-2018 (Year 3) Operational Plan 2016-17 and/or **Draft Resourcing** Strategy 2014-2018 be improved? : It should be considered that Water Polo as an Olympic Are there any other key priorities that you think should be included in the Draft different budgets that will feed into all aspects of the restoration, improvement and compliance of Dawn **Delivery Program**



have missed in our **Draft Delivery** Draft Resourcing Strategy 2014-2018 (Year 3) that you would like considered in the future? : The highest priorities for spend at Dawn Fraser Baths is Do you have any additional comments the improvement of lux for lighting (safety) and the about the Draft inclusion of a secure club room for BWPC (security). Delivery Program 2014-2018 (Year 3) Operational Plan There are multiple other areas that require improvement, and the club is happy to meet with council to ensure these requests are heard. 2016-17 and/or **Draft Resourcing** Strategy 2014-2018 (Year 3)? : Would you like to be Yes involved in future consultation and/or public meetings on our Integrated Planning & Reporting Framework? : Your details Name : Address/Suburb : Phone : Email : Would you like your personal details to remain confidential?

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2014-2018 (Year 3) Operational Plan 2016-17? : Fraser Baths. As per the OP, it is understood that Dawn Fraser Baths should receive \$120,000 on restoration annually from 2016/17 to 2019/20 plus the additional budgeted \$213,187. If this can be confirmed the restoration of the provided restoration of this iconic council facility will improve the community perspective of council spend.

Is there anything we The added importance of Dawn Fraser Baths being home to the BWPC, and many Olympians. The club services all local schools and has a pull far and wide -Program 2014-2018 people travel from Canberra to play in this club! The (Year 3) Operational club also has the appeal to attract international players Plan 2016-17 and/or each year.



web@lmc.nsw.oov.au From: Feedback To: Online Submission - Delivery Program, Operational Plan, Resourcing Strategy Subject Monday, 6 June 2016 9:27:01 AM Date: The following information has been submitted from the Inner West Council website: Where did you hear Council's website about our Draft Delivery Program 2014-2018 (Year 3) and Operational Plan 2016-17 and/or **Draft Resourcing** Strategy 2014-2018(Year 3)? : What do you like The inclusion Dawn Fraser Baths development funding about our Draft to 2020. The 2016/17 budget of \$213,187 is absolutely **Delivery Program** necessary to meet minimum requirements for safety (lighting) and security (club room) for the Balmain Water Polo Club (BWPC) which is the oldest club in Australia. The BWPC is fighting hard to maintain the use of the iconic Dawn Fraser Baths by complying with 2014-2018 (Year 3) Operational Plan 2016-17 and/or Draft Resourcing Strategy 2014-2018 (Year 3)? : national and international water polo safety standards. BWPC competes in Australia's premier league (the National Water Polo League) and international competitions (Water Polo By The Sea). How would you rate Satisfactory our Draft Delivery Program 2014-2018 (Year 3) Operational Plan 2016-16 and/or Draft Resourcing Strategy 2014-2018 (Year 3)? : The rating would be good/excellent if the extent of 2016/17 funding was emulated in the following years to 2019/20. The large drop off of funding from \$213,187 to \$93,187 annually might be adequate if it can be guaranteed that the 2016/17 budget will cover ABSOLUTELY ALL REQUIREMENTS to ensure Dawn Comments : Fraser Baths are in a compliant condition. Maintain the existing Dawn Fraser Baths annual budget In what ways could of \$213,187 from 2016/17 right through to 2019/20. the Draft Delivery Program 2014-2018 (Year 3) Operational Plan 2016-17 and/or Draft Resourcing Strategy 2014-2018 be improved? : It should be considered that Water Polo as an Olympic Are there any other key priorities that Sport, and in an Olympic year, should be provided you think should be recreational funding priority. It could itemise the included in the Draft different budgets that will feed into all aspects of the restoration, improvement and compliance of Dawn **Delivery Program**



2016-17? :

2014-2018 (Year 3) Operational Plan Fraser Baths. As per the OP, it is understood that Dawn Fraser Baths should receive \$120,000 on restoration annually from 2016/17 to 2019/20 plus the additional budgeted \$213,187. If this can be confirmed the restoration of this iconic council facility will improve the community perspective of council spend.

Strategy 2014-2018 (Year 3) that you would like considered in the future? :

Do you have any **Delivery Program** 2014-2018 (Year 3) Operational Plan 2016-17 and/or **Draft Resourcing** Strategy 2014-2018 (Year 3)? :

Would you like to be Yes involved in future consultation and/or public meetings on our Integrated Planning & Reporting Framework? : **Your details** Name : Address/Suburb : Phone : Email : Would you like your personal details to remain confidential?

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Is there anything we As well as being a historic and iconic land mark and have missed in our Draft Delivery Program 2014-2018 BWPC, and the spawning ground of many Australian (Year 3) Operational Olympians. The pool and the Club services all local Plan 2016-17 and/or schools and has a pull far and wide – people travel from Canberra to play in this Club! The Club also has the Strategy 2014-2018 appeal to attract international players each year, which in turn attracts many international tourists to the Rozelle/Balmain area and the Dawn Fraser Baths.

The highest priorities for spend at Dawn Fraser Baths is additional comments the improvement of lux for lighting (safety) and the about the Draft inclusion of a secure club room for BWPC (security). There are multiple other areas that require improvement, and the club is happy to meet with council to ensure these requests are heard.

> The Dawn Fraser Baths attract a large number of local residents as well as national and international visitors, so maintaining the facilities to a high and safe standard is paramount.



To: Ees	b®imc.nsw.gov.au edback		
	line Submission - Delivery Program, Operational Plan, Resourcing Strategy nday, 6 June 2016 9:34:57 AM		
website:	The following information has been submitted from the Inner West Council website:		
Where did you about our Dra Delivery Progr			
2014-2018 (Ye and Operation 2016-17 and/	al Plan		
Draft Resource Strategy 2014 2018(Year 3)?	-		
What do you li about our Dra Delivery Progr 2014-2018 (Ye Operational Pl 2016-17 and/e Draft Resourci Strategy 2014 (Year 3)? :	ft to 2020. The 2016/17 budget of \$213,187 is absolutely necessary to meet minimum requirements for safety ear 3) (lighting) and security (club room) for the Balmain Water Polo Club (BWPC) which is the oldest club in Australia. The BWPC is fighting hard to maintain the use of the iconic Dawn Fraser Baths by complying with		
How would yo our Draft Deliv Program 2014 (Year 3) Opera Plan 2016-16 Draft Resourci Strategy 2014 (Year 3)? :	very I-2018 ational and/or		
Comments :	The rating would be 10/10 if the extent of 2016/17 funding was emulated in the following years to 2019/20. The large drop off of funding might from \$213,187 to \$93,187 annually might be adequate if we can ensure the 2016/17 budget covers the absolute requirements to ensure Dawn Fraser Baths are in a compliant condition.		
In what ways the Draft Deliv Program 2014 (Year 3) Open Plan 2016-17 Draft Resourc Strategy 2014 be improved?	could Maintain Dawn Fraser Baths budget from 2016/17 to 2019/20 I-2018 ational and/or I-2018 I-2018		
Are there any key priorities	other It should be considered that Water Polo as an Olympic that Sport, and in an Olympic year should be provided recreational funding priority. It could itemise the e Draft different budgets that will feed into all aspects of the		

Item 11



2014-2018 (Year 3) Fraser Baths. As per the OP, it is understood that Dawn Fraser Baths should receive \$120,000 on restoration annually from 2016/17 to 2019/20 plus the additional 2016-17? : budgeted \$213,187. If this can be confirmed the restoration of this iconic council facility will improve the community perspective of council spend. Is there anything we The added importance of Dawn Fraser Baths being have missed in our Draft Delivery Program 2014-2018 home to the BWPC, and many Olympians. The club services all local schools and has a pull far and wide – people travel from Canberra to play in this club! The (Year 3) Operational club also has the appeal to attract international players Plan 2016-17 and/or each year. **Draft Resourcing** Strategy 2014-2018 (Year 3) that you would like considered in the future? : The highest priorities for spend at Dawn Fraser Baths is Do you have any additional comments the improvement of lux for lighting (safety) and the about the Draft inclusion of a secure club room for BWPC (security). There are multiple other areas that require **Delivery Program** 2014-2018 (Year 3) Operational Plan improvement, and the club is happy to meet with council to ensure these requests are heard. 2016-17 and/or **Draft Resourcing** Strategy 2014-2018 (Year 3)? : Would you like to be Yes involved in future consultation and/or public meetings on our Integrated Planning & Reporting Framework? : Your details Name : Address/Suburb : Phone : Email : Would you like your personal details to remain confidential?

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From: web@lmc.nsw.gov.au Feedback To: Online Sub Subject sion - Delivery Program, Operational Plan, Resourcing Strategy Date: Monday, 6 June 2016 10:58:22 AM The following information has been submitted from the Inner West Council website: Where did you hear Council's website about our Draft Delivery Program 2014-2018 (Year 3) and Operational Plan 2016-17 and/or **Draft Resourcing** Strategy 2014-2018(Year 3)? : The inclusion of Dawn Fraser Baths development funding to 2020. The 2016/17 budget of \$213,187 is What do you like about our Draft **Delivery Program** absolutely necessary to meet minimum requirements for safety (lighting) and security (club room) for the Balmain Water Polo Club (BWPC) which is the oldest club in Australia. The BWPC is fighting hard to maintain the use of the iconic Dawn Fraser Baths by complying 2014-2018 (Year 3) Operational Plan 2016-17 and/or **Draft Resourcing** Strategy 2014-2018 (Year 3)? : with national and international water polo safety standards. BWPC competes in Australia's premier league (the National Water Polo League) and international competitions (Water Polo By The Sea). How would you rate Satisfactory our Draft Delivery Program 2014-2018 (Year 3) Operational Plan 2016-16 and/or **Draft Resourcing** Strategy 2014-2018 (Year 3)? : The rating would be good/excellent if the extent of Comments : 2016/17 funding was emulated in the following years to 2019/20. The large drop off of funding from \$213,187 to \$93,187 annually might be adequate if we can ensure the 2016/17 budget covers the absolute requirements to ensure Dawn Fraser Baths are in a compliant condition. Maintain Dawn Fraser Baths budget from 2016/17 to In what ways could 2019/20 the Draft Delivery Program 2014-2018 (Year 3) Operational Plan 2016-17 and/or **Draft Resourcing** Strategy 2014-2018 be improved? : It should be considered that Water Polo as an Olympic Are there any other Sport, and in an Olympic year, should be provided key priorities that you think should be recreational funding priority. It could itemise the included in the Draft different budgets that will feed into all aspects of the restoration, improvement and compliance of Dawn Delivery Program



2016-17? : Draft Resourcing Strategy 2014-2018 (Year 3) that you would like considered in the future? : Do you have any The highest priorities for spend at Dawn Fraser Baths is additional comments the improvement of lux for lighting (safety) and the about the Draft inclusion of a secure club room for BWPC (security). There are multiple other areas that require **Delivery Program** 2014-2018 (Year 3) Operational Plan improvement, and the club is happy to meet with council to ensure these requests are heard. 2016-17 and/or **Draft Resourcing** Strategy 2014-2018 (Year 3)? : Would you like to be Yes involved in future consultation and/or public meetings on our Integrated Planning & Reporting Framework? : Your details Name : Address/Suburb : Phone : Email : Would you like your personal details to remain confidential?

