

Bayside Planning Panel 24/04/2018

Item No 6.3

Application Type Development Application

Application Number DA-2018/7

Lodgement Date 15 January 2018

Property 17-19 The Seven Ways, Rockdale

Owner Seven Ways Rockdale Pty Ltd

Applicant Forever 19 Pty Ltd

Proposal Internal fit-out of sex services premises

No. of Submissions Nil

Cost of Development \$200,000.00

Report by Petra Blumkaitis, Assessment Planner

Officer Recommendation

That the Development Application No. DA-2018/7 for the proposed fit-out of an existing building for the purposes of a sex services premises at 17-19 The Seven Ways, Rockdale be APPROVED pursuant to Section 4.16(1)9a) of the Environmental Planning & Assessment Act, 1979 and subject to the conditions of consent attached to this report.

Attachments

- 1 Planning Report
- 2 Location Plan
- 3 Site Plan
- 4 Floor Plans
- 5 Elevations
- 6 Survey Plan

BAYSIDE COUNCIL

Planning Assessment Report

Application Details

Application Number: DA-2018/7

Date of Receipt: 15 January 2018

Property: 17 The Seven Ways, ROCKDALE (Lot 8 DP 12036)

19 The Seven Ways, ROCKDALE (Lot 9 DP 12036)

Owner: Seven Ways Rockdale Pty Ltd

Applicant: Forever 19 Pty Ltd

Proposal: 17-19 The Seven Ways, ROCKDALE NSW 2216 - Internal fit-out of

existing building for the purposes of a sex services premises

Recommendation: Approved

No. of submissions: The development has been notified in accordance with the provisions of

Rockdale DCP 2011. Council did not receive any submissions on this

proposal.

Author: Petra Blumkaitis
Date of Report: 12 April 2018

Key Issues

The key issue related to this application are:

 Signs - the application did not provide sufficient information to assess any proposed signs. A separate, future application will be required for any signs which are not exempt.

Recommendation

1. That the Development Application No.DA-2018/7 for the proposed fit-out of an existing building for the purposes of a sex services premises at 17-19 The Seven Ways, Rockdale be APPROVED pursuant to Section 4.16(1)(a) of the Environmental Planning and Assessment Act 1979 and subject to the conditions of consent attached to this report.

Background

History

Council's records show that the following applications were previously lodged:

DA- 1996/166 for a brothel, discontinued 21.2.97

DA- 1997/6 for a brothel, approved by the Land and Environment Court on 30.4.1997

DA- 1999/525 for advertising sign, refused by delegated authority on 7.5.1999

DA- 1999/1071 for alterations and additions to brothel, approved by delegated authority on 10.9.1999 DA - 2017/62 for change of use to a boarding house with 14 rooms, managers rooms and two commercial tenancies, approved by Bayside Planning Panel 23.5.2017. This DA was not acted upon and a boarding house was not developed or operated on the site.

Proposal

Council is in receipt of a development application DA-2018/7 at 17-19 The Seven Ways, Rockdale, which seeks consent to carry out internal fit-out to a sex services premises without changing the number of rooms.

Specifically, the proposal consists of:

- replacement of floor coverings
- replacement of light fixtures
- refurbishment of wet areas
- other works necessary to rejuvenate the premises

The building layout and access will remain as existing while the 16 private rooms will be renovated and be allocated, as follows:

- Lower ground level five private rooms, store rooms and laundry
- Ground level three private rooms, three staff offices, bar and lounge
- Mezzanine level one private room
- Level 1 seven private rooms, two staff offices and lounge

The operation of the premises will continue to be in accordance with the LEC approval of DA6/97.

Site location and context

The subject site is known as Lots 8 and 9 in DP 12036, 17-19 The Seven Ways, Rockdale. The site is an irregular rectangular shape with front and rear boundary widths of approximately 12 metres. The side boundaries approximately 27 metres deep. The total site area is $339m^2$. The topography of the site was originally slightly sloped however it has been developed to all boundaries and presents now as a level site.

The subject site contains two, attached, two-storey commercial buildings which are internally accessible to each other. The site is located on the western side of the eastern end of The Seven Ways, and backs onto the Eastern Suburbs/Illawarra railway line. Adjoining development to either side are two storey, attached commercial buildings. Surrounding development consists predominantly of two storey commercial buildings.

There is no vegetation on site.

Statutory Considerations

Environmental Planning and Assessment Act, 1979

An assessment of the application has been undertaken pursuant to the provisions of the *Environmental Planning and Assessment Act, 1979*.

S4.15 (1) - Matters for Consideration - General

S4.15 (1)(a)(i) - Provisions of Environmental Planning Instruments

The following Environmental Planning Instruments are relevant to this application:

Rockdale Local Environmental Plan 2011

Relevant clauses	Compliance with	Compliance with
	objectives	standard/provision
2.3 Zone B2 Local Centre	Yes - see discussion	Yes - see discussion
4.3 Height of buildings	Yes - see discussion	Yes - see discussion
5.10 Heritage conservation	Yes - see discussion	Yes - see discussion
6.1 Acid Sulfate Soil - Class 5	Yes - see discussion	Yes - see discussion
6.2 Earthworks	Yes - see discussion	Yes - see discussion
6.4 Airspace operations	Yes - see discussion	Yes - see discussion
6.7 Stormwater	Yes - see discussion	Yes - see discussion
6.12 Essential services	Yes - see discussion	Yes - see discussion
6.13 Location of sex services	Yes - see discussion	Yes - see discussion
premises		

2.3 Zone B2 Local Centre

The subject site is zoned B2 - Local Centre under the provisions of Rockdale Local Environmental Plan 2011 (RLEP 2011). The proposal is for the fit out of an existing commercial premises for the purposes of a sex services premises. Previously the premises was used as a sex services premises. This use ceased more than 24 months ago.

The objectives of the zone are:

- To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.
- To encourage employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To accommodate population growth through high density mixed use development that complements the role of retail, commercial, civic and cultural premises in the Rockdale town centre.
- To create a lively Rockdale town centre with an amenable and pedestrian focused public domain activated by building uses that engage with the street.

The proposed development is permissible in the zone and is consistent with the objectives of the zone as it contributes to the range of businesses in the area and provides employment in an area well served by public transport.

4.3 Height of buildings

The existing building heights will not change from 8.4m (No. 17) and 8.8m (No. 19).

5.10 Heritage conservation

The proposed development is located in the vicinity of heritage item Rockdale Train Station. The proposed development is sympathetic to the heritage item in terms of building design, materials and streetscape. In this regard, the proposed development does not affect the integrity or character of the heritage item.

Therefore the qualities that makes the heritage item and its setting significant will not be diminished.

6.1 Acid Sulfate Soil - Class 5

Acid Sulfate Soils (ASS) – Class 5 affects the property. However, development consent is not required as the site is not within 500 metres of adjacent Class 1, 2, 3 or 4 that is below 5 AHD.

6.2 Earthworks

No earthworks or excavation is proposed.

6.4 Airspace operations

The proposed development is affected by the Obstacle Limitation Surface (OLS) which is set at 15.23m AHD. The existing building heights will not change from 8.4m (No. 17) and 8.8m (No. 19).

6.7 Stormwater

The proposal does not make any changes to the existing stormwater management on the site.

6.12 Essential services

Services will generally be available on the site. Additional conditions have been incorporated in the draft Notice of Determination requiring consultation with relevant utility providers in regards to any specific requirements for the provision of services on the site.

6.13 Location of sex services premises

The proposed development is to rejuvenate the internal spaces of a commercial premises, which are currently vacant. The premises has previously been approved for use as a sex services premises (LEC, 1997) and this use is permissible in the zone.

The proposal complies with the objectives of Clause 6.13 of the Rockdale LEP 2011 Location of sex services premises because it is not located near places regularly frequented by children (ie. education establishments and child care centres), it is not located directly opposite or separated by only a local road from a residential or public recreation zone as identified in the Rockdale LEP 2011 or land that is used for the purposes of a child care centre, community facility, school or place of worship.

S4.15(1)(a)(ii) - Provisions of any Draft EPI's

No relevant proposed instruments are applicable to this proposal.

S4.15 (1)(a)(iii) - Provisions of any Development Control Plan

The following Development Control Plan is relevant to this application:

Rockdale Development Control Plan 2011

The application is subject to Rockdale DCP 2011. A compliance table for the proposed development is provided below:

Relevant clauses	Compliance with	Compliance with
	objectives	standard/provision
4.1.1 Views and Vista	Yes - see discussion	Yes - see discussion
4.1.2 Heritage Conservation - Vicinity of Heritage	Yes - see discussion	Yes - see discussion
Item		
4.2 Streetscape and Site Context - General	Yes - see discussion	Yes - see discussion

Relevant clauses	· •	Compliance with standard/provision
4.3.1 Open Space and Landscape Design	Yes - see discussion	· · · · · · · · · · · · · · · · · · ·
4.4.1 Energy Efficiency - Retail, Commercial and Industrial Development	Yes - see discussion	Yes - see discussion
4.4.2 Solar Access - General Controls	Yes - see discussion	Yes - see discussion
4.4.4 Glazing - General Controls	Yes - see discussion	Yes - see discussion
4.4.4 Glazing - Commerical	Yes - see discussion	Yes - see discussion
4.4.5 Visual privacy	Yes - see discussion	Yes - see discussion
4.4.5 Acoustic privacy	Yes - see discussion	Yes - see discussion
4.4.6 Noise Impact - Non-residential	Yes - see discussion	Yes - see discussion
4.5.2 Social Equity - Equitable Access	Yes - see discussion	Yes - see discussion
4.6 Parking Rates - Sex Services Premises	Yes - see discussion	No - see discussion
4.7 Air Conditioning and Communication	Yes	Yes
Structures		
4.7 Waste Storage and Recycling Facilities	No - see discussion	No - see discussion
6.2 Restricted Premises and Sex Services Premises	Yes - see discussion	Yes - see discussion

4.1.1 Views and Vista

The site and adjoining properties are relatively flat and are developed with two storey, commercial premises which afford minimal views out over the curtilage of each parcel of land and the adjacent properties. In this regard, they do not contain any iconic or significant view corridors.

4.1.2 Heritage Conservation - Vicinity of Heritage Item

The proposed development is in the vicinity of a heritage item, being Rockdale Train Station. The proposed development is for internal works only to an existing commercial building. In this regard, the proposed development does not affect the integrity or character of the heritage item. Therefore the qualities that makes the heritage item and its setting significant will not be diminished, dominated or overwhelmed by the proposed development.

4.2 Streetscape and Site Context - General

The proposal is located in a B2 Local Centre zone. The immediate context is relatively low scale consisting of two storey commercial/retail premises with some high rise residential development in the vicinity.

