
Bayside Planning Panel

27/02/2018

Item No	6.5
Application Type	Section 96(2) Application – Modification to Residential Flat Building
Application Number	DA-14/180/02
Lodgement Date	31 January 2017
Property	6-8 John Street, Mascot Lot 8 and 9 in DP 939729
Owner	Segnic Pty Ltd Bibil Pty Limited
Applicant	Edifice Design Pty Ltd
Proposal	Section 96(2) Application to modify Development Consent No. 14/180 to increase the number of residential apartments from 39 to 52 units and reduce the number of car parking from 70 spaces to 55 spaces to align the proposal with the Apartment Design Guide, increase the height of the development by 2.53 metres to 47.78 AHD and modifications to conditions.
No. of Submissions	Five objections (Round 1) Two objections (Round 2)
Cost of Development	N/A
Report by	Angela Lazaridis, Senior Development Assessment Officer

Officer Recommendation

- 1 To approve Section 96(2) Application to modify Development Consent No. 14/180 to increase the number of residential apartments from 39 to 52 units and reduce the number of car parking from 70 spaces to 55 spaces to align the proposal with the Apartment Design Guide, increase the height of the development by 2.53 metres to 47.78 AHD and modifications to conditions at 6-8 John Street, Mascot.
- 2 To modify Development Consent No. 14/180 under Section 96(2) of the Environmental Planning and Assessment Act 1979 as follows:
 - a Amend Condition No. 1 to reference the amended plans and documents;
 - b Amend Condition No. 5 to reference the BASIX Certificate now submitted for the development;
 - c Amend Condition No. 16 (b) and (d) to update the maximum height permissible for the development as stipulated by SACL;
 - d Amend Condition Nos. 26(d) and 27 to reflect the revised Section 94 Contributions as detailed above;

- e Amend Condition No. 28 to update the minimum unit size requirements within the development;
 - f Amend Condition No. 32 to reflect the updated landscape plan for the site;
 - g Amend Condition No. 43 to reflect the amended traffic and parking assessment report;
 - h Amend Condition No. 113 to update the car parking numbers proposed as part of this application.
 - i Amend Condition No. 119 to reflect the latest version of the plans; and
 - j Amend Condition No. 143 to refer to the subject s.96 application.
- 3 That any objectors be notified of the determination made by the Planning Panel.
-

Attachments

- 1 Supplementary Planning Report
 - 2 Site Analysis Plan
 - 3 Roof Plan
 - 4 East Elevation
 - 5 North Elevation
 - 6 West Elevation
 - 7 Photomontage- View loss analysis
-

Location Plan



Figure 1: Locality Plan

BAYSIDE COUNCIL

Supplementary Planning Assessment Report

Application Details

Application Number:	14/180/02
Date of Receipt:	31 January 2017
Property:	6-8 John Street Mascot Lot 8 and 9 in DP 939729
Owners:	Segnic Pty Ltd Bibil Pty Limited
Applicant:	Edifice Design Pty Ltd
Proposal:	Section 96(2) Application to modify Development Consent No. 14/180 to increase the number of residential apartments from 39 to 52 units and reduce the number of car parking from 70 spaces to 55 spaces to align the proposal with the Apartment Design Guide, increase the height of the development by 2.53 metres to 47.78 AHD and modifications to conditions.
Recommendation:	Approve the development, subject to conditions.
Value:	N/A
No. of submissions:	Five objections (First round) One (Second round)
Author:	Angela Lazaridis, Senior Development Assessment Planner
Date of Report:	9 February 2018

Key Issues

On 14 December 2017, the subject Section 96(2) Application was referred to the Bayside Planning Panel (BPP) for determination. The BPP deferred the development application to allow the applicant the opportunity to do a view loss analysis to address a concern that was raised in one of the objections in addition to minor amendments to the setbacks/separation that is proposed along the northern boundary from the building.

This Supplementary report provides a response to the amended information provided by the applicant to address the outstanding matters raised by the Panel.

On 27 October 2017, the applicant provided Council with a response to the view loss issue by utilising information provided by the objector. A photomontage of the building envelope of what is proposed at both the subject site and the site to the north at 13A Church Avenue which currently has an application to amend the number of storeys proposed, was prepared and considered by Council. Council undertook its own assessment of the view loss issue and attended the site to carry out an analysis which is summarised in the report below.