2014-2018 (Year 3) Operational Plan Fraser Baths. As per the OP, it is understood that Dawn Fraser Baths should receive \$120,000 on restoration annually from 2016/17 to 2019/20 plus the additional budgeted \$213,187. If this can be confirmed the restoration of this iconic council facility will improve the community perspective of council spend.

Is there anything we The added importance of Dawn Fraser Baths being have missed in our Draft Delivery services all local schools and has a pull far and wide – Program 2014-2018 people travel from Canberra to play in this club! The (Year 3) Operational club also has the appeal to attract international players Plan 2016-17 and/or each year.

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From: To: Subject: Date:	web@imc_nsw.gov.au Eeedback Online Submission - Delivery Program, Operational Plan, Resourcing Strategy Monday, 6 June 2016 12:06:43 PM				
The following website:	The following information has been submitted from the Inner West Council website:				
Where did y about our D Delivery Pro 2014-2018 and Operati 2016-17 an Draft Resou Strategy 20 2018(Year 3	oraft ogram (Year 3) ional Plan d/or urcing 14-				
What do you about our D Delivery Pro 2014-2018 Operational 2016-17 an Draft Resou Strategy 20 (Year 3)? :	Draft Ogram (Year 3) Plan d/or Ircing 14-2018	BWPC competes in Australia's premier league (the National Water Polo League) and international competitions (Water Polo By The Sea).			
How would our Draft Do Program 20 (Year 3) Op Plan 2016-1 Draft Resou Strategy 20 (Year 3)? :	elivery 14-2018 erational L6 and/or ircing				
Comments :	:	7/10. The rating would be 10/10 if the extent of 2016/17 funding was emulated in the following years to 2019/20. The large drop off of funding might from \$213,187 to \$93,187 annually might be adequate if we can ensure the 2016/17 budget covers the absolute requirements to ensure Dawn Fraser Baths are in a compliant condition.			
In what wa the Draft Do Program 20 (Year 3) Op Plan 2016-1 Draft Resou Strategy 20 be improved	elivery 14-2018 erational 17 and/or Ircing 14-2018	Maintain Dawn Fraser Baths budget from 2016/17 to 2019/20 r			
Are there an key prioritie	ny other es that hould be the Draft	It should be considered that Water Polo as an Olympic Sport, and in an Olympic year should be provided recreational funding priority. It could itemise the different budgets that will feed into all aspects of the restoration, improvement and compliance of Dawn			



2016-17? :

2014-2018 (Year 3) Operational Plan Fraser Baths As per the OP, it is understood that Dawn Fraser Baths should receive \$120,000 on restoration annually from 2016/17 to 2019/20 plus the additional budgeted \$213,187. If this can be confirmed the restoration of this iconic council facility will improve the community perspective of council spend.

Is there anything we The added importance of Dawn Fraser Baths being have missed in our have missed in our Draft Delivery Program 2014-2018 people travel from Canberra to play in this club! The (Year 3) Operational club also has the appeal to attract international players Plan 2016-17 and/or each year. Draft Resourcing

Strategy 2014-2018 (Year 3) that you would like considered in the future? :

Do you have any about the Draft **Delivery Program** 2014-2018 (Year 3) Operational Plan improvement, and the club is happy to meet with council to ensure these requests are heard. 2016-17 and/or Draft Resourcing Strategy 2014-2018 (Year 3)? :

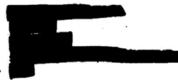
Would you like to be Yes involved in future consultation and/or public meetings on our Integrated Planning & Reporting Framework? :

Your details Name : Address/Suburb :

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Phone : Email : Would you like your personal details to remain confidential?

The highest priorities for spend at Dawn Fraser Baths is additional comments the improvement of lux for lighting (safety) and the inclusion of a secure club room for BWPC (security). There are multiple other areas that require



tem 11



From web@lmc.nsw.a Feedback To: Online Submission - Delivery Program, Operational Plan, Resourcing Strategy Subject Tuesday, 7 June 2016 10:18:53 AM Date: The following information has been submitted from the Inner West Council website: Where did you hear Council's website about our Draft Delivery Program 2014-2018 (Year 3) and Operational Plan 2016-17 and/or **Draft Resourcing** Strategy 2014-2018(Year 3)? : What do you like The inclusion Dawn Fraser Baths development funding about our Draft to 2020. The 2016/17 budget of \$213,187 is absolutely necessary to meet minimum requirements for safety **Delivery Program** (lighting) and security (club room) for the Balmain Water Polo Club (BWPC) which is the oldest club in Australia. The BWPC is fighting hard to maintain the use of the iconic Dawn Fraser Baths by complying with 2014-2018 (Year 3) Operational Plan 2016-17 and/or Draft Resourcing Strategy 2014-2018 (Year 3)? : national and international water polo safety standards. BWPC competes in Australia's premier league (the National Water Polo League) and international competitions (Water Polo By The Sea). How would you rate Good our Draft Delivery Program 2014-2018 (Year 3) Operational Plan 2016-16 and/or Draft Resourcing Strategy 2014-2018 (Year 3)? : The rating would be 10/10 if the extent of 2016/17 Comments : funding was emulated in the following years to 2019/20. The large drop off of funding might from \$213,187 to \$93,187 annually might be adequate if we can ensure the 2016/17 budget covers the absolute requirements to ensure Dawn Fraser Baths are in a compliant condition. Maintain Dawn Fraser Baths budget from 2016/17 to In what ways could the Draft Delivery 2019/20 Program 2014-2018 (Year 3) Operational Plan 2016-17 and/or Draft Resourcing Strategy 2014-2018 be improved? : It should be considered that Water Polo as an Olympic Are there any other key priorities that Sport, and in an Olympic year should be provided you think should be recreational funding priority. It could itemise the included in the Draft different budgets that will feed into all aspects of the **Delivery Program** restoration, improvement and compliance of Dawn



(Year 3) Operational club also has the appeal to attract international players Plan 2016-17 and/or each year. **Draft Resourcing** Strategy 2014-2018 (Year 3) that you would like considered in the future? : The highest priorities for spend at Dawn Fraser Baths is Do you have any additional comments the improvement of lux for lighting (safety) and the inclusion of a secure club room for BWPC (security). There are multiple other areas that require Delivery Program 2014-2018 (Year 3) Operational Plan improvement, and the club is happy to meet with council to ensure these requests are heard. 2016-17 and/or **Draft Resourcing** Strategy 2014-2018 (Year 3)? : Would you like to be Yes involved in future consultation and/or public meetings on our Integrated Planning & Reporting Framework? : Your details Name : Address/Suburb : Phone : Email : Would you like your personal details to remain confidential?

2014-2018 (Year 3) Operational Plan 2016-17?: Fraser Baths. As per the OP, it is understood that Dawn Fraser Baths should receive \$120,000 on restoration annually from 2016/17 to 2019/20 plus the additional budgeted \$213,187. If this can be confirmed the restoration of the increase of the restoration of this iconic council facility will improve the community perspective of council spend.

Is there anything we The added importance of Dawn Fraser Baths being have missed in our Draft Delivery Draft Delivery Program 2014-2018 people travel from Canberra to play in this club! The

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To: Ee Subject: On		jov.au ion - Delivery Program, Operational Pian, Resourcing Strategy a 2016 12:28:01 PM		
	The following information has been submitted from the Inner West Council			
Where did you about our Dra Delivery Prog 2014-2018 (Ya and Operation 2016-17 and/ Draft Resourc Strategy 2014 2018(Year 3)?	ft ram ear 3) al Plan or ing -			
What do you l about our Dra Delivery Progr 2014-2018 (Y Operational P 2016-17 and/ Draft Resourc Strategy 2014 (Year 3)? :	ft ram ear 3) lan or ing	The inclusion Dawn Fraser Baths development funding to 2020. The 2016/17 budget of \$213,187 is absolutely necessary to meet minimum requirements for safety (lighting) and security (club room) for the Balmain Water Polo Club (BWPC) which is the oldest club in Australia. The BWPC is fighting hard to maintain the use of the iconic Dawn Fraser Baths by complying with national and international water polo safety standards. BWPC competes in Australia's premier league (the National Water Polo League) and international competitions (Water Polo By The Sea).		
How would yo our Draft Deli Program 2014 (Year 3) Oper Plan 2016-16 Draft Resourc Strategy 2014 (Year 3)? :	very 4-2018 ational and/or sing	·		
Comments :		The rating would be 10/10 if the extent of 2016/17 funding was emulated in the following years to 2019/20. The large drop off of funding might from \$213,187 to \$93,187 annually might be adequate if we can ensure the 2016/17 budget covers the absolute requirements to ensure Dawn Fraser Baths are in a compliant condition.		
In what ways the Draft Deli Program 2014 (Year 3) Oper Plan 2016-17 Draft Resourc Strategy 2014 be improved?	ivery 4-2018 rational and/o cing 4-2018	r		
Are there any key priorities you think sho	other that	It should be considered that Water Polo as an Olympic Sport, and in an Olympic year should be provided recreational funding priority. It could itemise the		



Delivery Program 2014-2018 (Year 3) **Operational Plan** 2016-17? :

included in the Draft different budgets that will feed into all aspects of the restoration, improvement and compliance of Dawn Fraser Baths. As per the OP, it is understood that Dawn Fraser Baths should receive \$120,000 on restoration annually from 2016/17 to 2019/20 plus the additional budgeted \$213,187. If this can be confirmed the restoration of this iconic council facility will improve the community perspective of council spend.

Is there anything we The added importance of Dawn Fraser Baths being home to the BWPC, and many Olympians. The club services all local schools and has a pull far and wide – Program 2014-2018 people travel from Canberra to play in this club! The (Year 3) Operational club also has the appeal to attract international players Plan 2016-17 and/or each year. **Draft Resourcing**

Strategy 2014-2018 (Year 3) that you would like considered in the future? :

about the Draft **Delivery Program** 2014-2018 (Year 3) Operational Plan 2016-17 and/or Draft Resourcing Strategy 2014-2018 (Year 3)? : Would you like to be Yes involved in future consultation and/or public meetings on our Integrated Planning & Reporting Framework? : Your details Name : Address/Suburb : Phone : Email : Would you like your personal details to

remain confidential?

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Do you have any The highest priorities for spend at Dawn Fraser Baths is additional comments the improvement of lux for lighting (safety) and the inclusion of a secure club room for BWPC (security). There are multiple other areas that require improvement, and the club is happy to meet with council to ensure these requests are heard.