The proposal will not change the existing building's external dimensions or size.

4.3.1 Open Space and Landscape Design

The site is developed to all boundaries with no gardens or vegetation. The proposed development will not change the exterior of the building or provide landscape area.

4.4.1 Energy Efficiency - Retail, Commercial and Industrial Development

The proposed development does not include changes to the fabric of the building which may result in energy saving. Appropriate conditions will be attached to the draft Notice of Determination which will require materials, fittings, fixtures and methods to consider and mitigate any environmental impacts.

4.4.2 Solar Access - General Controls

As a sex services premises the building does not contain any habitable rooms or private open space.

The proposal will not change the envelope of, or the shadows cast by the existing building.

4.4.4 Glazing - General Controls

The proposed development does not change the existing glazing.

4.4.4 Glazing - Commerical

The proposal will not change the location or size of the existing windows and doors. The likely reflection or glare from the glazing is acceptable.

4.4.5 Visual privacy

The proposed fit out of the sex services premises has been designed to minimise the loss of privacy of adjoining properties. The existing building and the adjoining existing buildings are largely built to the boundary and afford no opportunity for overlooking.

4.4.5 Acoustic privacy

There will be minimal adverse impact on the acoustic privacy of adjoining and surrounding properties as the use is not anticipated to generate intrusive noise. Further it is anticipated the peak hours of operation of the sex services premises will be outside normal business hours and the adjoining properties will be largely vacant at these times.

4.4.6 Noise Impact - Non-residential

The proposed development is not anticipated to result in adverse noise impacts on adjacent or nearby properties.

4.5.2 Social Equity - Equitable Access

Appropriate conditions will be attached to the draft Notice of Determination to require the premises to comply with the Disability Discrimination Act and any other relevant legislation.

4.6 Parking Rates - Sex Services Premises

No vehicle parking is proposed on site. This non-compliance is supported due to the close proximity of public transport and walking opportunities.

4.7 Waste Storage and Recycling Facilities

The proposal does not provide sufficient information for an assessment on the appropriate separation and disposal of waste to be made. However conditions will be attached to the draft Notice of Determination which will require a comprehensive waste management plan to be approved by Council prior to the issue of a Construction Certificate.

6.2 Restricted Premises and Sex Services Premises

The proposed development complies with the objectives of Clause 6.2 such that:

- a. the external appearance of the premises does not have an adverse impact of the architectural character of the surrounding built environment and streetscape appearance as it is an existing building within an established streetscape
- b. the safety of staff and visitors is maintained when approaching, entering and leaving the premises because of appropriate lighting and surveillance
- c. appropriate facilities are to be provided for occupational health and safety provisions
- d. appropriate facilities are provided for the privacy, comfort, safety and security of staff and visitors
- e. advertising and signage approval is required as a separate development application
- f. the operation of the premises will not cause a disturbance in the surrounding area as it is located in a

business zone with no nearby residential or sensitive uses g appropriate measures are required for the safe handling and disposal of contaminated waste

The proposed development is solely for the fit-out and refurbishment of the existing sex services premises. The external facades of the buildings are not to change. Appropriate conditions will be included in the draft Notice of Determination to ensure the safety of staff and visitors, limit advertising signs and/or structures and ensure the safe and adequate storage, handling and disposal of contaminated waste.

A single pedestrian entrance is proposed from The Sevenways. The external appearance, lighting and the restriction on the display of products, books, pictures, mannequins and the like in any location visible from a public place will be controlled with suitable conditions included in the draft Notice of Determination.

S4.15(1)(a)(iv) - Provisions of regulations

Clauses 92-94 of the Regulations outline the matters to be considered in the assessment of a development application.

All relevant provisions of the Regulations have been taken into account in the assessment of this proposal.

Fire Safety & Other Considerations - Clause 93 EP&A Regulation 2000

Based on the existing building, it is Councils intention to ensure that the building is upgraded in respect to the fire safety and to comply with Clause 94 of the Environmental Planning and Assessment Regulation 2000. The building is to be brought into conformity with Sections C, D and E of the Building Code of Australia/National Construction Code - Volume 1.

Appropriate conditions have been included in the draft Notice of Determination.

4.15(1)(b) - Likely Impacts of Development

Potential impacts related to the proposal have been considered in response to SEPPs, LEP and DCP controls.

The proposal is for the internal fit-out of an existing building for the purposes of a sex services premises. A sex services premises has been operating on the site for approximately 40 years (not including since 2016 when the premises were vacated and have remained empty from then) without detrimental impacts to the locality.

S4.15(1)(c) - Suitability of the site

The relevant matters pertaining to the suitability of the site for the proposed development have been considered in the assessment of the proposal. Additional conditions of consent are proposed to further minimise any impacts on neighbouring properties. There are no known major physical constraints, environmental impacts, natural hazards or exceptional circumstances that would hinder the suitability of the site for the proposed development.

S4.15(1)(d) - Public submissions

The development has been notified in accordance with the provisions of Rockdale DCP 2011. Council did not receive any submissions on this proposal.

S4.15(1)(e) - Public interest

The proposed development is considered satisfactory having regard to the objectives and

requirements of Rockdale Local Environmental Plan 2011 and Development Control Plan 2011. Impacts on adjoining properties have been considered and addressed. As such it is considered that the proposed development is in the public interest.

Schedule 1 - Draft Conditions of consent

General Conditions

The following conditions restrict the work to the detail provided in the Development Application and are to ensure that the development is complete.

- 1. The term of this consent is limited to a period of five (5) years from the date of the original approval. The consent will lapse if the development does not commence within this time.
- 2. The development must be implemented substantially in accordance with the plans listed below, the application form and on any supporting information received with the application, except as may be amended in red on the attached plans and by the following conditions.

Plan/Dwg No.	Drawn by	Dated	Received by Council
Drawing No. A005 Rev A	Terry Lu Architects	Nov 2017	15.1.2018
Drawing No. A100 Rev A Lower Ground floor	Terry Lu Arhcitects	Nov 2017	15.1.2018
Drawing No. A101 Rev A Ground floor	Terry Lu Architects	Nov 2017	15.1.2018
Drawing No. A102 Rev A Mezzanine level	Terry Lu Architects	Nov 2017	15.1.2018
Drawing No. A103 Rev A Level 1	Terry Lu Architects	Nov 2017	15.1.2018
Drawing No. A200 Rev A East elevation	Terry Lu Architects	Nov 2017	15.1.2018
Drawing No. A201 Rev A West elevation	Terry Lu Architects	Nov 2017	15.1.2018
Drawing No. A420 Rev A Construction waste management plan	Terry Lu Architects	Nov 2017	15.1.2018

- 3. All new building work must be carried out in accordance with the provisions of the Building Code of Australia (BCA).
- 4. A Construction Certificate must be obtained from Council or an Accredited Certifier prior to any building work commencing.
- Further alterations and/or additions to the subject building shall not be undertaken without first obtaining approval. This includes the fitting of any form of doors and/or walls.
- 6. The premises is not to be used for habitable purposes without prior development consent.
- 7. A separate development application must be lodged for any proposed signs, unless deemed exempt under an Environmental Planning Instrument.

8. The operation of the sex services premises will continue to be in accordance with the Land and Environment Court approval for development application 6/97, unless in the event of an inconsistency between that approval and this, the conditions of this approval prevail.

Development specific conditions

The following conditions are specific to the Development Application proposal.

9. Access to the site is not allowed from the rear pathway which is owned by RailCorp, unless approval by Railcorp is granted. Details of any approval shall be provided to Council.

10. Safer by Design

To maximise security in and around the development the following shall be incorporated into the development. Details for the following are to be approved by the Principal Certifying Authority prior to the issue of the Construction Certificate, implemented prior to issue of the Occupation Certificate, and maintained for the lifetime of the development:

- Areas of focus include the main entry areas to the premises, hallways, corridors, outside spaces, lounges, bars and offices.
- A lighting maintenance policy shall be established for the development.

 Lighting shall be designed to the Australian and New Zealand Lighting

 Standards. Australia and New Zealand Lighting Standard 1158.1
 Pedestrian, requires lighting engineers and designers to consider crime risk and fear when selecting lamps and lighting levels.
- c) Graffiti resistant materials shall be used to ground level external surfaces.
- 11. All work shall be carried out inside the building and not in adjacent yards or car parking areas.
- 12. Materials, goods or machinery shall not be stored, placed or otherwise permitted to stand between the building line and the street alignment.
- 13. Signs or goods shall not be displayed or placed on the public footpath or any other part of the public road at any time without Council's consent.
- 14. The use of the premises, building services, equipment, machinery and, ancillary fittings shall not give rise to an "offensive noise" as defined under the provisions of the Protection of the Environment Operations Act, 1997.
- All existing and proposed lights shall comply with the Australian Standard AS4282 1997 "Control of the Obtrusive Effects of Outdoor Lighting". In this regard, the lighting of the premises shall be directed so as not to cause nuisance to the owners or occupiers of adjacent/adjoining premises or to motorists on adjoining or nearby roads.
- 16. The existing exit door(s) (and where applicable, doors in the path of travel to exits) shall be altered to be readily openable without a key from the side that faces a person seeking egress by a single-hand downward action or pushing action on a single device which is located between 900mm and 1200mm from the floor.
- 17. Provide permanently illuminated exit signs on or near existing exit doors and directional signs in corridors, stairways and the like indicating exits in accordance with Part E4.5 and E4.6 of the Building Code of Australia and AS/NZS 2293.1:2005.
- 18. A system of emergency lighting shall be provided in the existing building within the stairway, corridors and other necessary areas and be installed in accordance with

- the requirements of Part E4.2 and E4.4 of the Building Code of Australia and AS/NZS 2293.1:2005.
- 19. A system of fire and smoke alarms and/or detection system (as applicable) shall be provided throughout the building.
- 20. Provide hose reels to the existing building in accordance with the relevant provisions of Part E1.4 of the Building Code of Australia and AS 2441:2005.
- 21. Provide protection of existing openings as outlined in Part C3.2 and C3.4 of the Building Code of Australia.
- 22. Provide portable extinguishers to the existing building(s) containing an extinguishing agent suitable for the risk being protected. They shall be being installed in accordance with Part E1.6 of the Building Code of Australia and AS 2444:2001.
- 23. Under Clause 94 of the Environmental Planning & Assessment Regulation 2000, the existing building to be brought into conformity with Sections C, D & E of the Building Code of Australia/National Construction Code Volume 1. Details are to be submitted to the certifying authority for approval prior to the issue of any Construction Certificate.

Prior to issue of the construction certificate

The following conditions must be completed prior to the issue of the Construction Certificate.

