
ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

ITEM 20 **DA2019/01255 - 25 Llewellyn Street Merewether**

**Veterinary Hospital - Commercial - Part change of use fitout
and signage**

Page 2 **Attachment A** - Submitted Plans

Page 8 **Attachment B** - Draft Schedule of Conditions

Page 16 **Attachment C** - Processing Chronology

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DEVELOPMENT APPLICATIONS COMMITTEE MEETING

16 JUNE 2020

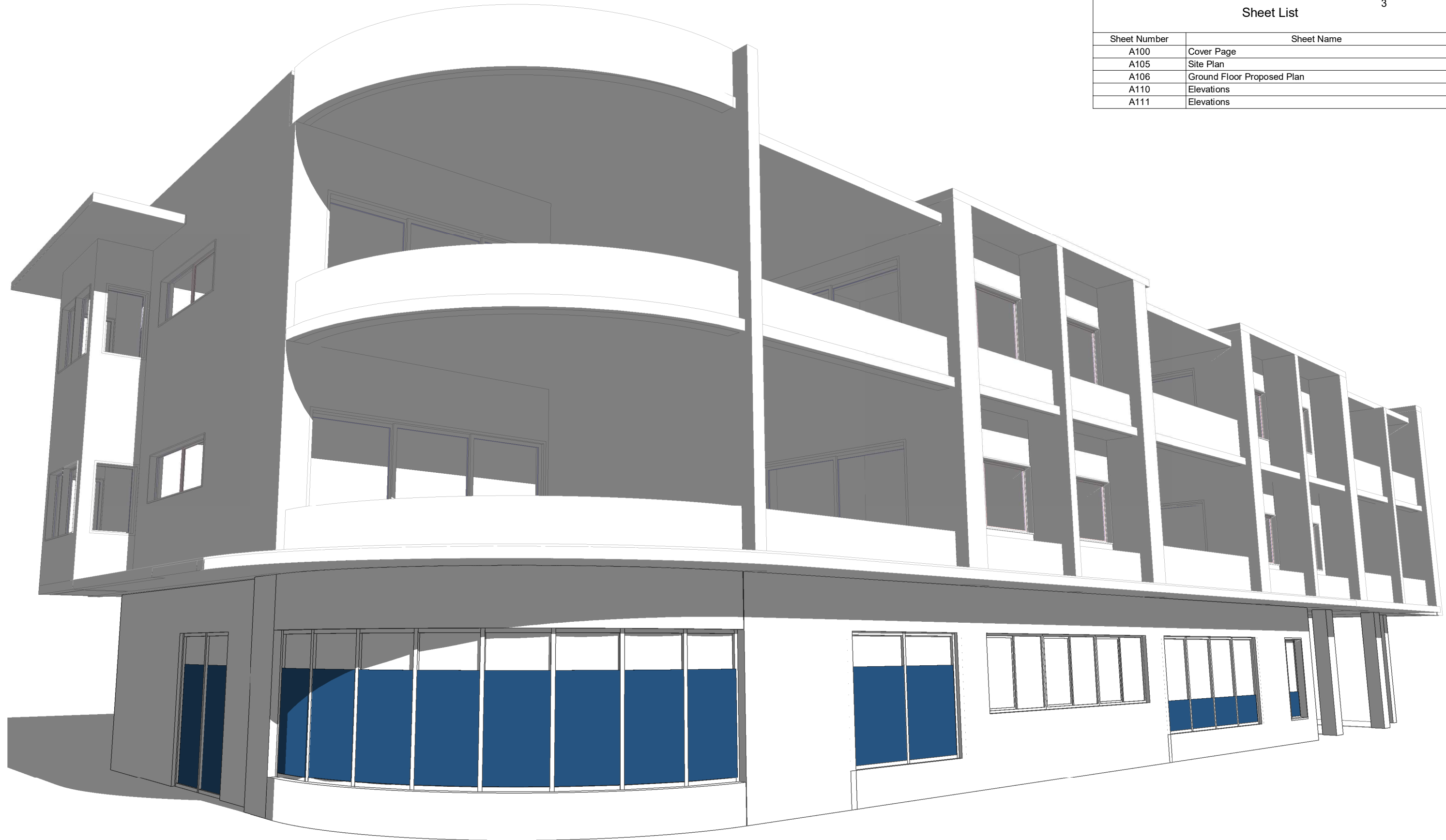
DAC 16/06/2020

DA2019/01255 – 25 LLEWELLYN STREET MEREWETHER

Attachment A: Submitted Plans

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Sheet List		3
Sheet Number	Sheet Name	
A100	Cover Page	
A105	Site Plan	
A106	Ground Floor Proposed Plan	
A110	Elevations	
A111	Elevations	