From: To: Subject: Date:	web@imc.nsw.gov.au Eegdback Online Submission - Delivery Program, Operational Plan, Resourcing Strategy Tuesday, 7 June 2016 12:28:02 PM		
The following website:	informatio	n has been submitted from the Inner West Council	
about our D Delivery Pro 2014-2018 (and Operation 2016-17 and Draft Resound Strategy 201 2018 (Year 3	raft gram (Year 3) onal Plan d/or rcing 14- 5)? :	Council's website	
What do you about our D Delivery Pro 2014-2018 (Operational 2016-17 and Draft Resou Strategy 202 (Year 3)? :	raft gram (Year 3) Plan d/or rcing	The inclusion Dawn Fraser Baths development funding to 2020. The 2016/17 budget of \$213,187 is absolutely necessary to meet minimum requirements for safety (lighting) and security (club room) for the Balmain Water Polo Club (BWPC) which is the oldest club in Australia. The BWPC is fighting hard to maintain the use of the iconic Dawn Fraser Baths by complying with national and international water polo safety standards. BWPC competes in Australia's premier league (the National Water Polo League) and international competitions (Water Polo By The Sea).	
How would our Draft De Program 20 (Year 3) Op Plan 2016-1 Draft Resou Strategy 20 (Year 3)? :	elivery 14-2018 erational 6 and/or rcing		
Comments :		The rating would be 10/10 if the extent of 2016/17 funding was emulated in the following years to 2019/20. The large drop off of funding might from \$213,187 to \$93,187 annually might be adequate if we can ensure the 2016/17 budget covers the absolute requirements to ensure Dawn Fraser Baths are in a compliant condition.	
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Are there a key prioritio you think s	es that	It should be considered that Water Polo as an Olympic Sport, and in an Olympic year should be provided recreational funding priority. It could itemise the	



Delivery Program 2014-2018 (Year 3) **Operational Plan** 2016-17? :

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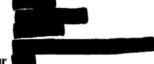
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Do you have any Delivery Program 2014-2018 (Year 3) Operational Plan 2016-17 and/or **Draft Resourcing** Strategy 2014-2018 (Year 3)? : Would you like to be Yes involved in future consultation and/or public meetings on our Integrated Planning & Reporting Framework? : **Your details** Name : Address/Suburb : Phone : Email : Would you like your personal details to

remain confidential?

The highest priorities for spend at Dawn Fraser Baths is additional comments the improvement of lux for lighting (safety) and the about the Draft inclusion of a secure club room for BWPC (security). There are multiple other areas that require improvement, and the club is happy to meet with council to ensure these requests are heard.





web@imc.nsw.gov.au From: Feedback To: Subject Online Submission - Delivery Program, Operational Plan, Resourcing Strategy Tuesday, 7 June 2016 12:43:57 PM Date: The following information has been submitted from the Inner West Council website: Where did you hear Council's website about our Draft Delivery Program 2014-2018 (Year 3) and Operational Plan 2016-17 and/or **Draft Resourcing** Strategy 2014-2018(Year 3)? : The inclusion Dawn Fraser Baths development funding What do you like to 2020. The 2016/17 budget of \$213,187 is absolutely about our Draft necessary to meet minimum requirements for safety Delivery Program 2014-2018 (Year 3) Operational Plan (lighting) and security (club room) for the Balmain Water Polo Club (BWPC) which is the oldest club in Australia. The BWPC is fighting hard to maintain the use 2016-17 and/or of the iconic Dawn Fraser Baths by complying with **Draft Resourcing** Strategy 2014-2018 (Year 3)? : national and international water polo safety standards. BWPC competes in Australia's premier league (the National Water Polo League) and international competitions (Water Polo By The Sea). How would you rate Good our Draft Delivery Program 2014-2018 (Year 3) Operational Plan 2016-16 and/or Draft Resourcing Strategy 2014-2018 (Year 3)? : Comments : 7/10. The rating would be 10/10 if the extent of 2016/17 funding was emulated in the following years to 2019/20. The large drop off of funding might from \$213,187 to \$93,187 annually might be adequate if we can ensure the 2016/17 budget covers the absolute requirements to ensure Dawn Fraser Baths are in a compliant condition. Maintain Dawn Fraser Baths budget from 2016/17 to In what ways could the Draft Delivery 2019/20 Program 2014-2018 (Year 3) Operational Plan 2016-17 and/or Draft Resourcing Strategy 2014-2018 be improved? : Are there any other It should be considered that Water Polo as an Olympic key priorities that Sport, and in an Olympic year should be provided you think should be recreational funding priority. It could itemise the



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:



key priorities that

Item 11

Submission 17

From: web@lmc.nsw.gov.au Feedback To: Subject Online Submission - Delivery Program, Operational Plan, Resourcing Strategy Date: Tuesday, 7 June 2016 6:30:26 PM The following information has been submitted from the Inner West Council website: Where did you hear Council's website about our Draft Delivery Program 2014-2018 (Year 3) and Operational Plan 2016-17 and/or **Draft Resourcing** Strategy 2014-2018(Year 3)? : What do you like The inclusion Dawn Fraser Baths development funding about our Draft to 2020. The 2016/17 budget of \$213,187 is absolutely Delivery Program 2014-2018 (Year 3) necessary to meet minimum requirements for safety (lighting) and security (club room) for the Balmain Water Polo Club (BWPC) which is the oldest club in Australia. The BWPC is fighting hard to maintain the use of the iconic Dawn Fraser Baths by complying with **Operational** Plan 2016-17 and/or **Draft Resourcing** Strategy 2014-2018 (Year 3)? : national and international water polo safety standards. BWPC competes in Australia's premier league (the National Water Polo League) and international competitions (Water Polo By The Sea). How would you rate Unsatisfactory our Draft Delivery Program 2014-2018 (Year 3) Operational Plan 2016-16 and/or **Draft Resourcing** Strategy 2014-2018 (Year 3)? : The rating would be 10/10 if the extent of 2016/17 **Comments**: funding was emulated in the following years to 2019/20. The large drop off of funding might from \$213,187 to \$93,187 annually might be adequate if we can ensure the 2016/17 budget covers the absolute requirements to ensure Dawn Fraser Baths are in a compliant condition. Maintain Dawn Fraser Baths budget from 2016/17 to In what ways could the Draft Delivery 2019/20 Program 2014-2018 (Year 3) Operational Plan 2016-17 and/or Draft Resourcing Strategy 2014-2018 be improved? :

Attachment 3

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:



web@imc.nsv From: Feedback To: Online Submission - Delivery Program, Operational Plan, Resourcing Strategy Subject: Wednesday, 8 June 2016 6:17:25 PM Date: The following information has been submitted from the Inner West Council website: Where did you hear Council's website about our Draft Delivery Program 2014-2018 (Year 3) and Operational Plan 2016-17 and/or **Draft Resourcing** Strategy 2014-2018(Year 3)? : The inclusion Dawn Fraser Baths development funding What do you like about our Draft to 2020. The 2016/17 budget of \$213,187 is absolutely necessary to meet minimum requirements for safety Delivery Program 2014-2018 (Year 3) Operational Plan (lighting) and security (club room) for the Balmain Water Polo Club (BWPC) which is the oldest club in Australia. The BWPC is fighting hard to maintain the use 2016-17 and/or of the iconic Dawn Fraser Baths by complying with national and international water polo safety standards. Draft Resourcing Strategy 2014-2018 (Year 3)? : BWPC competes in Australia's premier league (the National Water Polo League) and international competitions (Water Polo By The Sea). How would you rate Good our Draft Delivery Program 2014-2018 (Year 3) Operational Plan 2016-16 and/or Draft Resourcing Strategy 2014-2018 (Year 3)? : The rating would be 10/10 if the extent of 2016/17 Comments : funding was emulated in the following years to 2019/20. The large drop off of funding might from \$213,187 to \$93,187 annually might be adequate if we can ensure the 2016/17 budget covers the absolute requirements to ensure Dawn Fraser Baths are in a compliant condition. Maintain Dawn Fraser Baths budget from 2016/17 to In what ways could the Draft Delivery 2019/20 Program 2014-2018 (Year 3) Operational Plan 2016-17 and/or Draft Resourcing Strategy 2014-2018 be improved? : Are there any other It should be considered that Water Polo as an Olympic Sport, and in an Olympic year should be provided key priorities that you think should be recreational funding priority. It could itemise the included in the Draft different budgets that will feed into all aspects of the restoration, improvement and compliance of Dawn **Delivery Program**



Operational Plan 2016-17? :

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web@imc.nsw.gov.au From Feedback To: Subject: Online Submission - Delivery Program, Operational Plan, Resourcing Strategy Tuesday, 7 June 2016 9:28:29 AM Date: The following information has been submitted from the Inner West Council website: Where did you hear about our Draft Council's website Delivery Program 2014-2018 (Year 3) and Operational Plan 2016-17 and/or Draft Resourcing Strategy 2014-2018(Year 3)? : What do you like about our Draft My particular interest is the funding Delivery Program 2014-2018 (Year related to the maintenance and 3) Operational Plan 2016-17 and/or improvement of Dawn Fraser Baths. Draft Resourcing Strategy 2014-2018 (Year 3)? : How would you rate our Draft Satisfactory Delivery Program 2014-2018 (Year 3) Operational Plan 2016-16 and/or Draft Resourcing Strategy 2014-2018 (Year 3)? : Comments : In what ways could the Draft Uphold the funds committed to the Delivery Program 2014-2018 (Year Dawn Fraser Baths to ensure 3) Operational Plan 2016-17 and/or particularly the lighting and security Draft Resourcing Strategy 2014-2018 is of such a standard as to make the be improved? : pool compliant with the requirements of the National Water Polo League. Are there any other key priorities As above that you think should be included in the Draft Delivery Program 2014-2018 (Year 3) Operational Plan 2016-17? : Is there anything we have missed in our Draft Delivery Program 2014-2018 (Year 3) Operational Plan 2016-17 and/or Draft Resourcing Strategy 2014-2018 (Year 3) that you would like considered in the future? : Do you have any additional comments about the Draft Delivery Program 2014-2018 (Year 3) Operational Plan 2016-17 and/or Draft Resourcing Strategy 2014-2018 (Year 3)? : Would you like to be involved in Yes future consultation and/or public meetings on our Integrated Planning & Reporting Framework? : **Your details** Name : Address/Suburb :



From: web@lmc.nsw.gov.au Eeedback To: Subject: Online Submission - Delivery Program, Operational Plan, Resourcing Strategy Monday, 23 May 2016 10:36:11 AM Date:

The following information has been submitted from the Leichhardt Municipal Council website:

Where did you hear about our Other: Draft Delivery Program 2014-2018 (Year 3) and Operational Plan 2016-17 and/or Draft Resourcing Strategy 2014-2018(Year 3)? : What do you like about our Draft Delivery Program 2014-2018 (Year NA 3) Operational Plan 2016-17 and/or Draft Resourcing Strategy 2014-2018 (Year 3)? : Good

How would you rate our Draft Delivery Program 2014-2018 (Year 3) Operational Plan 2016-16 and/or Draft Resourcing Strategy 2014-2018 (Year 3)? :

Comments :

In what ways could the Draft NA Delivery Program 2014-2018 (Year 3) Operational Plan 2016-17 and/or Draft Resourcing Strategy 2014-2018 be improved? :

Are there any other key priorities NA that you think should be included in the Draft Delivery Program 2014-2018 (Year 3) Operational Plan 2016-17? :

Is there anything we have missed in our Draft Delivery Program 2014-2018 (Year 3) Operational Plan 2016-17 and/or Draft NA Resourcing Strategy 2014-2018 (Year 3) that you would like considered in the future? :

Do you have any additional In response to your call for submission comments about the Draft Delivery on the draft of the 2016-2017 Budget, Program 2014-2018 (Year 3) Operational Plan 2016-17 and/or Draft Resourcing Strategy 2014-2018 (Year 3)? :

In response to your call for submissions Bicycle Network makes the following comments.