- 24. The following fees shall be paid to Council prior to the issue of a Construction Certificate. If payment is made after the end of the financial year, the amount shall be adjusted in accordance with Council's adopted fees and charges.
 - i. A Footpath Reserve Restoration Deposit of \$1,670.00. This is to cover repair of any damages, or other works to be done by Council. This includes construction, removal, or repair as required to: kerb and guttering, existing or new driveways; paved areas and concrete footpaths. The deposit may be lodged with Council in the form of a Bank Guarantee (Any proposed Bank Guarantee must not have an expiry date). The deposit will not be returned by Council until works are completed and all damage is restored and all specified works are completed by Council.
- 25. For work costing \$25,000 or more, a Long Service Leave Levy shall be paid. For further information please contact the Long Service Payments Corporation on their Helpline 13 1441.
- 26. a. Pursuant to section 94A of the Environmental Planning and Assessment Act 1979 and Rockdale Section 94A Development Contributions Plan 2008, a report is to be submitted to Council, prior to approval of the first Part 4A certificate required for the development, identifying the proposed cost of carrying out the development, as follows:
 - i. Where the proposed cost of carrying out the development is less than \$1,000,000, a cost summary report prepared and certified by a building industry professional, or
 - ii. Where the proposed cost of carrying out the development is \$1,000,000 or more, a detailed cost report prepared and certified by a quantity surveyor registered with the Australian Institute of Quantity Surveyors or a person who can demonstrate equivalent qualifications. This report is to be prepared in the form specified in Rockdale Section 94A Development

Contributions Plan 2008 and the costs must be determined in accordance with clause 25J of the Environmental Planning and Assessment Regulation 2000.

Note:

- 1. Council may review the costs contained in the report and may seek the services of an independent person to verify them. In such a case, all costs associated with obtaining this advice will be at the expense of the applicant and no Part 4A certificate is to be issued until such time as these costs have been paid.
- 2. The proposed cost of carrying out the development excludes any part of the proposed development that is exempt from the section 94A levy by reason of a Ministerial direction or an exemption specified in Rockdale Section 94A Development Contributions Plan 2008. Where the applicant considers that the proposed development, or any part of it, is or should be exempt from the levy they may submit to Council, prior to approval of the required certificate, an application for exemption giving reasons and providing any necessary evidence for the exemption.
- b. Where the proposed cost of carrying out the development, as specified in the cost summary report, the registered surveyor's detailed cost report or the independent review of costs obtained by Council (as the case may be), is more than \$100,000 a section 94A levy is to be paid to Council for the following amount:
 - i. Where the proposed cost of carrying out the development is greater than \$100,000 but not more than \$200,000 0.5% of that cost, or
 - ii. Where the proposed cost of carrying out the development is greater than \$200,000 1% of that cost.

This levy is to be paid prior to the issue of the first Part 4A certificate required for the development.

If the levy is not paid within the same financial year as the date on which Council accepted the cost summary report, the registered surveyor's detailed cost report or the independent review of costs (as the case may be), the amount of the levy is to be adjusted at the time of actual payment to reflect changes in construction costs, in accordance with the provisions of Rockdale Section 94A Development Contributions Plan 2008.

Note: This requirement to pay the section 94A levy does not apply if the proposed cost of carrying out the development is \$100,000 or less or Council has confirmed in writing that the proposed development is exempt from the levy.

- 27. A system of fire and smoke alarms and/or detection system (as applicable) shall be provided throughout the building. Details shall be submitted for assessment and approval prior to application for a Construction Certificate.
- 28. A list of the proposed and existing essential services to be installed in the building shall be submitted to Council in accordance with the relevant requirements.
- 29. Compliance with Council's Development Control (DCP) 2011 in relation to requirements for access. Compliance with this condition will require the design and fitout of the commercial/retail areas to be in accordance with Australian Standard 1428.1-2009.

Note: Compliance with Council's Development Control Plan (DCP) 2011 and the Building Code of Australia does not necessarily guarantee that the development

- meets the full requirements of the Disability Discrimination Act (DDA) 1992. It is the responsibility of the applicant to make the necessary enquiries to ensure that all aspects of the DDA legislation are met.
- 30. Prior to the issue of the Construction Certificate, the approved plans must be submitted to Sydney Water Tap in™ online service to determine whether the development will affect any Sydney Water sewer or water main, stormwater drains and/or easement, and if further requirements need to be met.
 - Sydney Water's Tap in™ online service is available at: https://www.sydneywater.com.au/SW/plumbing-building-developing/building/sydneywater-tap-in/index.htm
- 31. A detailed Construction Waste Management Plan shall be submitted and approved by the Certifying Authority prior to the issue of a Construction Certificate.

Prior to commencement of works

The following conditions must be completed prior to the commencement of works.

- 32. A sign must be erected at the front boundary of the property clearly indicating the Development Approval Number, description of work, builder's name, licence number and house number before commencement of work. If owner/builder, the Owner/Builder Permit Number must be displayed.
- 33. Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site.

During demolition / excavation / construction

The following conditions must be complied with during demolition, excavation and or construction.

- 34. A copy of the Construction Certificate and the approved plans and specifications must be kept on the site at all times and be available to Council officers upon request.
- 35. Hours of construction shall be confined to between 7 am and 6.30 pm Mondays to Fridays, inclusive, and between 8 am and 3.30 pm Saturdays with no work being carried out on Sundays and all public holidays.
- 36. Demolition operations shall not be conducted on the roadway or public footway or any other locations, which could lead to the discharge of materials into the stormwater drainage system.
- 37. All waste generated on site shall be disposed of in accordance with the submitted Construction Waste Management Plan.

Prior to issue of occupation certificate or commencement of use

The following conditions must be complied with prior to issue of the Occupation Certificate or Commencement of Use.

- 38. An Occupation Certificate shall be obtained in relation to the approved works prior to any use or occupation of the building.
- 39. Appropriate signage and tactile information indicating accessible facilities shall be

provided at the main entrance directory, or wherever directional signage such as lifts or building directories or information is provided to those buildings where access and facilities for people with disabilities has been provided. Such signage shall have regard to the provisions of AS1428.1 and AS1428.2.

- 40. Ground level surfaces are to be treated with anti-graffiti coating to minimise the potential of defacement. In addition, any graffiti evident on the exterior facades and visible from a public place shall be removed forthwith.
- 41. Compliance with the requirements of the Environmental Protection Authority, particularly in regard to the proper storage and disposal of contaminated waste. The applicant shall make enquiries with the Environmental Protection Authority as to their specific requirements and a cope of the EPA approval shall be forwarded to Council for its records.
- 42. A Plan of Management for the operation of the sex services premises shall be prepared and submitted to Council for approval prior to the issue of any Occupation Certificate.

Roads Act

43. Construction related activities must not take place on the roadway without Council approval.

Short-term activities (including operating plant, materials delivery) that reduce parking spaces, affect access to a particular route or prevent or restrict the passage of vehicles along the road must not occur without a valid Temporary Roadside Closure Permit.

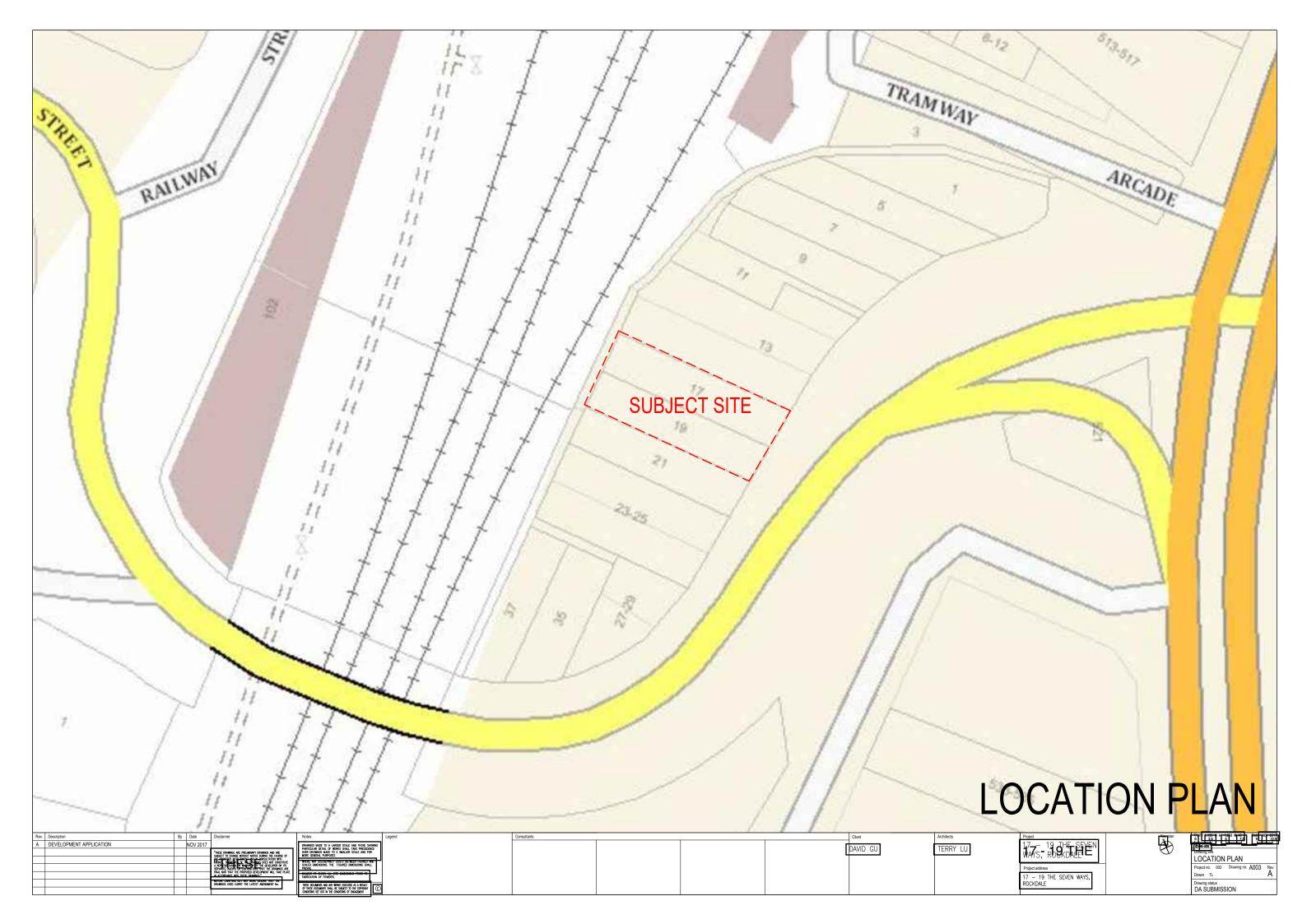
Activities involving occupation of the parking lane for durations longer than allowed under a Temporary Roadside Closure Permit require a Construction Zone Permit and must not occur prior to the erection of Works Zone signs by Council's Traffic and Road Safety Section.