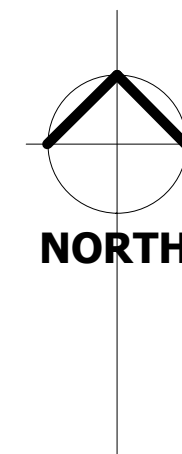
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 DO NOT SCALE DRAWINGS.
 ALL BOUNDARIES AND CONTOURS SUBJECT TO SURVEY.

PROJECT: Proposed Fitout
CLIENT: Merewether Veterinary Hospital
ADDRESS: 25 LLEWELYN STREET, MEREWETHER

DRAWING TITLE: Cover Page
SCALE: @ A3
DATE: 08/11/19

DRAWN BY: JCC
STATUS: FOR DA

DRAWING NO:
A100
REV:
C



PROPOSED FIT OUT
WORKS SITUATED ON
GROUND FLOOR

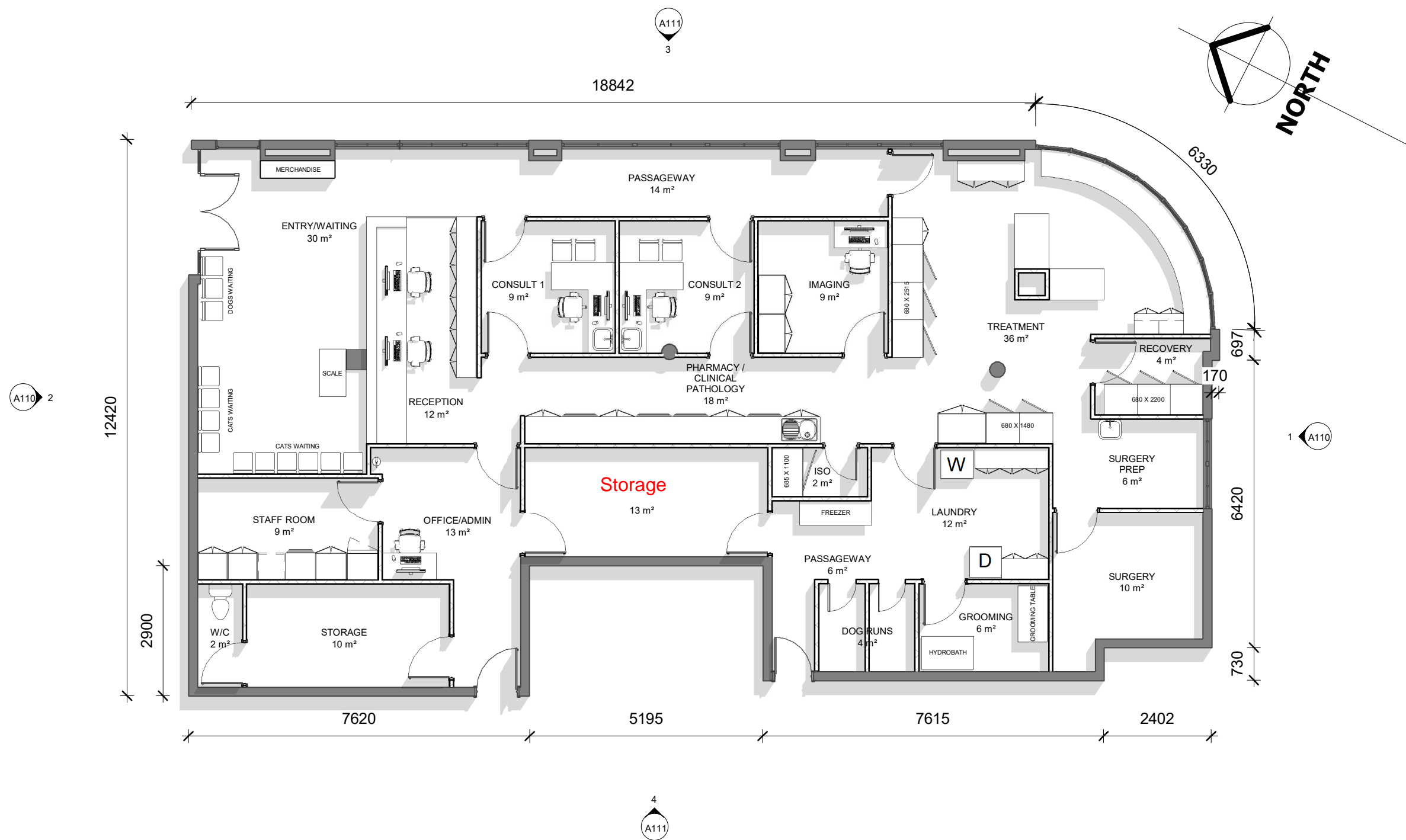
NOTE

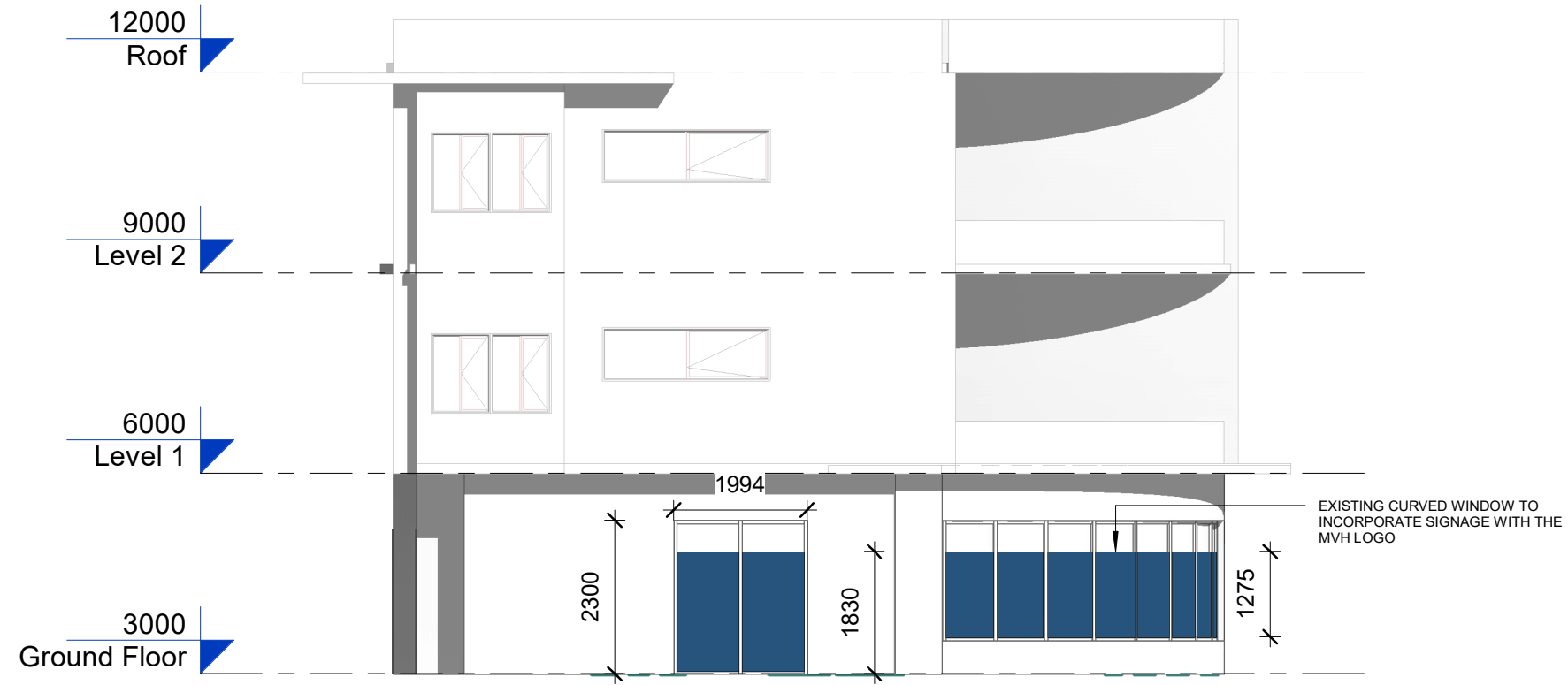
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PROJECT: Proposed Fitout
CLIENT: Merewether Veterinary Hospital
ADDRESS: 25 LLEWELYN STREET, MEREWETHER