We, with help from our members, are assessing bicycle expenditure by local councils across Australia. This will generate a 'BiXE' (Bicycle Expenditure Index) rating – a figure which shows the amount of bicycle related spending per resident.



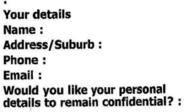
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We have calculated the BiXE for Leichhardt's draft 2016-2017 budget as \$6.81 per person, which is above the threshold of \$5 per person per year.

Bicycle Network commends your commitment to cycling, with special mention of the Hawthorne Canal Cycleway.

Would you like to be involved in future consultation and/or public meetings on our Integrated Planning & Reporting Framework?

No







Sydney Airport

ATTACHMENT 4

Submissions received by the former Marrickville Council

18 May 2016

Ms Vanessa Chan General Manager Inner West Council PO Box 14 Petersham NSW 2049 MARRICKVILLE COUNCIL PECEIVED 2 4 MAY 2016

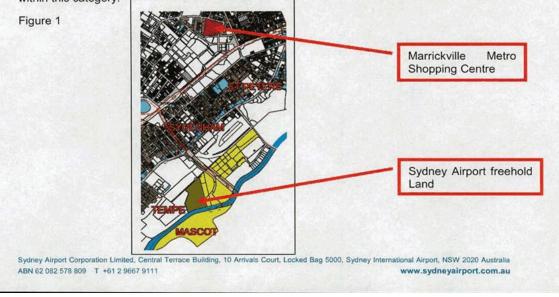
By post & Email email: vanessa.chan@marrickville.nsw.gov.au

Dear Vanessa

Re: Inner West Council (Marrickville) Draft Operational Plan & Budget 2016-2017. Comment on the proposed Rating Category and Rate in The Dollar against Sydney Airport freehold Land at Swamp Rd Tempe – Property No 58460, Lot 723 DP 48012, Ref No 5000-3684-61

Sydney Airport Corporation Limited (Sydney Airport) is the owner of a freehold parcel of land located at Swamp Rd Tempe (Land). Sydney Airport has been made aware of the intention of Inner West Council (Marrickville), as contained in the Draft Operational Plan & Budget 2016-2017, to adopt a Rating Category and a Rate in The Dollar against the Land which is inconsistent with comparable property.

Figure 1 below is an extract from Councils Rating Structure Map which has identified the Land as having a Rating Category of Business with a sub category Business-Airport on the basis that the Land is a centre of activity and as indicated in Table 1. The Land is one of two properties within this category. The other parcel belongs to the Australian Rail Track Corporation. The Rating Structure Map also identifies Marrickville Metro Shopping Centre with a sub category Business-Marrickville Metro as a centre of activity and it is the only property within this category.





Sydney Airport notes from Table 1 (an extract from Councils Draft Operational Plan & Budget 2016-2017-Table 1 excluding SRV) that Council has proposed to adopt an ad valorem rate in the dollar on the Land in the amount of 0.0154832 and for the Marrickville Metro Shopping Centre land, in the amount of 0.0142761 compared to the proposed Business-General rate of 0.0046167 and the Business-Industrial St Peters rate of 0.0083579. The proposed rate in the dollar for the Land is the highest rate in the dollar in the Rate Table.

Table 1

RATE CHARGE BY PROPERTY TYPE	NO. OF PROPERTIES	LAND VALUES*	RATE IN THE DOLLAR	YIELD
Residential - ad valorem	20867	16,211,614,488	\$0.0013216	\$21,424,459.13
Residential Minimum	10307	1,673,586,726	\$649	\$6,689,243.00
Business General	1964	1,815,778,381	\$0.0046167	\$8,382,849.58
Business - Ind Marrickville	926	721,496,548	\$0.0083579	\$6,030,196.00
Business - Ind St Peters	167	271,044,400	\$0.0083579	\$2,265,361.99
Business - Ind St Peters Nth	91	93,133,300	\$0.0083579	\$778,398.81
Business - Ind Camperdown	83	47,337,420	\$0.0083579	\$395,641.42
Business - Marrickville Metro	1	29,000,000	\$0.0142761	\$414,005.45
Business - Airport	2	3,949,000	\$0.0154832	\$61,143.08
Subtotal	34408	20,866,940,263		\$46,441,298.45
Newtown Urban Centre	323	326,626,593	0.0002216	\$72,380.45
Marrickville Urban Centre	241	211,416,052	\$0.0002949	\$62,346.59
Petersham Urban Centre	74	49,490,832	\$0.00026811	\$13,268.99
Dutwich Hill Urban Centre	116	94,358,070	\$0.00034121	\$32,195.92
Subtotal	754	\$681,891,547		\$180,191.95
Total				\$46,621,490.40
Plus Property Growth Allowance	295		\$649	\$191,455
Grand Total				\$46,812,945.40

*Land values are based on a valuation date as at 1 July 2015

The rate peg for 2016/17 has been set by the Independent Pricing and Regulatory Tribunal (IPART). The overall rate increases for 2016/17 are limited to 1.8% under IPART's determination.

Sydney Airport does not agree and objects to Council applying the proposed Rating Category and the rate in the dollar proposed to be adopted in the Marrickville Council Draft Operational Plan & Budget 2016-17 for the Land.





Sydney Airport submits the following factors should be taken into consideration with this Land:-

- The Land is partially affected by a proposed land reservation for a Classified Road (SP2) for a proposed Arterial Road and Arterial Road Widening compared to Marrickville Metro which is not affected;
- 2. The Land is vacant (and has been vacant since it was purchased) and does not generate any activity compared to Marrickville Metro which has a regional shopping centre operating 7 days per week.
- 3. The Land is not part of the Commonwealth land identified as an Airport under the Airports Act and therefore should not be classed as a centre of activity.
- 4. The Land is a known contaminated site and is recorded on the Register of Lands, of the Office of Environment & Heritage, as a declared site of Significant Contaminated Land as acknowledged by Marrickville Council in Agreement number 26050 with the EPA. This is not a factor applicable to Marrickville Metro. The Land is also identified on Council maps as containing potential acid sulphate soils.
- 5. The Land is severely limited in use due to height limitations imposed by the Airport's Obstacle Limitation Surfaces and is within the 35-40 ANEF 2033 as identified by Council. This is not a factor applicable to Marrickville Metro.
- 6. The Land produces no business activity, is geographically isolated and separated from the airport with significant physical barriers, is not used for any Airport activity and could not be compared to any other "centre of activity" criteria that would warrant the Category or charging of the rate in the dollar proposed.

Sydney Airport requests that Council allocate a category and rate in the dollar consistent with other lands that are classed as open space and takes into consideration the factors outlined above. As an alternative Sydney Airport would consider adopting the Business General ratein-the-dollar of 0.0046167 as shown in Councils proposed Rate Table.

Please contact me if further discussion or clarification on any aspect is required.

Yours sincerely

mund bann

Edmund Jansen Head of Property Program Delivery Development & Construction

20160518-Submission to Inner West (Marrickville) Council-Freehold Land-Draft Operational Plan. Budget 2016-2017 docx. page 3 of 3



Item No: C0716 Item 12

Subject: EXPENSES AND FACILITIES POLICY FOR ADMINISTRATOR

File Ref: 16/4718/74190.16

Prepared By: Ian Naylor - Manager Governance and Administration, Leichhardt

Authorised By: Matthew Philips - Director, Corporate Services

SUMMARY

The Administrator will require facilities, insurance and reimbursement of expenses to assist them in carrying out their civic duties. The Expenses and Facilities Policy outlines the provision of facilities and reimbursement of reasonable expenses to the Administrator.

RECOMMENDATION

THAT:

- 1. the Expenses and Facilities Policy for the Administrator as shown attached to the report, be placed on public exhibition in accordance with Section 252 of the Local Government Act; and
- 2. after the conclusion of the public exhibition period, Council receive a further report on submissions received during the public exhibition period.

BACKGROUND

An Expenses and Facilities Policy for the Administrator has been developed and is shown attached to this report. The Policy makes provision for facilities required to carry out civic functions such as telecommunication and digital devices, computer, stationery and transport.

The policy provides for attendance at training and conferences as well as reimbursement of training and conference expenses, legal expenses and carer expenses. The policy also includes insurance coverage for the Administrator.

FINANCIAL IMPLICATIONS

Nil.

OTHER STAFF COMMENTS

Nil.

PUBLIC CONSULTATION

Section 252 of the Local Government Act requires that an Expenses and Facilities Policy be publicly exhibited for 28 days. After the conclusion of the exhibition period a further report will be provided to Council advising of the submissions received during the public exhibition period.



CONCLUSION

It is recommended that the Expenses and Facilities Policy for the Administrator be placed on public exhibition in accordance with Section 252 of the Local Government Act.

ATTACHMENTS

1.1. Expenses and Facilities Policy for the Administrator



DRAFT POLICY FOR PAYMENT OF EXPENSES & PROVISION OF FACILITIES FOR THE ADMINISTRATOR

Date Adopted:	
Council or Corporate Policy	Council Policy
Responsible Division:	Inner West Council
Supporting documents, procedures & forms of this policy:	Expenses Claim Form
References & Legislation:	Local Government Act 1993

Contents

1	Purpose of Policy	. 2
2	Statements Applying to the Policy	. 2
3	Definitions	. 3
4	The Administrator	. 3
5	Conferences and Seminars	. 5
6	Carers Expenses	. 6
7	Training	. 6
8	Legal Expenses	. 6
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Policy for the Payment of Expenses and Provision of Facilities for the Administrator

1 Purpose of Policy

The purpose of the policy is to ensure that there is accountability and transparency in the reimbursement of expenses incurred or to be incurred by the Administrator. The policy also ensures that the facilities provided to assist the Administrator to carry out their civic duties are reasonable.

2 Statements Applying to the Policy

Statement disallowing the payment of a general allowance to the Administrator

In accordance with Clause 403 of the Local Government (General) Regulation this policy does not include any provision to pay the Administrator an allowance in the nature of a general expense allowance.