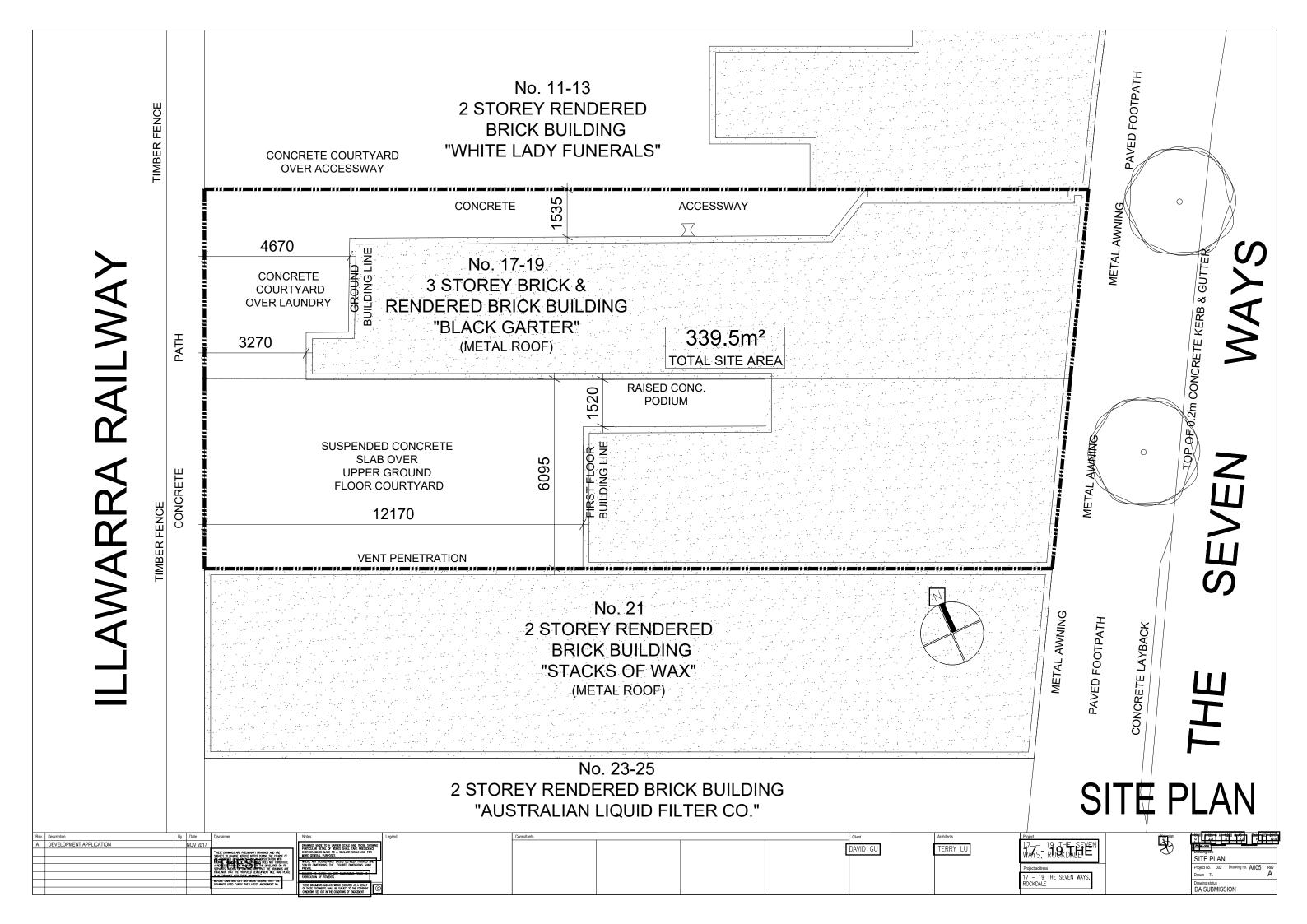
Permit application forms should be lodged at Council's Customer Service Centre allowing sufficient time for evaluation. An information package is available on request.

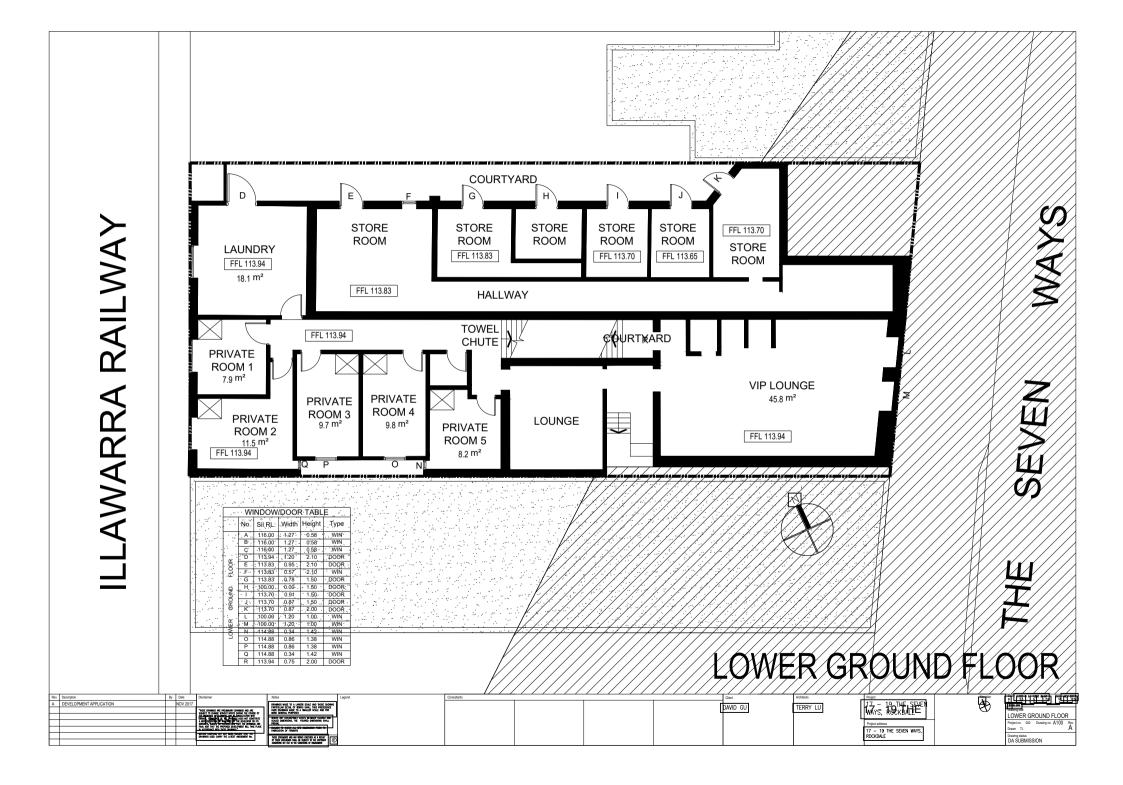
Development consent advice

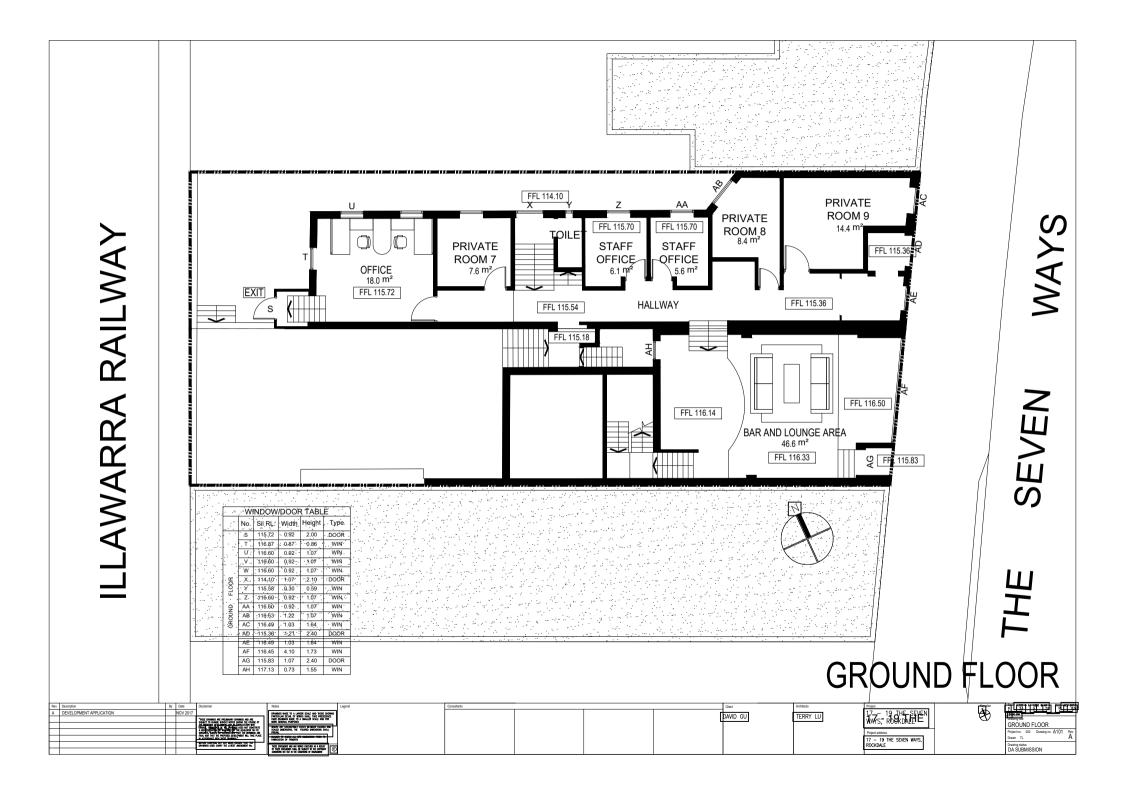
- a. A street/shop number shall be prominently displayed at the front of the development. The street number shall be a minimum of 120 mm in height to assist emergency services and visitors to locate the property. The numbering shall be erected prior to commencement of operations.
- b. You are advised to consult with your utility providers (i.e. Energy Aust, Telstra etc) in order to fully understand their requirements before commencement of any work.
- c. Demolition and construction shall minimise the emission of excessive noise and prevent "offensive noise" as defined in the Protection of the Environment Operations Act 1997. Noise reduction measures shall include, but are not limited to the following strategies:
 - choosing quiet equipment
 - choosing alternatives to noisy activities