DRAWING TITLE: Site Plan
SCALE: 1 : 600 @ A3
DATE: 08/11/19
DRAWN BY: JCC
STATUS: FOR DA

DRAWING NO:
A105
REV:
C





1 South East Elevation
1 : 100



2 North West Elevation
1 : 100

NOTE

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PROJECT: **Proposed Fitout**
 CLIENT: **Merewether Veterinary Hospital**
 ADDRESS: **25 LLEWELYN STREET, MEREWETHER**

DRAWING TITLE: **Elevations**

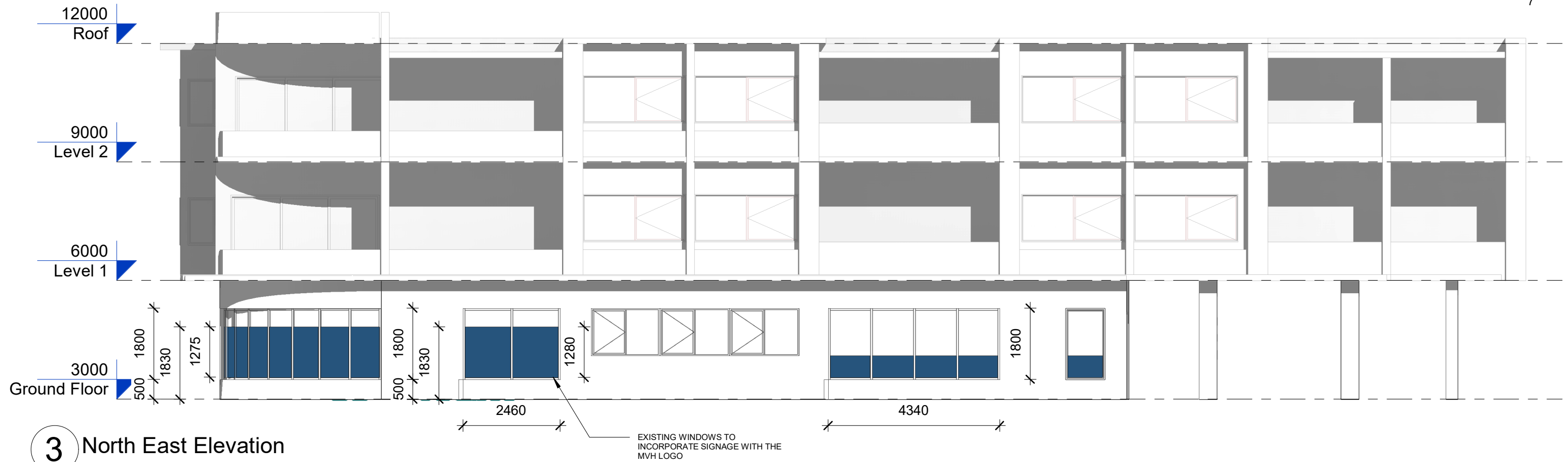
SCALE: 1 : 100 @ A3 DRAWN BY: JCC
 DATE: 08/11/19 STATUS: FOR DA

DRAWING NO:

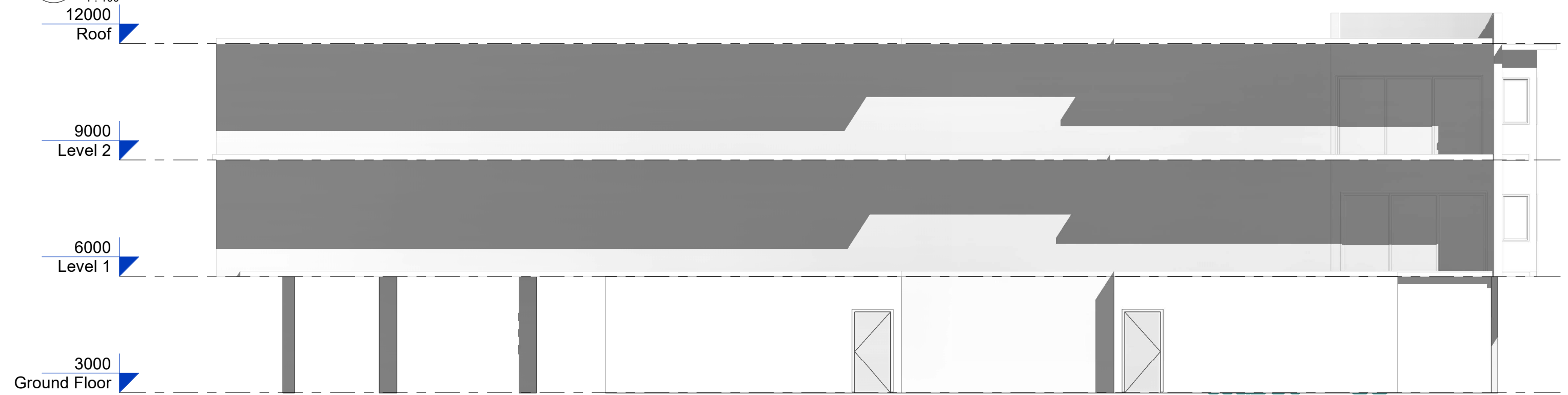
A110

REV:

C



3 North East Elevation
1 : 100



4 South West Elevation
1 : 100



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PROJECT: Proposed Fitout
CLIENT: Merewether Veterinary Hospital
ADDRESS: 25 LLEWELYN STREET, MEREWETHER

DRAWING TITLE: Elevations
SCALE: 1 : 100 @ A3
DATE: 08/11/19
DRAWN BY: JCC
STATUS: FOR DA

DRAWING NO:
A111
REV:
C

DEVELOPMENT APPLICATIONS COMMITTEE MEETING

16 JUNE 2020

DAC 16/06/2020

DA2019/01255 – 25 LLEWELLYN STREET MEREWETHER

Attachment B: Draft Schedule of Conditions

DISTRIBUTED UNDER SEPARATE COVER

Application No: DA2019/01255

Land: Lot 1 DP 1244721

Property Address: 25 Llewellyn Street Merewether NSW 2291

Proposed Development: Veterinary Hospital - change of use from a commercial premise

SCHEDULE 1

APPROVED DOCUMENTATION

- The development is to be implemented in accordance with the plans and supporting documents set out in the following table except where modified by any conditions of this consent.

Plan No / Supporting Document	Reference / Version	Prepared by	Dated
Cover Page	A100 Rev C	Cyclo	08/11/19
Site Plan	A105 Rev C	Cyclo	08/11/19
Ground Floor Proposed Plan	A106 Rev F	Cyclo	08/11/19
Elevations (south east, north west)	A110 Rev C	Cyclo	08/11/19
Elevations (north east, south west)	A111 Rev C	Cyclo	08/11/19
Acoustic Assessment	Rev 3	RAPT Consulting	27/02/20
Plan of Management	Version 3	Perception Planning	22/05/20

In the event of any inconsistency between conditions of this development consent and the plans/supporting documents referred to above, the conditions of this development consent prevail.

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

- On-site parking accommodation is to be provided for a minimum of 6 vehicles and meet the minimum parking layout standards indicated in Element 7.03 '*Traffic, Parking and Access*' of Newcastle Development Control Plan 2012. Details are to be included in documentation for a Construction Certificate application.
- The applicant is to comply with all requirements of the Hunter Water Corporation regarding the connection of water supply and sewerage services, including the payment of any required cash contribution towards necessary amplification of service mains in the locality as a result of the increased intensity of land use proposed. A copy of the Corporation's compliance certificate (refer s50 Hunter Water Act 1991) is to be included in documentation for a Construction Certificate application.

CONDITIONS TO BE SATISFIED PRIOR TO THE COMMENCEMENT OF WORK AND DURING THE CONSTRUCTION PHASE

4. Toilet facilities are to be available or provided at the work site before works begin and 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.