Statement about Hospitality/Gifts and Benefits Provided by the Administrator to Others to be of Token Value Only

In circumstances where it is appropriate for the Administrator to give a gift or benefit (for example, on a Council business related trip or when receiving visitors), these gifts should be of token value (valued under \$50.00) for eg. ties, scarves, coasters, tie pins, diaries, chocolates or flowers. A written request should be made to the Interim General Manager setting out the reasons for the request and any supporting documentation (eg correspondence). The Interim General Manager is responsible for approval of requests.

Statement in relation to Private Benefit

The Administrator should not obtain private benefit from the provision of equipment and facilities, nor from travel bonuses such as 'frequent flyer' schemes or any other such loyalty programs. However, it is acknowledged that incidental use of Council equipment and facilities may occur from time to time. Such incidental use is not subject to a compensatory payment. Where more substantial private use has occurred the Administrator must reimburse Council for the actual cost to Council of the private use in question.

Approval Process

Unless otherwise stated in the policy, requests for facilities or reimbursement or expenses shall be made to the Interim General Manager. All requests will be determined by the Interim General Manager as soon as practicable following advice (from another officer of Council) that the facility or reimbursement is authorised by this Policy.

Policy for the Payment of Expenses and Provision of Facilities for the Administrator

3 Definitions

Word/Term	Definition (with examples if required)
Private Benefit	Obtaining a financial gain from the use of facilities provided to the Administrator to undertake their civic duties
Subsistence	A daily allowance for food and incidental expenses when travelling to and from a Conference.
Carers Expenses	The expense in arranging another person to take care of elderly, disabled and/or sick immediate family members of the Administrator, to allow the Administrator to attend Council, Committee and other meetings, official civic and ceremonial functions.

4 The Administrator

Section 258 of the Local Government Act 1993 requires Council to pay a salary to the Administrator. The amount of the salary is to be determined by the NSW Governor.

In addition to the salary payable, the Administrator is eligible to receive the benefit of the following facilities:

- * Office space at the three council Administration buildings of a standard appropriate to the Administrator status for carrying out civic functions.
- * Secretarial Assistance for official secretarial support duties, stationery, business cards, fax, photocopier, telephone and fridge.
- Refreshments for official Administrator functions.
- * Transport on request to and from Council and Committee meetings, official Civic Events and for other Council business. Cabcharges will be provided as required.
- * Vehicle Allowance is paid at the Local Government Award Rate to the Administrator for use of their private vehicle for attendance to official Council business, including meetings and civic events.

Policy for the Payment of Expenses and Provision of Facilities for the Administrator



- Parking Facilities at the three council Administration Buildings including parking permits.
- * Refreshments will be provided prior to Council and Committee Meetings as necessary for the Administrator and senior staff.
- Personal computer or laptop at the request of the Administrator. Where the Administrator pays for their own internet access they will be entitled to be reimbursed for the amount of the plan up to the total of \$100.00 per month. Anything above the monthly limit of \$100.00 per month will be deducted from the Administrator's allowance. Should the Administrator's civic related expenses exceed this amount, they will need to submit a claim for reimbursement verifying the total Council related costs to claim reimbursement (subject to the abovementioned monthly limits).
- * Tablet computer with mobile data access at the request of the Administrator to enable the delivery of electronic business papers, Council documents, mobile communication and other information access. Where the Administrator provides their own tablet and pays for their own data access, they will be entitled to be reimbursed for the amount of their data plan, up to \$500 per year.

Mobile Phone

A mobile phone and standard accessories will be provided to the Administrator on request, with the cost of the phone and other set up costs being met by Council. Allowance of \$150 per month is provided for ongoing plan costs. If the Administrator uses their own mobile phone then monthly invoices are to be provided to the Interim General Manager detailing civic related expenses for reimbursement. Should the Administrator's civic related expenses exceed the monthly phone allowance, they will need to submit a claim for reimbursement using the appropriate form.

Multifunction Device

The Administrator will be provided with an office standard multifunction device that can print/copy/scan upon request.

Time Limit

A three (3) month time limit applies for claims for any expenses/reimbursement provided under this policy.

Policy for the Payment of Expenses and Provision of Facilities for the Administrator



5 Conferences and Seminars

The Administrator may attend conferences and seminars locally or interstate. Attendance at conferences and the like are to be reported to a meeting of the Council. If this is not possible (due to lack of time) then approval shall be sought from the Interim General Manager and then reported back to the next available meeting. Expenses for attending conferences will be met in accordance with the following criteria:-

<u>Travel</u> – economy class air travel will be arranged and paid for by Council for delegates to and from the conference town/city.

<u>Vehicle Hire</u> – The Administrator will be reimbursed for reasonable car hire expenses for the duration of the conference.

<u>Accommodation</u> – accommodation to a reasonable scale will be booked and paid by Council. Such accommodation will be arranged for each night of the conference, and the nights before and after, as may be necessary due to travel arrangements.

<u>Subsistence</u> – A daily travel allowance as outlined below is payable to the Administrator where travel for Council business involves an overnight stay;

- Breakfast	\$26.00
- Lunch	\$29.00
- Dinner	\$50.00
- Incidentals	\$25.00

Should the conference or accommodation packages include the provision of these meals, then that meal allowance cannot be claimed. Incidentals costs are paid for overnight stays. An itemised list of subsistence payments will be submitted to the Administrator who is attending a conference or seminar at least one week prior to attending an event.

Reconciliation of Advance Subsistence Payment

Where a subsistence allowance has been paid in advance, staff will reconcile with the Administrator to ensure that the Administrator repay any monies owed to Council.

Partners Expenses

Limited expenses incurred by spouses/partners associated with attendance at the NSW Local Government Association annual conference will be met by Council. These expenses will be limited to the cost of registration and official conference dinners. Travel expenses, any additional accommodation expenses and the cost of partner tours etc will, on request, be booked by Council and paid by the Administrator.

Policy for the Payment of Expenses and Provision of Facilities for the Administrator



The payment of expenses for spouses/partners attending official appropriate functions within the local government area or when accompanying the Administrator will be met by Council but confined specifically to the ticket, meal and/or the direct cost of attending the function.

6 Carers Expenses

An allowance of up to \$4,000 per annum is available for the reimbursement of the cost of carer arrangements, including childcare expenses and the care of elderly, disabled and/or sick immediate family members of the Administrator, to allow the Administrator to attend Council, Committee and other meetings, official civic and ceremonial functions.

A formal claim (with receipts attached) must be lodged with the Interim General Manager no later than 1 month after the expense has been incurred. In the event, carer expenses exceed \$4,000 reimbursement will be provided subject to the submission of a formal claim (with receipts attached) within one month of the expense being incurred and verification the expense was incurred in order to attend official civic duties.

Reasonable expenses to also be met for the provision of carer/support during the attendance at the LGNSW Annual Conference on behalf of Council. Should this involve the payment of partners expenses to provide such support the Interim General Manager's authority will be up to and including 50% of that persons expenses in travel, accommodation and meals.

7 Training

Council provides for training and development courses that are directly related to the Administrator' civic functions and responsibilities. Requests to attend training and education courses must be submitted to the Interim General Manager outlining the details of the proposed training or education, the benefits to Council and how it relates to the Administrator's civic functions and responsibilities. Requests will then be determined by the Interim General Manager.

8 Legal Expenses

Legal costs must only be provided where the investigative or review body makes a finding that is not substantially unfavourable to the Administrator. This may include circumstances in which a matter does not proceed to a finding. Council must not meet the legal costs of legal proceedings initiated by the Administrator under any circumstances. Council must not meet the legal costs of the Administrator seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation. Legal costs must not be met for legal proceedings that do not involve the Administrator performing their role as the Administrator.

(1) Council may, if requested, indemnify or reimburse the reasonable legal expenses of:

(a) the Administrator defending an action arising from the performance in good faith of a function under the Local Government Act; or

Policy for the Payment of Expenses and Provision of Facilities for the Administrator



(b) the Administrator defending an action in defamation, provided the statements complained of were made in good faith in the course of exercising a function under the Act;

(c) the Administrator for proceedings before an appropriate investigative or review body, provided the subject of the proceedings arises from the performance in good faith of a function under the Act and the investigative or review body makes a finding substantially favourable to the Administrator.

Clause (c) applies only when the subject of the inquiry, investigation or hearing arises from the performance in good faith of the Administrator's functions under the Act and the matter before the investigative or review body has proceeded past any initial assessment phase to a formal investigation or review.

(2) In the case of a conduct complaint made against the Administrator, legal costs will only be paid where a finding is made that the Administrator has been found not to breach the Code of Conduct.

(3) In the case of a pecuniary interest or misbehaviour matter, legal costs will only be paid where a finding is made that the Administrator has been found not to breach the relevant legislation.

(4) Legal expenses incurred in relation to proceedings arising out of the performance by the Administrator of his or her functions under the Act are distinguished from expenses incurred in relation to proceedings arising merely from something that the Administrator has done during his or her term in office. For example, expenses arising from an investigation as to whether the Administrator acted corruptly would not be covered by this section.

(5) Council will not meet the costs of an action in defamation taken by the Administrator as plaintiff in any circumstances and will not meet the costs of the Administrator seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation.

(6) Council will not meet the legal costs of legal proceedings initiated by the Administrator under any circumstance.

(7) Reimbursement of expenses for reasonable legal expenses must be reported to a Council Meeting prior to costs being reimbursed.

9 Insurance

Insurance provision for the Administrator includes;

- Public liability (for matters arising out of the Administrator' performance of their civic duties and/or exercise of their Council functions);
- Professional indemnity (for matters arising out of the Administrator'

Policy for the Payment of Expenses and Provision of Facilities for the Administrator



performance of their civic duties and/or exercise of their functions)

- Personal injury while on Council business. Note; The Administrator is not covered by workers compensation payments or arrangements.
- Travel insurance (where applicable) for approved interstate and overseas travel on Council business

All insurances are subject to any limitations or conditions set out in the Council's policy of insurance.

10 Approval Process for Reimbursement

The following reconciliation and reimbursement processes are covered in the Policy and summarised below;

Internet

Where the Administrator pays for their own home internet access they will be entitled to be reimbursed for the amount of the cost of the plan (subject to providing a copy of a monthly tax invoice) (up to \$100.00 per month). Where the Administrator provides their own tablet and pays for their own data access, they will be entitled to be reimbursed for the amount of their data plan, up to \$360 per year.

Mobile phone

A monthly phone allowance is available for the Administrator's mobile phone costs of up to \$150 per month. If the Administrator uses their own phone equipment then monthly invoices are to be provided to the Interim General Manager detailing civic related expenses for reimbursement. Should the Administrator's civic related expenses exceed the monthly phone allowance, they will need to submit a claim for reimbursement using the appropriate form.