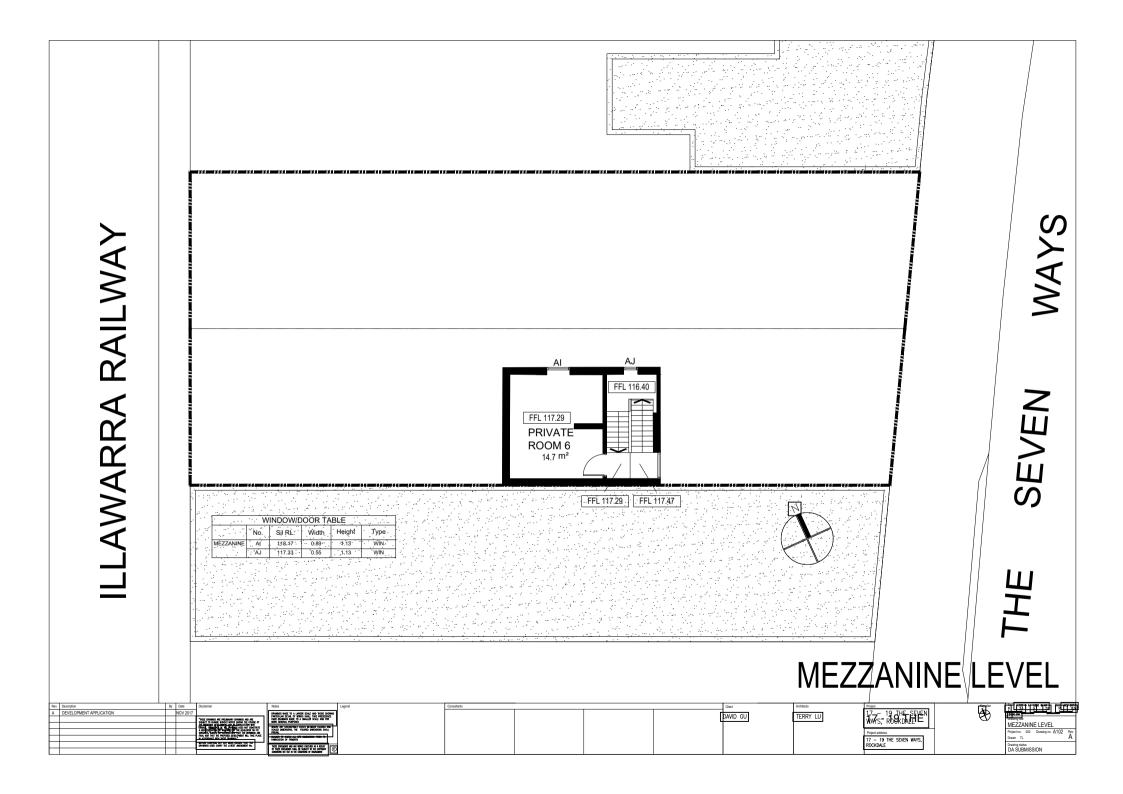
- relocating noise sources away from affected neighbours
- educating staff and contractors about quiet work practices
- informing neighbours of potentially noise activities in advance
- equipment, such as de-watering pumps, that are needed to operate on any
 evening or night between the hours of 8 p.m. and 7 a.m. or on any Sunday or
 Public Holiday, shall not cause a noise nuisance to neighbours of adjoining or
 nearby residences. Where the emitted noise exceeds 5 dB(A) [LAeq(15m)]
 above the background sound level [LA90] at the most affected point on the
 nearest residential boundary at any time previously stated, the equipment shall
 be acoustically insulated, isolated or otherwise enclosed so as to achieve the
 sound level objective.
- d. The removal, cleaning and disposal of lead-based paint shall conform with the requirements of the NSW Environment Protection Authority's guideline "Lead Alert Painting Your Home".
- e. All site works shall comply with the occupational health and safety requirements of the NSW WorkCover Authority.
- f. In the event of any inconsistency between conditions of this approval and the drawings/documents referred to in condition 2, the conditions of this approval prevail.