Each toilet is to:

- a) Be a standard flushing toilet connected to a public sewer, or
 - b) Have an on-site effluent disposal system approved under the *Local Government Act 1993* (NSW), or
 - c) Be a temporary chemical closet approved under the *Local Government Act 1993* (NSW).
5. A rigid and durable sign is to be erected on any site on which building work, subdivision work or demolition work is being carried out, before the commencement of the work:
- a) showing the name, address and telephone number of the Principal Certifying Authority for building work and subdivision work, and
 - b) showing the name, address and telephone number of the Principal Contractor for any building work and also including a telephone number on which the Principal Contractor may be contacted at any time for business purposes, and
 - c) stating that unauthorised entry to the work site is prohibited, and
 - d) being erected in a prominent position that can be read easily by anyone in any public road or other public place adjacent to the site.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

6. All building work must be carried out in accordance with the provisions of the National Construction Code.
7. All building materials, plant and equipment is to be placed on the site of the development so as to ensure that pedestrian and vehicular access in public places is not restricted and to prevent damage to the road reserve. The storage of building materials on Council reserves including the road reserve is not permitted.
8. Construction/demolition work that generates noise that is audible at residential premises is to be restricted to the following times:
- Monday to Friday, 7:00 am to 6:00 pm and
 - Saturday, 8:00 am to 1:00 pm.

No noise from construction/demolition work is to be generated on Sundays or public holidays.

9. Council's 'Prevent Pollution' sign is to be erected and maintained in a conspicuous location on or adjacent to the property boundary so it is clearly visible to the public or at other locations on the site as otherwise directed by Council for the duration of demolition and construction work.

The sign can be obtained by presenting your development application receipt at Council's Customer Enquiry Counter, Wallsend Library or the Master Builders Association Newcastle.

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE, A SUBDIVISION CERTIFICATE OR A STRATA CERTIFICATE

10. The ceiling is to be upgraded and acoustic testing carried out by an appropriately qualified acoustic consultant confirming that the acoustic attenuation complies with option B in the table in Section 4.5 (Figure 5 option B) of the Acoustic Assessment prepared by RAPT Consulting, 27 February 2020. Written certification is to be submitted to Council prior to the issue of an occupation certificate. The recommended acoustic treatment is to be installed and maintained for the life of the veterinary clinic.

In the event of Council receiving substantiated noise complaints, further acoustic treatment is to be implemented and tested to the satisfaction of a suitably qualified acoustic expert. Written certification from an appropriately qualified acoustic consultant being submitted to the Principal Certifying Authority to demonstrate that the appropriate sound reduction index rating (Rw) is achieved in accordance with the requirements of the Noise Policy for Industry 2017 and Protection of the Environment Operations Act 1997.

11. All public footways, footpaving, kerbs, gutters and road pavement damaged during the works are to be immediately repaired following the damage, to a satisfactory state that provides for safe use by pedestrians and vehicles. Full restoration of the damage is to be carried out to Council's satisfaction prior to the completion of demolition work or prior to the issue of any Occupation Certificate in respect of development involving building work.

CONDITIONS TO BE SATISFIED DURING THE OPERATION AND USE THE DEVELOPMENT

12. On-site car parking accommodation is to be provided for a minimum of 6 vehicles for staff use only, and such being set out generally in accordance with the details indicated on the submitted plans except as otherwise provided by the conditions of consent.
13. The use and occupation of the premises is not to give rise to the emission of any 'air impurity' as defined under the *Protection of the Environment Operations Act 1997* (NSW), that interferes unreasonably with the amenity of neighbouring premises and/or other sensitive receivers.

Should Council consider that unreasonable levels of air impurities have been emitted from the premises, the owner/occupier will be required to engage a suitably qualified consultant to recommend measures to control emissions of air impurities to an acceptable level and such measures being implemented within a nominated time period. Furthermore, written certification from the suitably qualified consultant will be required to be submitted to Council confirming that air impurity emissions from the premises do not interfere unreasonably with the amenity of neighbouring premises and/or other sensitive receptors before the expiration of the nominated period.