Carer arrangements/expenses

An allowance of up to \$4,000 per annum is available for the reimbursement of the cost of carer arrangements, including childcare expenses and the care of elderly, disabled and/or sick immediate family members of the Administrator, to allow the Administrator to attend Council, Committee and other meetings, official civic and ceremonial functions. In the event, carer expenses exceed the annual limit, reimbursement will be provided subject to the submission of a formal claim (with receipts attached) within one month of the expense being incurred and verification the expense was incurred in order to attend official civic duties.

Conferences

Reimbursement of expenses will be provided upon submission of receipts.

Cabcharge

Individual cabcharge costs (where applicable) are forwarded to the Administrator each month for them to identify Council or private use. Any private use costs is to be deducted from the Administrator's allowance.

11 Policy Review

Each year as required by Section 252 and 253 of the Local Government Act 1993.

Version Control	Date Effective	Approved By	Amendment
1			
2			
3			
4			

12 Version Control and Change History

Policy for the Payment of Expenses and Provision of Facilities for the Administrator



Subject: EXPENSES AND FACILITIES POLICY FOR LRAC AND IAG COMMITTEE MEMBERS

File Ref: 16/4718/74796.16

Prepared By: Ian Naylor - Manager Governance and Administration, Leichhardt

Authorised By: Matthew Phillips - Director, Corporate Services

SUMMARY

The committee members on Local Representation Advisory Committees (LRAC) and the Implementation Advisory Group (IAG) will require facilities and reimbursement of expenses to assist them in carrying out their committee member functions. A policy has been developed to detail these facilities and the process for reimbursement of any expenses.

RECOMMENDATION

THAT:

- 1. the Expenses and Facilities Policy for LRAC/IAG committee members as shown attached to the report, be placed on public exhibition in accordance with Section 252 of the Local Government Act.
- 2. after the conclusion of the public exhibition period, Council receive a further report on submissions received during the public exhibition period.

BACKGROUND

An Expenses and Facilities Policy for committee members on LRAC and IAG has been developed and is shown attached to this report. The Policy makes provision for facilities such as a mobile phone, computer and transport and reimbursement of expenses for internet and mobile phone usage as members of these committees.

FINANCIAL IMPLICATIONS

Nil.

OTHER STAFF COMMENTS

Nil.

PUBLIC CONSULTATION

Section 252 of the Local Government Act requires that an Expenses and Facilities Policy be publicly exhibited for 28 days. After the conclusion of the exhibition period a further report will be provided to Council advising of the submissions received during the public exhibition period.

CONCLUSION

It is recommended that the Expenses and Facilities Policy for committee members on LRAC and the IAG be placed on public exhibition in accordance with Section 252 of the Local Government Act.

ATTACHMENTS

1.<u>0</u> Draft IAG and LRAC Provision of Facilities Policy



DRAFT POLICY FOR PAYMENT OF EXPENSES & PROVISION OF FACILITIES

(FOR THE MEMBERS OF THE IMPLEMENTATION ADVISORY GROUP (IAG) AND LOCAL REPRESENTATION ADVISORY COMMITTEE (LRAC))

Date Adopted:		
Council or Corporate Policy	Council Policy	
Responsible Division:	terim General Manager	
Supporting documents, procedures & forms of this policy:	Expenses Claim Form	
References & Legislation:	Local Government Act 1993	

Contents

1	Purpose of Policy	2
2	Statements Applying to the Policy	2
3	Definitions	2
4	Advisory Committee Members	3
5	Approval Process for Reimbursement	3
6	Version Control and Change History	4

Draft Policy for the Payment of Expenses and Provision of Facilities (to the members of the Implementation Advisory Group (IAG) and Local Representation Advisory Committee (LRAC))

Page | 1

Attachment 1



1 Purpose of Policy

The purpose of the policy is to ensure that there is accountability and transparency in the reimbursement of expenses incurred or to be incurred by the members of the Implementation Advisory Group (IAG) and Local Representation Advisory Committee (LRAC). The policy also ensures that the facilities provided to assist the Advisory Committee Member to carry out their civic duties are reasonable.

2 Statements Applying to the Policy

Statement in relation to Private Benefit

The Advisory Committee members should not obtain private benefit from the provision of equipment and facilities. However, it is acknowledged that incidental use of Council equipment and facilities may occur from time to time. Such incidental use is not subject to a compensatory payment. Where more substantial private use has occurred the Advisory Committee member must reimburse Council for the actual cost to Council of the private use in question.

Approval Process

Unless otherwise stated in the policy, requests for facilities or reimbursement or expenses shall be made to the Interim General Manager. All requests will be determined by the Interim General Manager as soon as practicable following advice (from another officer of Council) that the facility or reimbursement is authorised by this Policy.

3 Definitions

Word/Term	Definition (with examples if required)	
Advisory Committee Member	Former Mayor and Councillors who expressed an interest in continued local representation to the Administrator of the Inner West Council and are members of either the IAG and/or LRAC.	
Private Benefit	Obtaining a financial gain from the use of facilities provided to the Administrator to undertake their civic duties	

Draft Policy for the Payment of Expenses and Provision of Facilities (to the members of the Implementation Advisory Group (IAG) and Local Representation Advisory Committee (LRAC))



4 Advisory Committee Members

In accordance with the Department of Premier and Cabinet Guidelines Advisory Committee Members are to receive payment of a fee (at the same rate as their former Mayor, Deputy Mayor or Councillor fee).

In addition to the fee payable to Advisory Committee Member, the Advisory Committee Member is eligible to receive the benefit of the following facilities:

- Transport on request to and from IAG and/or LRAC meetings and where attending official Civic Events (as approved by the Interim General Manager). Cab charges will be provided as required.
- Parking permits will be issued for the relevant service Centre precinct area for the duration of the tenure (i.e. 8 September 2017) as applicable.
- Refreshments will be provided prior to IAG and/or LRAC Meetings.
- Desktop computer, iPad or laptop will be provided at the request of the Advisory Committee Member. Where the Advisory Committee Member pays for their own internet access they will be entitled to be reimbursed for the amount of the plan up to the total of \$100.00 per month.

Mobile Phone

An allowance of up to \$100 per month is provided for ongoing plan costs. If the Advisory Committee Member uses their own mobile phone then monthly invoices are to be provided to the Interim General Manager.

A mobile phone and standard accessories will be provided to Advisory Committee Members of the IAG and/or LRAC on request and in the event they do not choose to use their own mobile phone.

Time Limit

A three (3) month time limit applies for claims for any expenses/reimbursement provided under this policy.

5 Approval Process for Reimbursement

The following reconciliation and reimbursement processes are covered in the Policy and are summarised below;

Internet

Where the Advisory Committee Member pays for their own home internet access or Data Plan for iPad, they will be entitled to be reimbursed for the amount of the cost of the plan (subject to providing a copy of a monthly tax invoice) (up to \$100.00 per month).

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Attachment 1

Draft Policy for the Payment of Expenses and Provision of Facilities (to the members of the Implementation Advisory Group (IAG) and Local Representation Advisory Committee (LRAC))



Mobile phone

A monthly phone allowance is available for the Advisory Committee Member mobile phone costs of up to \$100 per month. If the Advisory Committee Member uses their own phone equipment then monthly invoices are to be provided to the Interim General Manager.

6 Version Control and Change History

Version Control	Date Effective	Approved By	Amendment
1		Interim General Manager	
2			
3			
4			

Draft Policy for the Payment of Expenses and Provision of Facilities (to the members of the Implementation Advisory Group (IAG) and Local Representation Advisory Committee (LRAC))



Subject: DELEGATIONS TO THE INTERIM GENERAL MANAGER

File Ref: 16/4718/74683.16

Prepared By: Joe Strati - General Counsel, Marrickville

Authorised By: Matthew Phillips - Director, Corporate Services

SUMMARY

The purpose of this report is to outline the proposed delegations to the Interim General Manager for the Inner West Council and endorse the Administrator signing an instrument to effect these delegations.

RECOMMENDATION

THAT:

- 1. the Council delegates to the Interim General Manager all functions that by virtue of section 377 of the Local Government Act 1993 may be so delegated; and
- 2. the Administrator signs the Instrument of Delegation provided at <u>Attachment 2</u>.

BACKGROUND

On 12 May 2016, the Governor issued *Local Government (Council Amalgamations) Proclamation 2016* pursuant to which Ashfield, Leichhardt and Marrickville Councils were amalgamated to form the Inner West Council.Clause 18(2) of the Proclamation, which addresses the issue of delegations for the Interim General Manager, provides as follows:

A delegation by a former council to the general manager of that council that was in force immediately before the amalgamation day is taken to be a delegation by the new council to the interim general manager and may be revoked or amended accordingly.

The intent of this clause is to ensure that the Interim General Manager has the authority to continue to exercise functions on behalf of the Inner West Council.

In reality, there are 3 delegations from a former council to the general manager. The proclamation does not address which, if any, of these 3 delegations applies. It would appear to apply all 3. The difficulty, in practice, with this outcome is that the proclamation does not address what happens with any variability and inconsistencies between those 3 delegations.

In order to address these inconsistencies, it is recommended that the Interim General Manager's current delegations be revoked and substituted with new delegations (noting that clause 18 of the Proclamation contemplates revocation/amendment as an available option). Section 377 of the Local Government Act 1993 requires any new delegations to be granted by way of a resolution of Council.

The amendments that are recommended involve giving the Interim General Manager the authority to exercise all functions that the Council may delegate by virtue of section 377 of the Act. A copy of an instrument of delegation reflecting this outcome is provided at **Attachment 1**.

A copy of section 377 is provided at **Attachment 2** for the purpose of identifying which functions the legislation does not permit to be delegated.



If delegations are granted as recommended in this report, no issue of inconsistency arises with staff delegations and any authority issues potentially faced by reason of clause 18(2) of the Proclamation are overcome.

FINANCIAL IMPLICATIONS

Nil.

OTHER STAFF COMMENTS

Nil.

PUBLIC CONSULTATION

Nil.

ATTACHMENTS

- 1.<u>0</u> Section 377 Local Government Act 1993
- 2. Instrument of Delegation from Administrator to IGM

Local Government Act 1993 No 30

Current version for 13 November 2015 to date (accessed 16 May 2016 at 19:45) Chapter 12 Part 3 Section 377

377 General power of the council to delegate

- A council may, by resolution, delegate to the general manager or any other person or body (not including another employee of the council) any of the functions of the council, other than the following:
 - (a) the appointment of a general manager,
 - (b) the making of a rate,
 - (c) a determination under section 549 as to the levying of a rate,
 - (d) the making of a charge,
 - (e) the fixing of a fee,
 - (f) the borrowing of money,
 - (g) the voting of money for expenditure on its works, services or operations,
 - (h) the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment),
 - (i) the acceptance of tenders which are required under this Act to be invited by the council,
 - (j) the adoption of an operational plan under section 405,
 - (k) the adoption of a financial statement included in an annual financial report,
 - a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6,
 - (m) the fixing of an amount or rate for the carrying out by the council of work on private land,
 - (n) the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work,
 - (o) the review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the *Environmental Planning and Assessment Act 1979*,
 - (p) the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194,
 - (q) a decision under section 356 to contribute money or otherwise grant financial assistance to persons,
 - (r) a decision under section 234 to grant leave of absence to the holder of a civic office,

- (s) the making of an application, or the giving of a notice, to the Governor or Minister,
- (t) this power of delegation,
- (u) any function under this or any other Act that is expressly required to be exercised by resolution of the council.
- (2) A council may, by resolution, sub-delegate to the general manager or any other person or body (not including another employee of the council) any function delegated to the council by the Departmental Chief Executive except as provided by the instrument of delegation to the council.