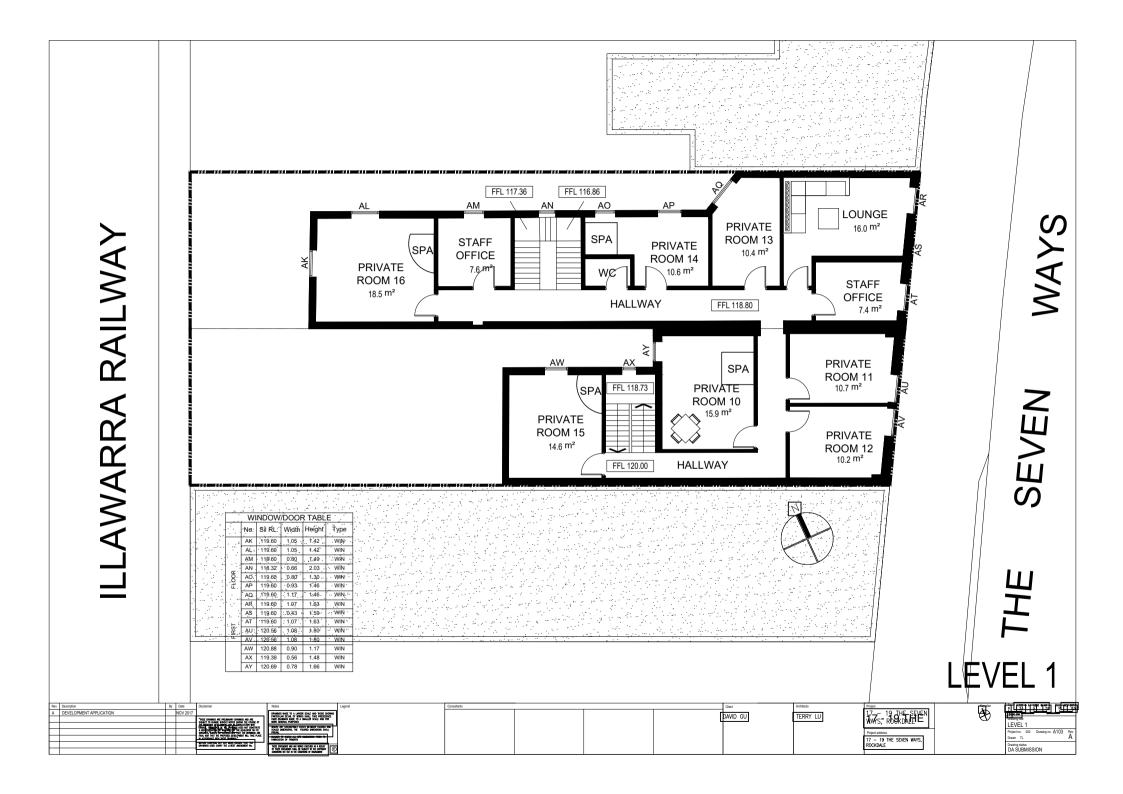


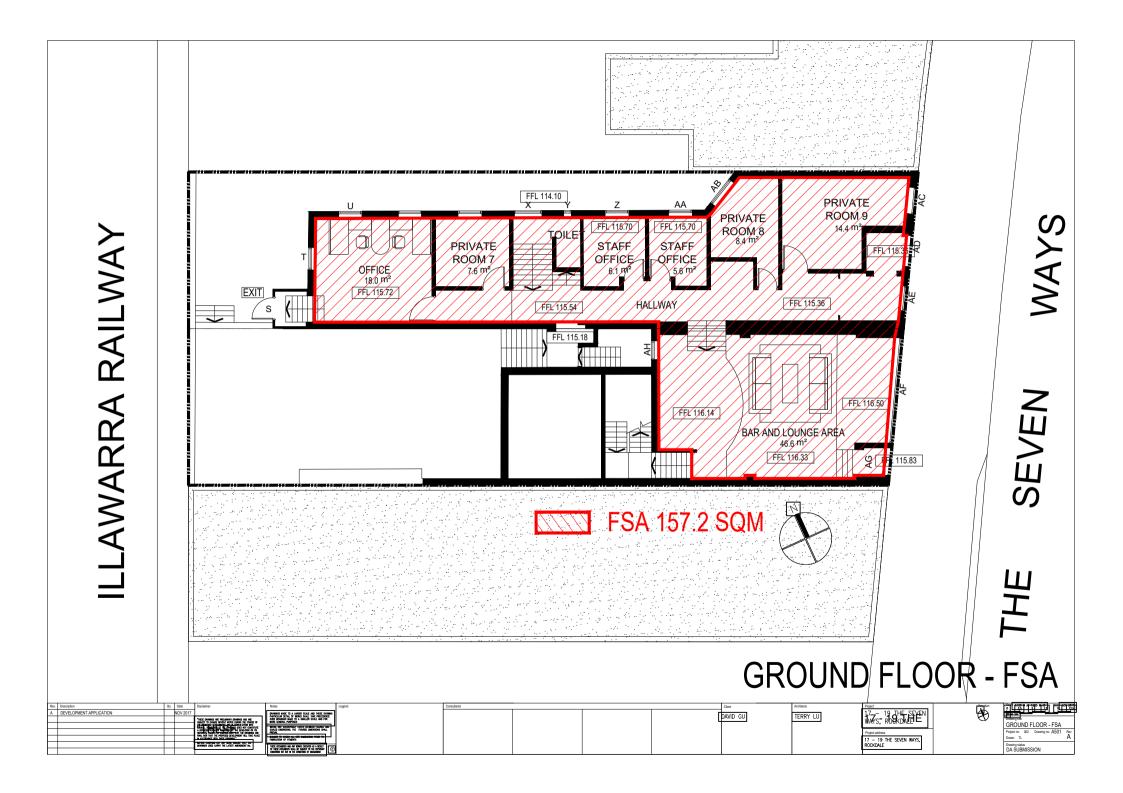


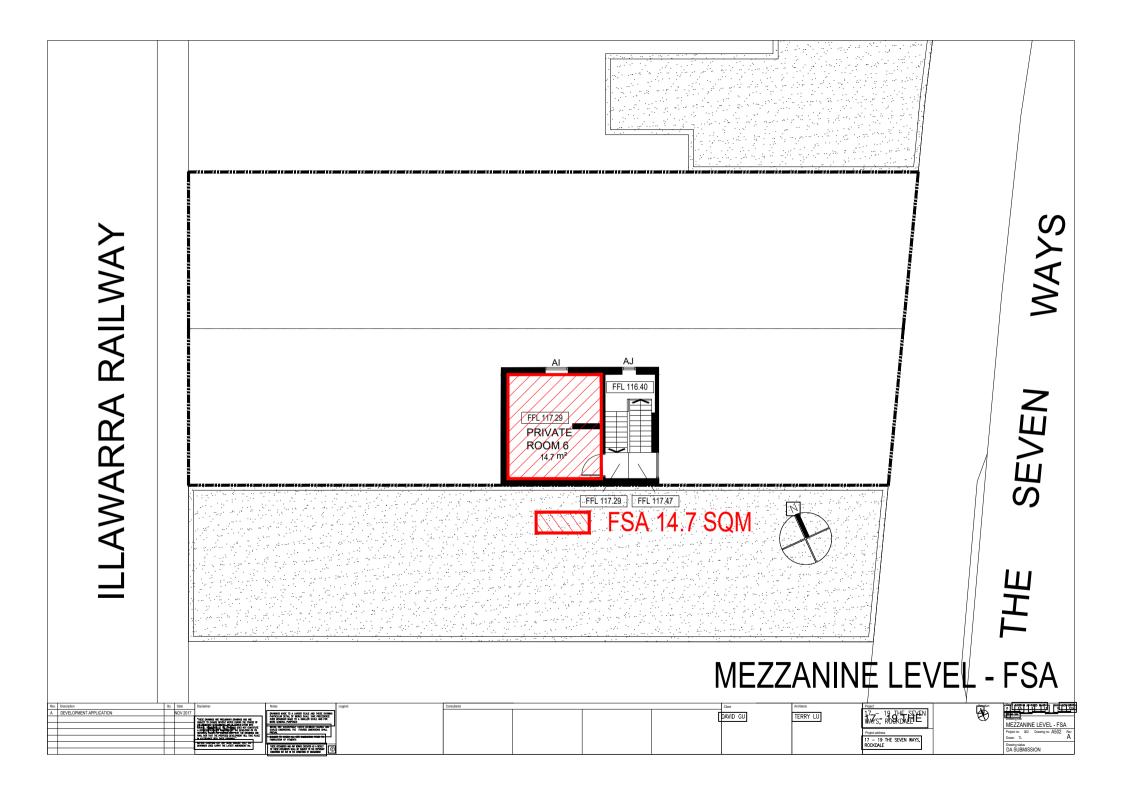


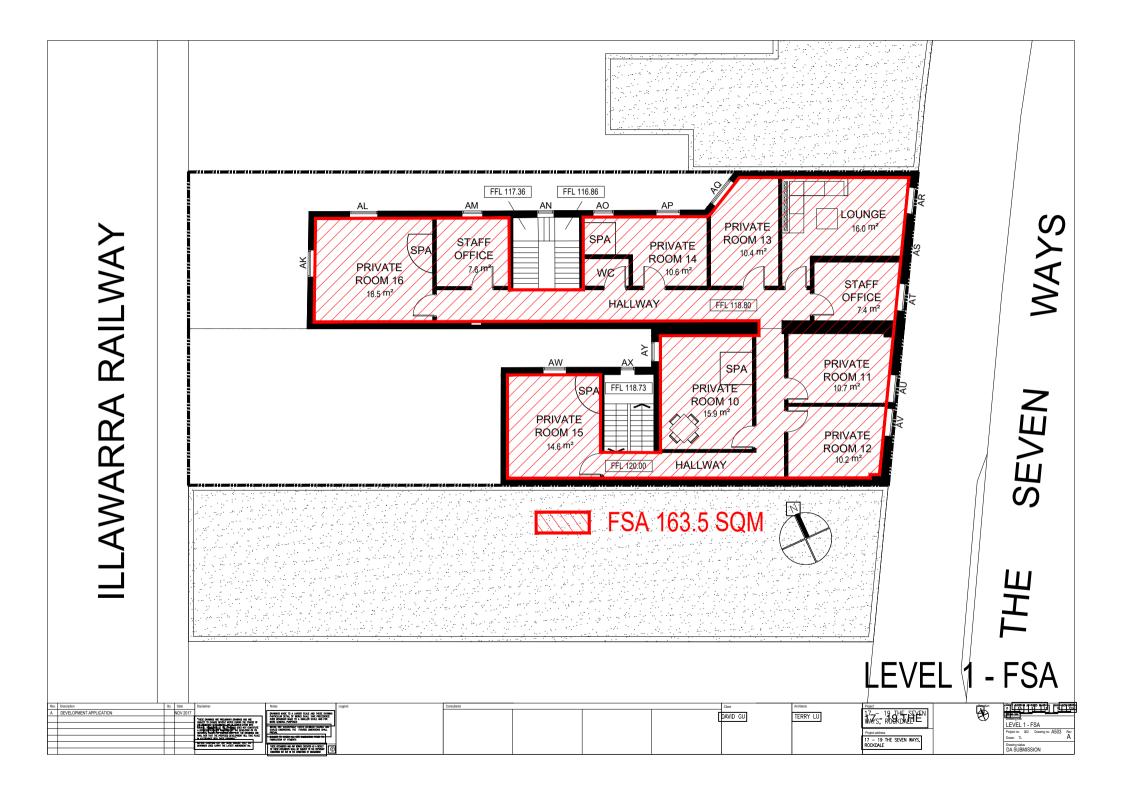


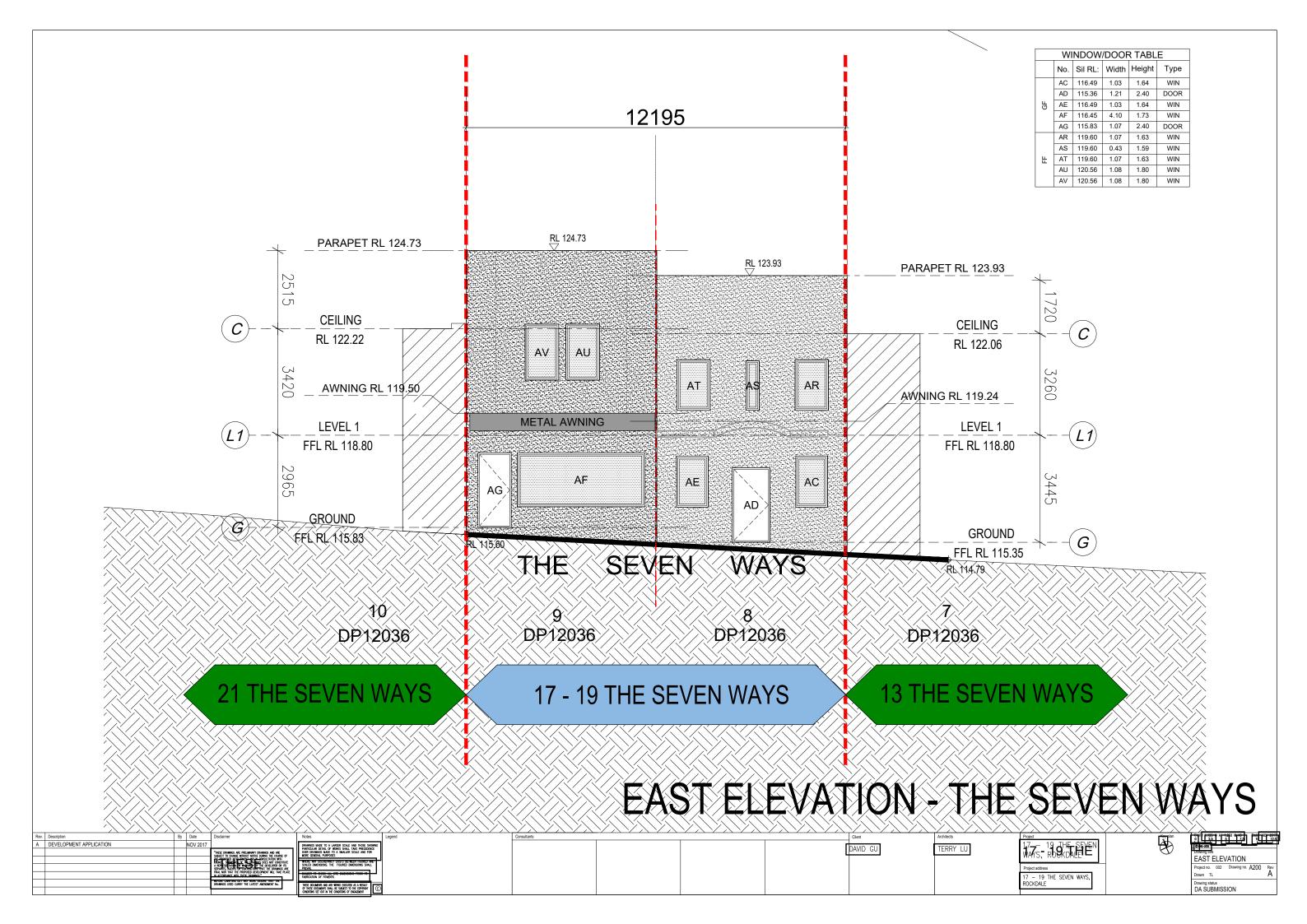


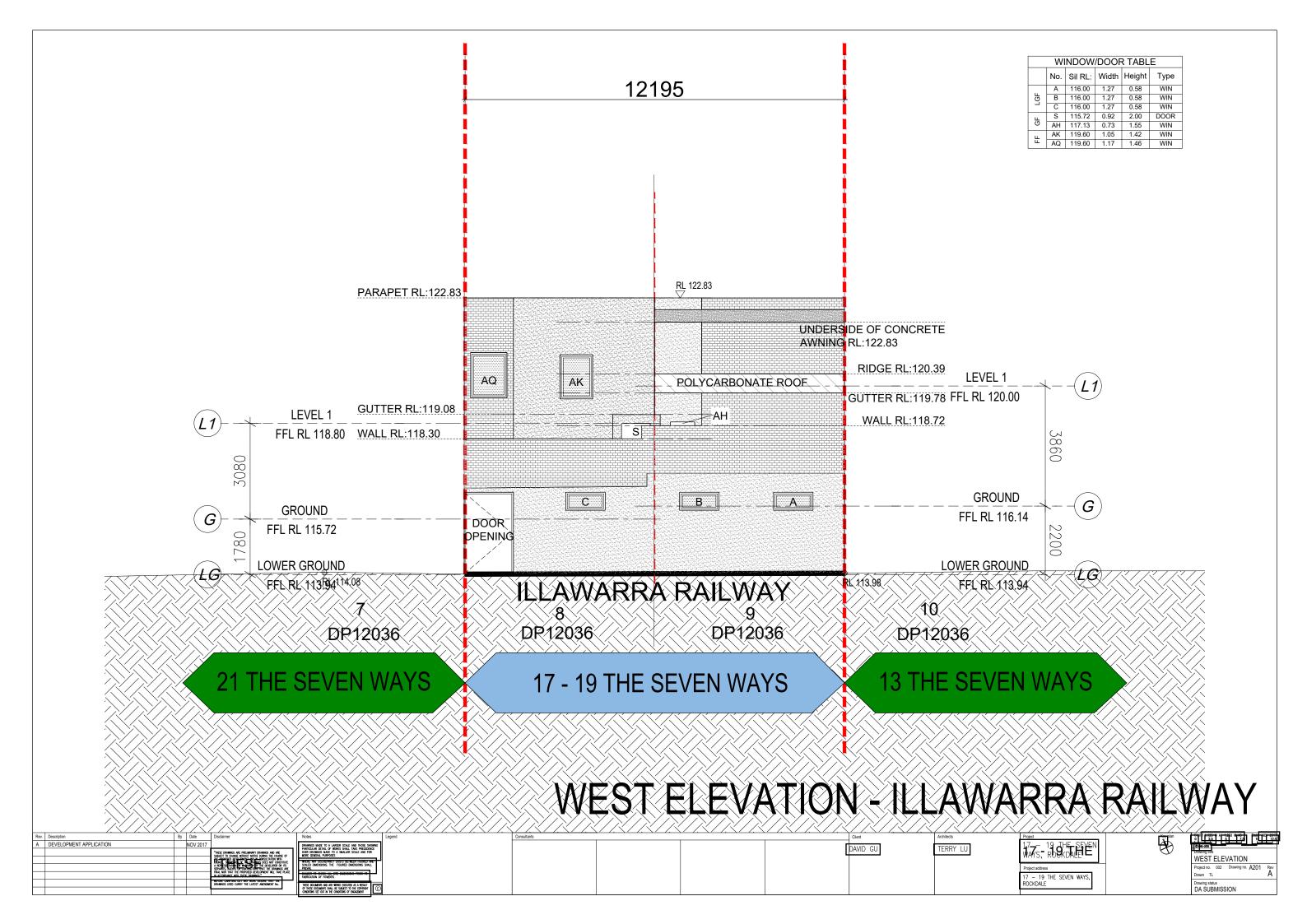




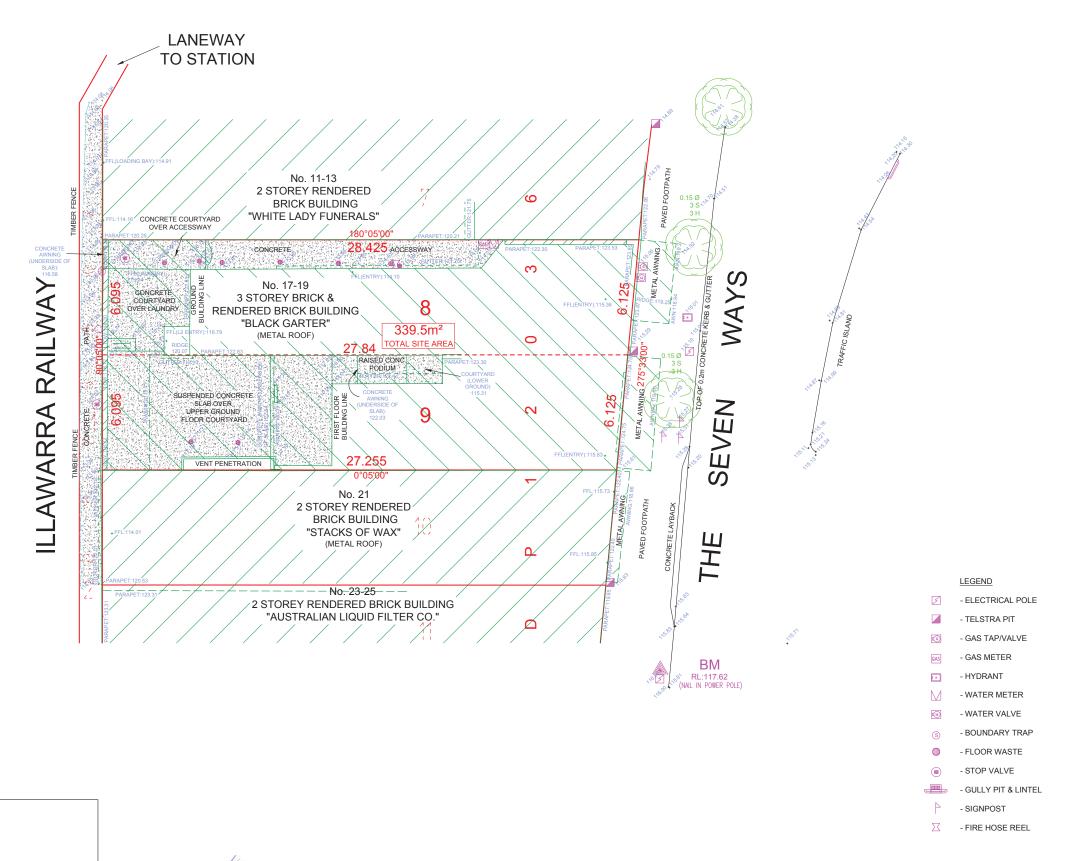












NOTES

- TREE SPREADS SHOWN 'APPROXIMATELY' ONLY
- VISIBLE SERVICES (AT TIME OF SURVEY) SHOWN ONLY
- NO SERVICE PITS ACCESSED/OPENED SHOWN AS LABELED
- BOUNDARIES BY THE TITLE DIAGRAM ONLY, (NOT SURVEYED)
- ALL PITS SHOULD BE ACCESSED, CONFIRMED AND HAVE SUBSURFACE EXTENTS MEASURED BY THE RELEVANT AUTHORITIES, PRIOR TO ADOPTION.
- ALL PIPES, CABLES & DUCTS IN THE EXCAVATION AREA SHOULD BE ACCURATELY LOCATED BY A "PIPE LOCATOR" OR BY THE RELEVANT AUTHORITY, PRIOR TO ANY EXCAVATION IS UNDERTAKEN.
- THE SUBJECT TITLE'S ARE BURDENED BY CAVEATS (VIDE AG446891, AG446892, AG885805, AG455013, AG455014 & AG885789) & BENEFITED BY RIGHT OF WAY'S (VIDE A997014 & B235068)



PO BOX 3222 REDFERN, NSW, 2016 Ph: (02) 8065 1156 Fax: (02) 8065 1297 Email: survey@daw-walton.com.au DETAIL SURVEY @
No. 17-19 THE SEVEN WAYS
ROCKDALE, NSW, 2216
CLIENT: MARS PLANNING PTY LTD

JOB No: 3195-16 SCALE: 1:100 (@A1)/ 1:200 (@A3)

SURVEYED ON: 26&31/05/2016