14. The signs shall meet the criteria contained in Section 3.3.3 Illumination and reflectance of the *Department of Planning's Transport Corridor Outdoor Advertising and Signage (November 2017)*.
15. The signs shall not contain large areas of red, messages that are distracting or reduce the safety for pedestrians, bicyclists or drivers of vehicles.
16. Any illumination (internal or external) of the signs is to be limited to between the hours 7.00am to 10.00pm.
17. Animals are not to be commercially boarded overnight (i.e. dogs and cats are to be temporary patients of the surgery only) and no more than 3 dogs and 3 cats are to be

housed overnight due to medical reasons at any one time.

18. The shared / common courtyard area is not to be used by animals associated with the veterinary clinic operations including puppy pre-school or dog-runs, and all animals are to be kept on leads or within carriers/cages whilst entering and exiting the clinic.
19. Waste removal, deliveries and bin cleaning are to be conducted between 7:00 am and 6:00 pm Monday to Friday and outside of peak operating times.
20. Waste management (recyclable and non-recyclable) is to be collected by a private contractor from the refuse storage areas to the rear of the premise, as identified on the approved plans, serviced, and returned immediately to the refuse storage areas.
21. The use of hair dryers, centrifuge, autoclave and washing machines are not to be used after 7:00 pm (to reduce noise impacts on residents).
22. No activities (for example puppy preschool) are to be undertaken outside of the approved operational hours under any circumstances.
23. The premise is to be operated in accordance with the Plan of Management prepared by Perception Planning amended 22 May 2020 to minimise the acoustic and social impacts associated with the operation of the premises. The Operational Plan of Management is to be implemented, maintained on-site and made available for inspection by appropriate Authorised Officers upon request.

A copy of the Plan of Management prepared by Perception Planning 27 March 2020 (which contains the direct contact numbers of the veterinarians) is to be provided to the Strata company prior to occupation of the premises and made available to residents upon request.

24. The premise must maintain closed circuit television (CCTV) system on the premise in accordance with the following:
 - (a) The system must record continuously when animals are housed overnight.
 - (b) The systems camera must cover the animal boarding areas/dog runs.
 - (c) Recordings must be in digital format and at a minimum of six (6) frames per second,
 - (d) Any recorded image must specify the time and date of the recorded image.
 - (e) Keep all recordings made by the CCTV system for at least 30 days.
 - (f) Ensure that the CCTV system is accessible at all times the system is required to operate and at least one person able to access and fully operate the system, including downloading and producing recordings of CCTV footage, and provide any recordings made by the system to a police officer or authorised Council Officer within 24 hours of any request to provide such recordings.
25. The hours of operation or trading of the premise (deliveries inclusive) are to be not more than from:

DAY	START	FINISH	
Monday	8:00am	7:00pm	Same day
Tuesday	8:00am	7:00pm	Same day
Wednesday	8:00am	7:00pm	Same day
Thursday	8:00am	7:00pm	Same day
Friday	8:00am	7:00pm	Same day
Saturday	9:00am - 12:00pm	6:00pm - 7:00pm	Same day
Sunday	10:00am - 11:00am	6:00pm - 7:00pm	Same day

unless a separate application to vary the hours of operation or trading has been submitted to and approved by Council.

26. The use and occupation of the premise, including all plant and equipment installed thereon, is not to give rise to any offensive noise, as defined under the *Protection of the Environment Operations Act 1997* (NSW).

Should Council consider offensive noise has emanated from the premise, the owner/occupier of the premise will be required to submit an acoustic assessment prepared by a suitably qualified acoustical consultant recommending appropriate acoustic measures necessary to ensure future compliance with this condition and will be required to implement such measures within a nominated period. Furthermore, written certification from the said consultant confirming the recommended acoustic measures have been satisfactorily implemented will be required to be submitted to Council prior to the expiration of the nominated period.