Instrument of Delegation

Pursuant to a resolution made on *##*, the Inner West Council ("**Council**") hereby:

- 1. revokes any delegation of the functions of the Council that are taken to be delegated to the Interim General Manager by virtue of clause 18(2) of the *Local Government (Council Amalgamations) Proclamation 2016*;
- 2. delegates to the Interim General Manager of the Council all of its functions except for those functions which must not be delegated pursuant to section 377(1) of the *Local Government Act 1993*; and
- 3. sub-delegates to the Interim General Manager of the Council all functions delegated to the Council except as provided for in the relevant instrument of delegation to the Council.

This instrument of delegation shall take effect on ## 2016.

Signed:

Richard Pearson Administrator



Subject: DELEGATION OF AUTHORITY TO THE GENERAL MANAGER FOR DETERMINATION OF COUNCILLOR LEGAL COSTS

File Ref: 16/4718/74644.16

Prepared By: Vanessa Chan - Interim General Manager

Authorised By: Vanessa Chan - Interim General Manager

SUMMARY

The former Ashfield Council's *Payment of Expenses and Provision of Facilities to Councillors Policy (October 2013)* provided for Council to reimburse a Councillor for legal expenses incurred in relation to proceedings arising out of the performance by a Councillor, in good faith, of his or her functions under the Local Government Act 1993. This report seeks a delegation of authority from the new Inner West Council Administrator to the General Manager to determine a request for reimbursement.

RECOMMENDATION

THAT the Administrator delegates his powers to determine this request for reimbursement to the General Manager.

BACKGROUND

The former Ashfield Council's Policy on the Payment of Expenses and Provision of Facilities to Councillors (October 2013), provides for the following in relation to legal expenses (pp 10-11):

LEGAL EXPENSES AND OBLIGATIONS

Council may by resolution indemnify or reimburse the reasonable legal expenses of:

- a Councillor defending an action arising from the performance, in good faith, of a function under the Local Government Act 1993; or
- a Councillor defending an action in defamation provided the statements complained of were made in good faith while exercising a function under the Local Government Act 1993; or
- a Councillor for proceedings before the Local Government Pecuniary Interest Tribunal, or an investigative body, provided the subject of the proceedings arises from the performance in good faith of a function under the Local Government Act 1993 and the Tribunal or investigative body makes no adverse finding.

Legal expenses incurred in relation to proceedings arising out of the performance by a Councillor of his or her functions under the Local Government Act 1993 should be distinguished from expenses incurred in relation to proceedings arising merely from something that a Councillor has done during his or her term of office.

Council shall reimburse such Councillor, after the conclusion of the enquiry, investigation, hearing or proceeding, provided that:

• the amount of reimbursement shall be reduced by the amount of any moneys that may be or are recouped by the Councillor;

INNER WEST COUNCIL

- Extraordinary Council Meeting 5 July 2016
- the Councillor's performance or exercise of the civic duty or function was in the opinion of Council bona fide and/or proper, and the Councillor acted in good faith as per S731 of the Local Government Act 1993;
- the amount of such reimbursement shall be limited to the extent that only fees charged at a rate equivalent to the hourly rate then being charged by Council's Solicitors will be paid. Any portion of the expenses representing any hourly charge rate higher than the hourly charge rate of Council's Solicitors will not be reimbursed; and
- the Councillor is not the plaintiff in the action.

It should be noted that Council will not meet the costs of an action in defamation taken by a Councillor in any circumstances.

The Policy (quoted above) required a resolution of Council before a reimbursement can be made. The General Manager has received a request from a Councillor for reimbursement of legal expenses in defending a Code of Conduct complaint. Under the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW (July 2013), Code of Conduct matters are confidential and are only to be reported to Council in certain circumstances.

The particular matter to which this request for reimbursement relates is not a matter that is reportable to Council (and it is therefore appropriate that confidentiality be maintained) under the following provision in the Procedures for the Administration of the Model Code of Conduct (page 24):

8.40 Where the investigator has determined that there has not been a breach of the code of conduct, the complaints coordinator must provide a copy of the investigator's report to the general manager or, where the report relates to the general manager's conduct, to the Mayor and this will finalise consideration of the matter under these procedures.

In order to preserve confidentiality in accordance with the intent of the administrative procedures set out by the Office of Local Government for code of conduct complaints, it is proposed that the Administrator provide a delegation to the General Manager to determine this request, noting that it is for a modest amount of less than \$2,500.

CONCLUSION

In accordance with the OLG framework for the management of Code of Conduct complaints and the procedures relating to both confidentiality and reporting of matters to Council, it is considered appropriate in this instance for the Administrator to delegate this matter to the General Manager for determination in order to observe confidentiality requirements given the finding that there has been no breach of the Code of Conduct and the amount to be reimbursed is modest.

ATTACHMENTS

Nil.



Subject: PROPOSED SCHEDULE OF COUNCIL MEETINGS 2016

File Ref: 16/4718/73223.16

Prepared By: Popy Mourgelas - Manager Corporate Governance, Ashfield

Authorised By: Matthew Phillips - Director, Corporate Services

SUMMARY

This report provides a schedule of Council meetings for the 2016 calendar year.

RECOMMENDATION

THAT the Administrator determine the schedule of Council meetings for the 2016 calendar year, commencing 26 July 2016 to December 2016.

BACKGROUND

The Inner West Council meetings will be held monthly at 7.00pm on the 4th Tuesday of the month (apart from December), commencing 26 July 2016 to December 2016 on a rotation basis at the three regional locations.

Date - Time 6.30pm	Meeting	Location
26 July 2016	Ordinary Council	260 Liverpool Road Ashfield
23 August 2016	Ordinary Council	260 Liverpool Road Ashfield
27 September 2016	Ordinary Council	260 Liverpool Road Ashfield
25 October 2016	Ordinary Council	7-15 Wetherill Street Leichhardt
22 November 2016	Ordinary Council	7-15 Wetherill Street Leichhardt
13 December 2016	Ordinary Council	7-15 Wetherill Street Leichhardt

FINANCIAL IMPLICATIONS

Nil.

OTHER STAFF COMMENTS

Consultation with Manager Governance, Leichhardt and Manager Governance and Risk, Marrickville.

PUBLIC CONSULTATION

Council's meeting schedule will be advertised in the local papers and on Council's website.

CONCLUSION

In 2017, Council Meetings will also be held at the Petersham Service Centre to rotate the venue amongst the three former councils

ATTACHMENTS

Nil.



Subject: INTERIM EXECUTIVE STRUCTURE

File Ref: 16/507/74881.16

Prepared By: Vanessa Chan - Interim General Manager

Authorised By: Vanessa Chan - Interim General Manager

SUMMARY

To provide the Interim Executive Structure of the Inner West Council for endorsement by the Administrator.

RECOMMENDATION

THAT:

- 1. Council moves into closed session to deal with this matter as the information contained in <u>Confidential Attachment 1</u> of this report are classified as confidential under the provisions of Section 10A (2) (a of the Local Government Act 1993 for the following reasons:
 - a. personnel matters concerning particular individuals (other than councillors);

And in accordance with Sections 10A (4) of the Local Government Act 1993, that the Chairperson allow members of the public to make representations as to whether this part of the meeting should be closed.

2. in accordance with Section 333 of the Local Government Act 1993, Council's Organisational Structure be re-determined, as contained in this report.

BACKGROUND

An interim executive structure for the Inner West Council has been developed by the Interim General Manager. The purpose of this report is to present the structure for endorsement by the Administrator.

ATTACHMENTS

1. Organisational Structure - Confidential



Subject: HABERFIELD BAY RUN SHARED WALK/CYCLEWAY UPGRADE - PROJECT UPDATE

File Ref: 16/507/74775.16

Prepared By: Davide Torresan - A/Senior Engineer, Ashfield

Authorised By: Peter Gainsford - Director, Major Projects and Engineering

SUMMARY

Council has commenced the Bay Run Shared Walk/Cycleway Upgrade Project in Haberfield in May 2016. The following report provides the Council with an update of the Project. Confidential matters have been prepared in the **Confidential Attachment 1**.

RECOMMENDATION

THAT:

- 1. Council moves into closed session to deal with this matter as the information contained in <u>Confidential Attachment 1</u> of this report are classified as confidential under the provisions of Section 10A (2) (c) and (d) of the Local Government Act 1993 for the following reasons:
 - c. information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business;
 - d (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it;
 - d (ii) commercial information of a confidential nature that would, if disclosed confer a commercial advantage on a competitor of the council;
 - d (iii) commercial information of a confidential nature that would, if disclosed reveal a trade secret;

And in accordance with Sections 10A (4) of the Local Government Act 1993, that the Chairperson allow members of the public to make representations as to whether this part of the meeting should be closed.

2. Council resolve as per the recommended resolutions within <u>Confidential</u> <u>Attachment 1</u>.

BACKGROUND

On 10 May 2016, Council appointed Hargraves Urban as the Principal Contractor for construction of the Bay Run Shared Walk/Cycleway Upgrade Project between the Iron Cove Creek Bridge, Five Dock and UTS Haberfield Rowing Club, Haberfield. Works carried out to date include the setup of a site compound, the removal of trees along the foreshore and the relocation of some services.

On 23 June 2016 Hargraves Urban advised Council that it had voluntarily appointed an Administrator under the *Corporations Law* to address issues pertaining to the company's finances. This was of some surprise to Council due to a "strong" rating from Corporate Scorecard during the tender evaluation phase.



Hargraves' Administrator has approached Council seeking to continue performing the project at least until such time as the Administrator reports to a meeting of Hargraves' creditors sometime in late July.

Council must determine whether it will agree to the Administrator's request. **Confidential Attachment 1** provides information in this regard and makes recommendations as how best to proceed. The report is confidential as it contains information that is Commercial in Confidence.

FINANCIAL IMPLICATIONS

As detailed within Confidential Attachment 1.

OTHER STAFF COMMENTS

Nil.

PUBLIC CONSULTATION

Nil.

CONCLUSION

It is recommended that this report be noted and accepted, and that the recommendations made within the **Confidential Attachment 1** be accepted.