BY: M.E, T.P & H.R

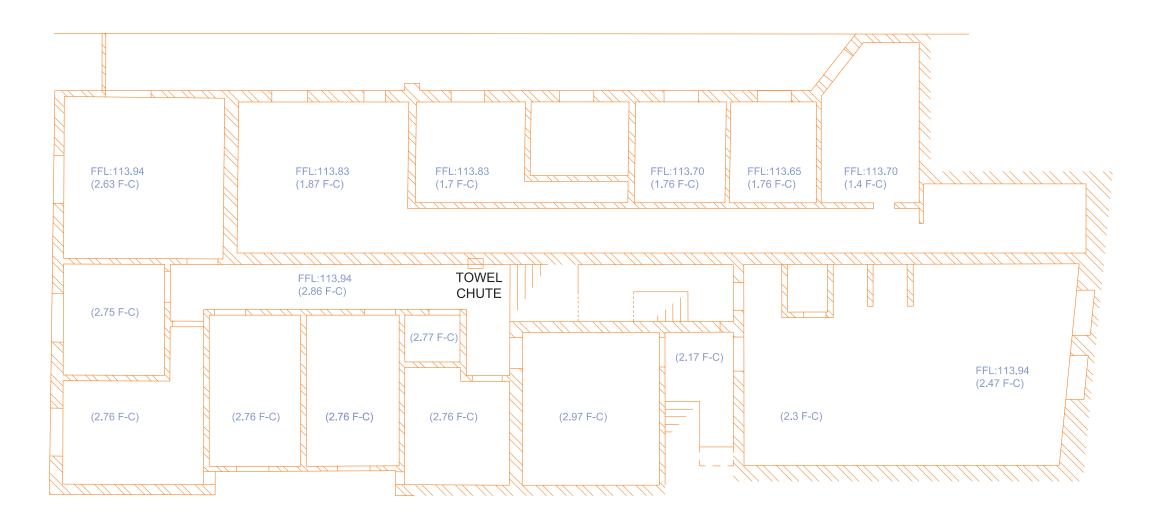
DRAWN ON: 02/06/2016
BY: M.E

CONTOUR INT: N/A

SHEET 1/5

Copyright The intellectual property contained within this plan is the exclusive property of Daw & Walton Pty Ltd and may not be used, copied or reproduced wholly or in part without the full consent of Daw & Walton Pty Ltd. (ABN 65 120 413 372)





FLOORPLAN LOWER GROUND

NOTES

- TREE SPREADS SHOWN 'APPROXIMATELY' ONLY
- VISIBLE SERVICES (AT TIME OF SURVEY) SHOWN ONLY
- NO SERVICE PITS ACCESSED/OPENED SHOWN AS LABELED
- BOUNDARIES BY THE TITLE DIAGRAM ONLY,(NOT SURVEYED)
- ALL PITS SHOULD BE ACCESSED, CONFIRMED AND HAVE SUBSURFACE EXTENTS MEASURED BY THE RELEVANT AUTHORITIES, PRIOR TO ADOPTION.
- ALL PIPES, CABLES & DUCTS IN THE EXCAVATION AREA SHOULD BE ACCURATELY LOCATED BY A "PIPE LOCATOR" OR BY THE RELEVANT AUTHORITY, PRIOR TO ANY EXCAVATION IS UNDERTAKEN.
- THE SUBJECT TITLE'S ARE BURDENED BY CAVEATS (VIDE AG446891, AG446892, AG885805, AG455013, AG455014 & AG885789) & BENEFITED BY RIGHT OF WAY'S (VIDE A997014 & B235068)



PO BOX 3222
REDFERN, NSW, 2016
Ph: (02) 8065 1156
Fax: (02) 8065 1297
Email: survey@daw-walton.com.au

 SHEET 2/5

 DETAIL SURVEY @
 JOB No: 3195-16
 SCALE: 1:50 (@A1)/ 1:100 (@A3)