27. No goods or advertising signs are to be displayed or allowed to stand on the public footpath or street.

ADVISORY MATTERS

- A copy of the final Fire Safety Certificate (together with a copy of the current fire safety schedule) is to be given to the Commissioner of NSW Fire Brigades and a further copy of the Certificate (together with a copy of the current fire safety schedule) is to be prominently displayed in the building.
- An annual Fire Safety Statement in the form described in Clause 175 of the *Environmental Planning and Assessment Regulation 2000* (NSW) is to be submitted to Council and a copy (together with a copy of the current fire safety schedule) is to be given to the Commissioner of New South Wales Fire Brigades. A further copy of the Statement (together with a copy of the current fire safety schedule) is to be prominently displayed in the building.
- Any necessary alterations to public utility installations are to be at the developer/demolisher's expense and to the requirements of both Council and any other relevant authorities. Council and other service authorities should be contacted for specific requirements prior to the commencement of any works.
- Prior to commencing any building works, the following provisions of Division 6.2 of the *Environmental Planning and Assessment Act 1979* are to be complied with:
 - a) A Construction Certificate is to be obtained; and
 - b) A Principal Certifier is to be appointed for the building works and Council is to be notified of the appointment; and
 - c) Council is to be given at least two days' notice of the date intended for commencement of building works.
- A Construction Certificate application for this project is to include a list of fire safety measures proposed to be installed in the building and/or on the land and include a separate list of any fire safety measures that already exist at the premises. The lists must describe the extent, capability and basis of design of each of the measures.
- Prior to the occupation or use of a new building, or occupation or use of an altered portion of, or an extension to an existing building, an Occupation Certificate is to be obtained from the Principal Certifying Authority appointed for the proposed development. An application for an Occupation Certificate must contain the information set out in Clause 149 of the *Environmental Planning and Assessment Regulation 2000* (NSW).
- It is an offence under the provisions of the *Protection of the Environment Operations Act*

1997 (NSW) to act in a manner causing, or likely to cause, harm to the environment. Anyone allowing material to enter a waterway or leaving material where it can be washed off-site may be subject to a penalty infringement notice ('on-the-spot fine') or prosecution.

- Failure to comply with the conditions of consent constitutes a breach of the *Environmental Planning and Assessment Act 1979* (NSW), which may be subject to a penalty infringement notice ('on-the-spot fine') or prosecution.
- It is recommended that, prior to commencement of work, the free national community service 'Dial before you Dig' be contacted on 1100 or by fax on 1200 652 077 regarding the location of underground services in order to prevent injury, personal liability and even death. Inquiries should provide the property details and the nearest cross street/road.

END OF CONDITIONS

SCHEDULE 2

REASONS FOR THE DETERMINATION & CONSIDERATION OF COMMUNITY VIEWS

The determination decision was reached for the following reasons:

- The proposed development, subject to the recommended conditions, is consistent with the objectives of the applicable environmental planning instruments, being *Newcastle Local Environmental Plan 2012* (NLEP) and applicable State Environmental Planning Policies.
- The proposed development is, subject to the recommended conditions, consistent with the objectives of the Newcastle Development Control Plan 2012 (NDCP).
- The proposed development is considered to be of an appropriate scale and form for the site and the character of the locality.
- The proposed development has appropriate management and mitigation of impacts through conditions of consent.
- The proposed development, subject to the recommended conditions, will not result in unacceptable adverse impacts upon the natural or built environments.
- The proposed development is a suitable and planned use of the site and its approval is within the public interest.
- The public submissions have been considered in the assessment of the application.

REASONS WHY THE CONDITIONS HAVE BEEN IMPOSED

The following conditions are applied to:

- Confirm and clarify the terms of Council's determination
- Identify modifications and additional requirements that will result in improved compliance, development and environmental outcomes
- Prevent, minimise, and/or offset adverse environmental impacts including economic and social impacts
- Set standards and measures for acceptable environmental performance; and
- Provide for the ongoing management of the development.

DEVELOPMENT APPLICATIONS COMMITTEE MEETING

16 JUNE 2020

DAC 16/06/2020

DA2019/01255 – 25 LLEWELLYN STREET MEREWETHER

Attachment C: Processing Chronology

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PROCESSING CHRONOLOGY

DA2019/01255 - 25 LLEWELLYN STREET MEREWETHER

25 November 2019	Application lodged
2 December 2019	Public notification
3 December 2019	Additional information requested
18 December 2019	Additional information received from the applicant
13 January 2020	Applicant provided a detailed response to public submissions
15 January 2020	Applicant advised of issues raised after assessment of the application and through public submissions
22 January 2020	Additional information received from applicant
17 March 2020	Public Voice
20 March 2020	Additional information requested
7 April 2020	Additional information received from applicant
22 April 2020	Additional information received from applicant
19 May 2020	Development Applications Committee
21 May 2020	Additional information requested
22 May 2020	Additional information received from applicant