ATTACHMENTS

1. Haberfield Bay Run - Project Update - TO BE TABLED AT THE MEETING - Confidential



ltem 19

Item No: C0716 Item 19

Subject: TENDER FOR MAINSTREET IMPROVEMENT WORKS AT THE INTERSECTION OF JOHNSTON STREET AND BOOTH STREET, ANNANDALE, OUTSIDE THE VILLAGE CHURCH

File Ref: 16/507/74328.16

Prepared By: Peter Gainsford - Director, Major Projects and Engineering

Authorised By: Simone Schwarz - Director, Service Delivery

SUMMARY

In April 2014 Leichhardt Council adopted the Booth Street Mainstreet Masterplan following extensive community consultation. The proposed design addressed upgrading the remaining three corners at the intersection of Booth Street and Johnston Street.

The full tender report and findings is attached as **Confidential Attachment 1**.

RECOMMENDATION

THAT:

- 1. <u>Confidential Attachment 1</u> to the report be treated as confidential in accordance with the Local Government Act 1993 – Sect 55 (3) as they relate to a matter specified in Section 10A (2)(d) of the Local Government Act 1993; and
- 2. the tender submitted by Civil Works (NSW) be accepted for the Mainstreet Improvement Works at the Intersection of Johnston Street and Booth Street, Annandale, outside the Village Church.

BACKGROUND

At its Ordinary Council Meeting of 29 April 2014, Leichhardt Council, adopted the Booth Street Mainstreet Masterplan following extensive community consultation with all residents and businesses along Booth Street between Moore Street Bridge and Wigram Road, the Annandale Precinct Committee, the Annandale Chamber of Commerce and as well as the community members who provided feedback at the two initial community workshops held in June and November 2013. Over recent years Council has been progressively undertaking a program of streetscape enhancement works throughout Booth Street.

The proposed design addressed upgrading the remaining three corners at the intersection of Booth Street and Johnston Street. The implementation of garden beds with artistic elements/sculptural art pieces, installing bicycle racks, community seating/meeting place, additional street trees and improving traffic and parking issues along Booth Street, between Annandale Street and Wigram Road. (see **Confidential Attachment 2**).

FINANCIAL IMPLICATIONS

\$180,000 has been allocated in the Mainstreet Improvement Program.

Council currently has \$100,000 in the 2015/16 and an additional \$80,000 allocated in the 2016/17 budget, for the Mainstreet Improvement Works outside the Village Church, at the Intersection of Johnston Street and Booth Street, Annandale.



OTHER STAFF COMMENTS

Council's officers have been liaising with the Village Church Reverend and his Architect throughout the design processes and both were supportive of the project.

PUBLIC CONSULTATION

- Community consultation with all residents and businesses along Booth Street between Moore Street Bridge and Wigram Road,
- The Annandale Precinct Committee,
- The Annandale Chamber of Commerce and
- The community members who provided feedback at the two initial community workshops held in June and November 2013.

ATTACHMENTS

- 1. Mainstreet outside the Village Church (Attachment 1) Confidential
- 2. Mainstreet outside the Village Church (Attachment 2) Confidential
- 3. Mainstreet outside the Village Church (Attachment 3) Confidential



Subject: TENDER 4/16 ST PETERS TOWN HALL ROOF RENEWAL AND IMPROVEMENTS

File Ref: 16/507/63605.16

Prepared By: Liam Sacco - Coordinator Projects and Assets, Marrickville

Authorised By: Peter Gainsford - Director, Major Projects and Engineering

SUMMARY

St Peters Town Hall Roof Renewal and Improvements, Tender Number 4/16, is for the replacement and upgrade of the dilapidated roof at St Peters Town Hall, painting of fascia boards, installation of a new fall arrest system, installation of a new rainwater tank, demolition of disused outbuildings and construction of a new metal boundary fence. A report on the results of assessment of the received tenders by the Tender Review Panel can be found in **Confidential Attachment 1**.

Construction is planned to commence in June 2016 for completion in early August 2016.

RECOMMENDATION

THAT Council moves into closed session to deal with this matter as the information contained in <u>Confidential Attachment 1</u> of this report is classified as confidential under the provisions of Section 10A (2) (c) and (d) of the Local Government Act 1993 for the following reasons:

a. the information within <u>Confidential Attachment 1</u> of this report, if disclosed, could confer a commercial advantage on persons with whom the Council proposes to or may conduct business.

And in accordance with Sections 10A (4) of the Local Government Act 1993, that the Chairperson allow members of the public to make representations as to whether this part of the meeting should be closed.

BACKGROUND

Tenders were recently invited for the replacement of the existing slate roof at St Peters Town Hall with a steel roof sheet. The works aim to address ongoing damage to the existing roof suspected to be caused by aircraft flying overhead. The works also include:

- Demolition of existing ancillary buildings
- Repair and replacement of existing fascias, soffit linings and decorative trims
- Installation of acoustic and thermal insulation
- Design, installation and certification of proprietary roof fall arrest system
- Replacement of the waterproofing membrane for the roof entry portico, including roof outlets and overflows, and
- Installation of rainwater tank and new steel panel fence to Northern boundary.

The tender period commenced on 2 March 2016 with a closing date of 30 March 2016.

FINANCIAL IMPLICATIONS

Funding for the works is allocated in the 2015-2016 Capital Works Budget. Details of funding for the project are included in **Confidential Attachment 1**.



OTHER STAFF COMMENTS

At the closing of tenders four submissions were received. Tender submissions were examined and evaluated in accordance with the criteria set out below:

- 1. Tender Price;
- 2. Methodology, Program & Financial Capacity;
- 3. Expertise, Experience & Project Personnel;
- 4. WHS, and environmental management systems; and
- 5. Accurate and complete return of all Tender schedules.

PUBLIC CONSULTATION

As this work is required to prevent ongoing damage to the existing roof and does not impact the functionality of the building there was no public participation in the planning.

CONCLUSION

The Tender Review Panel has undertaken an assessment and made recommendations for Tender 4/16 as set out in **Confidential Attachment 1**.

ATTACHMENTS

1. St Peters Town Hall Roof Renewal and Upgrade - Report to Tender Panel - Confidential



Subject: SSROC TENDER FOR THE SUPPLY & DELIVERY OF SODIUM HYPOCHLORITE (BULK LIQUID CHLORINE)

File Ref: 16/507/74899.16

Prepared By: Liz Laffan - Team Leader Strategic Procurement, Marrickville

Authorised By: Matthew Phillips - Director, Corporate Services

SUMMARY

Inner West Council operates a number of pools to which a large quantity of Sodium Hypochlorite is required. The former Councils of Ashfield, and Leichhardt all agreed to participate in this tender, with a view to entering into a supply contract with a preferred tender. After a thorough tender evaluation, SSROC have recommended Ixom Operations Pty Ltd for the above-mentioned services.

The full tender report and findings is attached as **Confidential Attachment 1**.

RECOMMENDATION

THAT:

- 1. Council resolves that <u>Confidential Attachment 1</u> to the report be treated as confidential in accordance with Section 10A (4) of the Local Government Act 1993, as they relate to a matter specified in Section 10A(2)(c) and 10A(2)D(i) of the Local Government Act 1993; and
- 2. Council enters into a supply contract with Ixom Operations Pty Ltd to supply Sodium Hypochlorite to Council Pools for 3 years with an option to extend for a further 2 x 1 years.

BACKGROUND

The Inner West Council owns and operates pools at;

- Leichhardt Park Aquatic Centre; and
- Ashfield Aquatic Centre

Council is required to purchase large volumes of Sodium Hypochlorite for the efficient and effective operation of Council pools. Both former Councils in the past have purchased this product via an SSROC Regional Contract.

FINANCIAL IMPLICATIONS

Council currently has a contract in place for the purchase of Sodium Hypochlorite for operational requirements. The rate offered from Ixom Operations Pty Ltd is considerably cheaper than what is currently offered via the LGP contract. A more detailed price comparison is shown in **Confidential Attachment 1**.



OTHER STAFF COMMENTS

Staff of the former Councils of Ashfield, & Leichhardt have been consulted and have agreed to participate in the continuation of the current service for the supply and delivery of Sodium Hypochlorite.

PUBLIC CONSULTATION

This is an operational tender, thus no public consultation was required.

CONCLUSION

That council enters into a supply contract with Ixom Operations Pty Ltd under the terms offered in the SSROC Preferred Master Supplier Agreement for a period of 3 years with an option to extend for a further 2 x 1 years.

ATTACHMENTS

1. Attachment 1 SSROC Tender Report Sodium Hypochlorite - Confidential



Subject: SSROC TENDER FOR THE PROVISION OF AGRICULTURAL PRODUCTS

File Ref:16/507/74841.16

Prepared By: Liz Laffan - Team Leader Strategic Procurement, Marrickville

Authorised By: Matthew Phillips - Director, Corporate Services

SUMMARY

Inner West Council uses agricultural products in the efficient and effective maintenance of sporting fields & reserves, maintaining clean streets and footpath verges. The former Councils of Ashfield, Marrickville and Leichhardt have all agreed to participate in this tender, with a view to entering into a supply contract with a preferred tender. After a thorough tender evaluation, SSROC have recommended Globe Australia Pty Ltd for the above-mentioned services.

The full tender report and findings is attached as **Confidential Attachment 1**.

RECOMMENDATION

THAT:

- 1. Council resolves that <u>Confidential Attachment 1</u> to the report be treated as confidential in accordance with Section 10A (4) of the Local Government Act 1993, as they relate to a matter specified in Section 10A(2)(c) and 10A(2)D(i) of the Local Government Act 1993; and
- 2. Council enters into a supply contract with Globe Australia Pty Ltd to supply Agricultural Products for 3 years with an option to extend for a further 2 x 1 years.

BACKGROUND

The Inner West Council uses agricultural products in its parks, reserves, and streets & footpaths. These products are purchased as a requirement for operational needs and are used by all of the Former Councils of Ashfield, Marrickville & Leichhardt.

FINANCIAL IMPLICATIONS

Council currently has a contract in place for the purchase of Agricultural Products for operational requirements. Although only one company provided a tender for these products, a price comparison was conducted against current SSROC rates for the same products and also against the LGP contract rates.

The 2016 tendered rates in comparison to the current SSROC rates offer a 5% saving across the basket of goods. Also the 2016 tendered rates in comparison to the current LGP contract for Agricultural Products offers a 7.26% saving across the basket of goods.

A more detailed price comparison is shown in **Confidential Attachment 1**.

OTHER STAFF COMMENTS

Staff of the former Councils of Ashfield, Marrickville & Leichhardt have been consulted and have agreed to participate in the continuation of the current service for the supply and delivery of Agricultural Products.



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PUBLIC CONSULTATION

This is an operational tender, thus no public consultation was required.

CONCLUSION

That council enters into a supply contract with Globe Australia Pty Ltd under the terms offered in the SSROC Preferred Master Supplier Agreement for a period of 3 years with an option to extend for a further 2 x 1 years.

ATTACHMENTS

1. SSROC 2016-06 Agricultural Tender Recommendation Report Attachment - Confidential