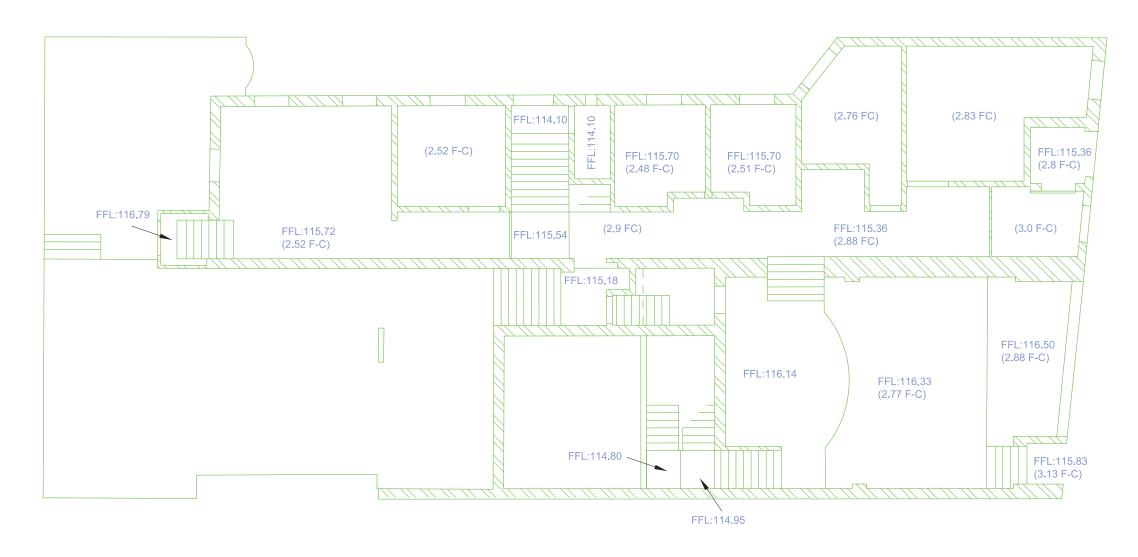
 No. 17-19 THE SEVEN WAYS
 SURVEYED ON: 26&31/05/2016
 NORTH: Magnetic (by DP12036)

 ROCKDALE, NSW, 2216
 BY: M.E, T.P & H.R
 DATUM:SSM54195 RL:20.845 (AHD)

 CLIENT: MARS PLANNING PTY LTD
 DRAWN ON: 02/06/2016
 CONTOUR INT: N/A

Copyright The intellectual property contained within this plan is the exclusive property of Daw & Walton Pty Ltd and may not be used, copied or reproduced wholly or in part without the full consent of Daw & Walton Pty Ltd. (ABN 65 120 413 372)





FLOORPLAN GROUND

NOTES

- TREE SPREADS SHOWN 'APPROXIMATELY' ONLY
- VISIBLE SERVICES (AT TIME OF SURVEY) SHOWN ONLY
- NO SERVICE PITS ACCESSED/OPENED SHOWN AS LABELED
- BOUNDARIES BY THE TITLE DIAGRAM ONLY,(NOT SURVEYED)
- ALL PITS SHOULD BE ACCESSED, CONFIRMED AND HAVE SUBSURFACE EXTENTS MEASURED BY THE RELEVANT AUTHORITIES, PRIOR TO ADOPTION.
- ALL PIPES, CABLES & DUCTS IN THE EXCAVATION AREA SHOULD BE ACCURATELY LOCATED BY A "PIPE LOCATOR" OR BY THE RELEVANT AUTHORITY, PRIOR TO ANY EXCAVATION IS UNDERTAKEN.
- THE SUBJECT TITLE'S ARE BURDENED BY CAVEATS (VIDE AG446891, AG446892, AG885805, AG455013, AG455014 & AG885789) & BENEFITED BY RIGHT OF WAY'S (VIDE A997014 & B235068)



PO BOX 3222
REDFERN, NSW, 2016
Ph: (02) 8065 1156
Fax: (02) 8065 1297
Email: survey@daw-walton.com.au

DETAIL SURVEY @

No. 17-19 THE SEVEN WAYS

ROCKDALE, NSW, 2216

CLIENT: MARS PLANNING PTY LTD

SHEET 3/5

JOB No: 3195-16

SCALE: 1:50 (@A1)/ 1:100 (@A3)

SURVEYED ON: 26&31/05/2016

BY: M.E, T.P & H.R

DATUM: SSM54195 RL:20.845 (AHD)

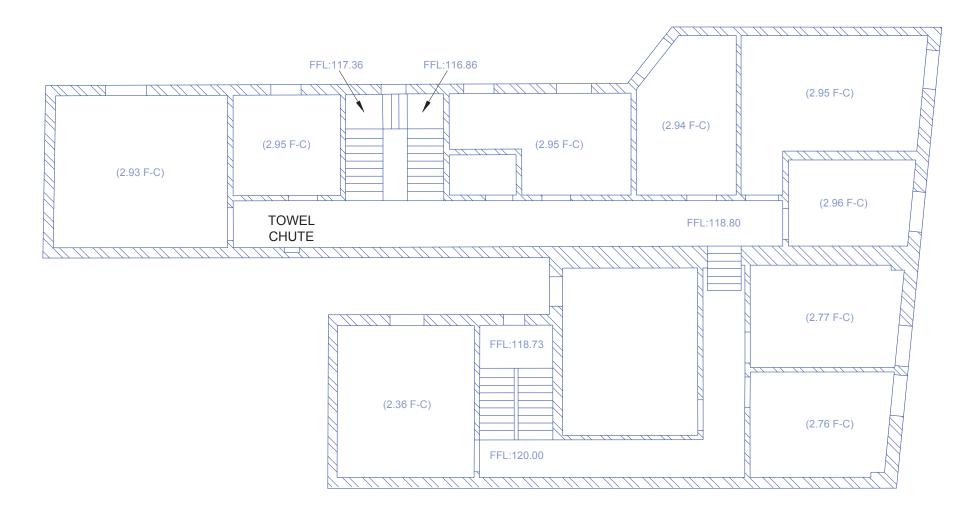
CONTOUR INT: N/A

Copyright The intellectual property contained within this plan is the exclusive property of Daw & Walton Pty Ltd and may not be used, copied or reproduced wholly or in part without the full consent of Daw & Walton Pty Ltd. (ABN 65 120 413 372)

DRAWN ON: 02/06/2016

BY: M.E





FLOORPLAN FIRST FLOOR

NOTES

- TREE SPREADS SHOWN 'APPROXIMATELY' ONLY
- VISIBLE SERVICES (AT TIME OF SURVEY) SHOWN ONLY
- NO SERVICE PITS ACCESSED/OPENED SHOWN AS LABELED
- BOUNDARIES BY THE TITLE DIAGRAM ONLY, (NOT SURVEYED)
- ALL PITS SHOULD BE ACCESSED, CONFIRMED AND HAVE SUBSURFACE EXTENTS MEASURED BY THE RELEVANT AUTHORITIES, PRIOR TO ADOPTION.
- ALL PIPES, CABLES & DUCTS IN THE EXCAVATION AREA SHOULD BE ACCURATELY LOCATED BY A "PIPE LOCATOR" OR BY THE RELEVANT AUTHORITY, PRIOR TO ANY EXCAVATION IS UNDERTAKEN.
- THE SUBJECT TITLE'S ARE BURDENED BY CAVEATS (VIDE AG446891, AG446892, AG885805, AG455013, AG455014 & AG885789) & BENEFITED BY RIGHT OF WAY'S (VIDE A997014 & B235068)



PO BOX 3222
REDFERN, NSW, 2016
Ph: (02) 8065 1156
Fax: (02) 8065 1297
Email: survey@daw-walton.com.au

DETAIL SURVEY @ JOB No: 3195-16 SCALE: 1:50 (@A1)/ 1:100 (@A3)

No. 17-19 THE SEVEN WAYS SURVEYED ON: 26&31/05/2016 BY: M.E, T.P & H.R

CLIENT: MARS PLANNING PTY LTD

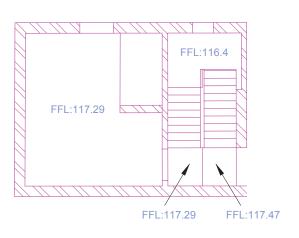
DRAWN ON: 02/06/2016 BY: M.E

CONTOUR INT: N/A

SHEET 4/5

Copyright The intellectual property contained within this plan is the exclusive property of Daw & Walton Pty Ltd and may not be used, copied or reproduced wholly or in part without the full consent of Daw & Walton Pty Ltd. (ABN 65 120 413 372)





FLOORPLAN MEZZANINE

- TREE SPREADS SHOWN 'APPROXIMATELY' ONLY
- VISIBLE SERVICES (AT TIME OF SURVEY) SHOWN ONLY
- NO SERVICE PITS ACCESSED/OPENED SHOWN AS LABELED
- BOUNDARIES BY THE TITLE DIAGRAM ONLY, (NOT SURVEYED)
- ALL PITS SHOULD BE ACCESSED, CONFIRMED AND HAVE SUBSURFACE EXTENTS MEASURED BY THE
- ALL PIPES, CABLES & DUCTS IN THE EXCAVATION AREA SHOULD BE ACCURATELY LOCATED BY A "PIPE LOCATOR" OR BY THE RELEVANT AUTHORITY, PRIOR TO ANY EXCAVATION IS UNDERTAKEN.
- THE SUBJECT TITLE'S ARE BURDENED BY CAVEATS (VIDE AG446891, AG446892, AG885805, AG455013, AG455014 & AG885789) & BENEFITED BY RIGHT OF WAY'S (VIDE A997014 & B235068)



PO BOX 3222 REDFERN, NSW, 2016 Ph: (02) 8065 1156 ABN 65 120 413 372 Fax: (02) 8065 1297

CLIENT: MARS PLANNING PTY LTD Email: survey@daw-walton.com.au

DETAIL SURVEY @ No. 17-19 THE SEVEN WAYS ROCKDALE, NSW, 2216

SHEET 5/5 JOB No: 3195-16 SCALE: 1:50 (@A1)/ 1:100 (@A3) SURVEYED ON: 26&31/05/2016 NORTH: Magnetic (by DP12036)

DATUM:SSM54195 RL:20.845 (AHD)

DRAWN ON: 02/06/2016 BY: M.E CONTOUR INT: N/A

Copyright The intellectual property contained within this plan is the exclusive property of Daw & Walton Pty Ltd and may not be used, copied or reproduced wholly or in part without the full consent of Daw & Walton Pty Ltd. (ABN 65 120 413 372)

BY: M.E, T.P & H.R