Furthermore, amended plans were provided to demonstrate an increase in the northern setback on Levels 1 to 3 to comply with the building separation of 6 metres. Previously the

proposed setback was provided at 4m. This increase in the setback resulted in modifications to the internal reconfiguration to six of the units (102, 103, 202, 203, 302 and 303). This change results in Units 102, 202 and 302 to be modified from a 2 bedroom unit to a 1 bedroom unit. An assessment of the unit mix and the car parking is discussed in the report below.

The additional information to raise the Panel's concerns has been reviewed and the application is recommended for approval subject to the conditions attached in this Supplementary Report.

Recommendation

It is RECOMMENDED that the Bayside Planning Panel, resolve:

1. To approve Section 96(2) Application to modify Development Consent No. 14/180 to increase the number of residential apartments from 39 to 52 units and reduce the number of car parking from 70 spaces to 55 spaces to align the proposal with the Apartment Design Guide, increase the height of the development by 2.53 metres to 47.78 AHD and modifications to conditions at 6-8 John Street, Mascot.
2. To modify Development Consent No. 14/180 under Section 96(2) of the Environmental Planning and Assessment Act 1979 as follows:
 - a) Amend Condition No. 1 to reference the amended plans and documents;
 - b) Amend Condition No. 5 to reference the BASIX Certificate now submitted for the development;
 - c) Amend Condition No. 16 (b) and (d) to update the maximum height permissible for the development as stipulated by SACL;
 - d) Amend Condition Nos. 26(d) and 27 to reflect the revised Section 94 Contributions as detailed above;
 - e) Amend Condition No. 28 to update the minimum unit size requirements within the development;
 - f) Amend Condition No. 32 to reflect the updated landscape plan for the site;
 - g) Amend Condition No. 43 to reflect the amended traffic and parking assessment report;
 - h) Amend Condition No. 113 to update the car parking numbers proposed as part of this application.
 - i) Amend Condition No. 119 to reflect the latest version of the plans; and
 - j) Amend Condition No. 143 to refer to the subject s.96 application.
3. That any objectors be notified of the determination made by the Planning Panel

Assessment of the Panel's deferment

1. *A view loss analysis of the impacts from 214-220 Coward Street Mascot is to be carried out*

The Panel deferred the matter as the assessment of view loss which was an issue that was raised in an objection letter was not satisfactory. The information that was provided by the applicant relating to view loss did not consider a proper analysis of the view that would be lost from the subject neighbours unit. The photomontage prepared by the applicant demonstrates the proposed heights of the subject application and the proposed height of the application at 13A Church Avenue which is demonstrated below:

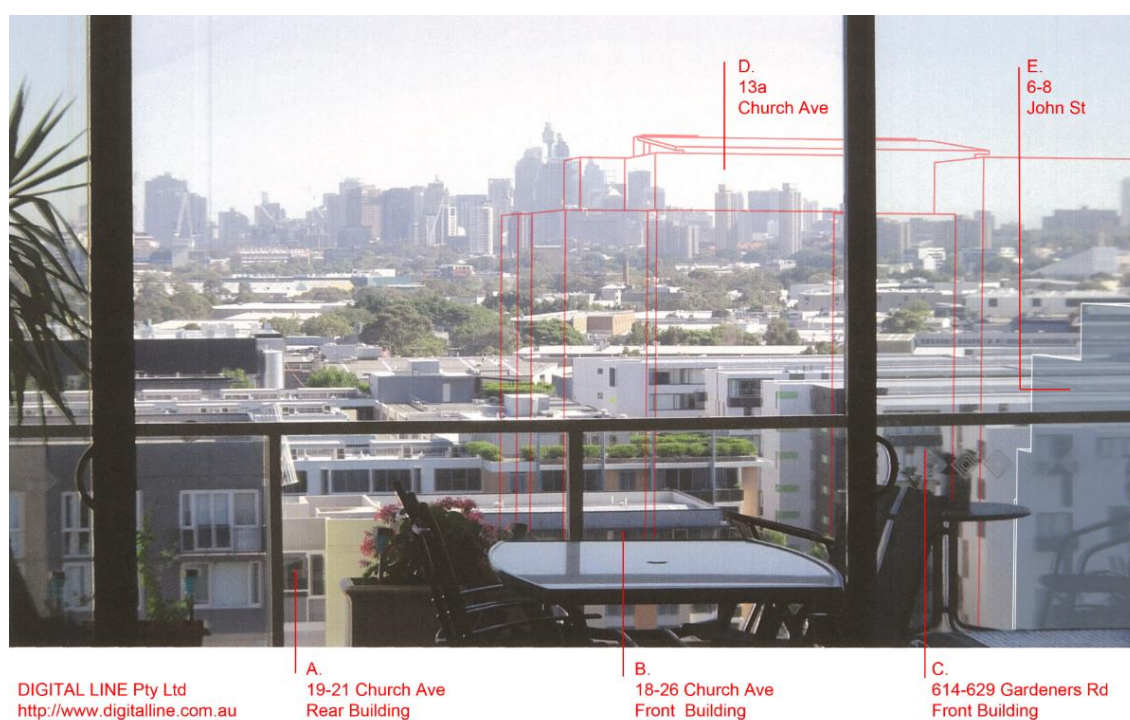


Figure 1. Photomontage provided by applicant of the proposed developments at 6-8 John Street and 13A Church Avenue

As demonstrated in the image above, the subject proposal shows the proposed height as highlighted in blue. This assessment has been considered from the photograph that was provided by the objectors during the previous BPP meeting in December in addition to the approved elevation of the objectors building. The applicant has stated that the proposed modifications at the subject site will not directly impact on the primary view experienced by the objector.

The photomontage and the amended elevations were notified to the objectors and an objection was received from the owners of the unit that raised concern regarding to the view loss. A summary of their objection and Council's response has been provided below. The issues that were raised relate to inaccuracies in the location of the building and the extent of view that was included within the photograph. Council's officers went out on site to understand the view and carry out an assessment of the view lost from the principal living areas, when sitting on the balcony and when standing on the edge of the balcony.

An assessment of the four steps that were considered within *Tenacity vs Warringah Council 2004 NSWLEC 140* has formed the assessment for the view loss analysis for the subject application. The four points and assessment is as below:

1. Assessment of the views to be affected

The view loss analysis was conducted from a unit within Level 11 of 214-220 Coward Street which is located to the south west of the subject site. Views of the entire city skyline are evident from within the principal living areas and from the balcony and is located directly to the north of the unit. This includes a view of the Sydney Tower, Anzac Bridge and surrounding towers however no view of the Sydney Opera House or the Sydney Harbour Bridge. Additionally, the unit includes views to Sydney Park when looking in a north-western direction and Green Square and eastern Sydney when looking in a north-eastern direction.

2. Assessment of the part of the property the views are obtained from

Views of the city skyline can be viewed from the principal living areas (living room and kitchen) as well as from the bedroom. The subject unit that the assessment was taken from is north orientated only therefore all windows front onto John Street to the north. Views are considerably greater when sitting and standing on the balcony than when viewed from the principal living areas. Photographs were taken when sitting on the lounge within the living room, standing at different points on the balcony and at a sitting position from the balcony. The unit is located on the 11th floor of the development and is centred within the building. The location of the building is on the southern-most point of the residential/mixed use section of Mascot Station Precinct.

3. Assessment of the extent of the impact

The photomontage that was provided by the applicant demonstrating the proposed modification to 6-8 John Street as well as 13A Church Avenue which currently has an application under assessment for additional height to the development has been provided to Council for assessment. The extent of impact has been assessed based on an image that has been provided to the applicant from the objector. In consideration of the image and the magnified nature of the assessment, a site inspection was carried out on site. It is evident that the city skyline is not as close as what the image had originally demonstrated and contained a greater expanse of the skyline in addition to other views that were to be considered.

At the most eastern point on the balcony, when standing, a view of Sydney Park as well as part of the city skyline is viewed. There is no view of Green Square or eastern Sydney. This is evident in Figure 2 below. The impact of the approved building will obstruct views to the eastern part of the skyline however is not considered that will block views to Sydney Tower. This goes for the proposed additional level, as the modified design will bring in the approved 10th level from the side western setback and centre the bulk to the top two storeys. The impact from the additional storey is not considered to impact the views at this elevation. Views to Sydney Park will be protected. An assessment of 13A Church Avenue which is to the north of the subject site will be considered individually in a separate application however it is anticipated that the impact to view loss is considerable compared to 6-8 John Street.

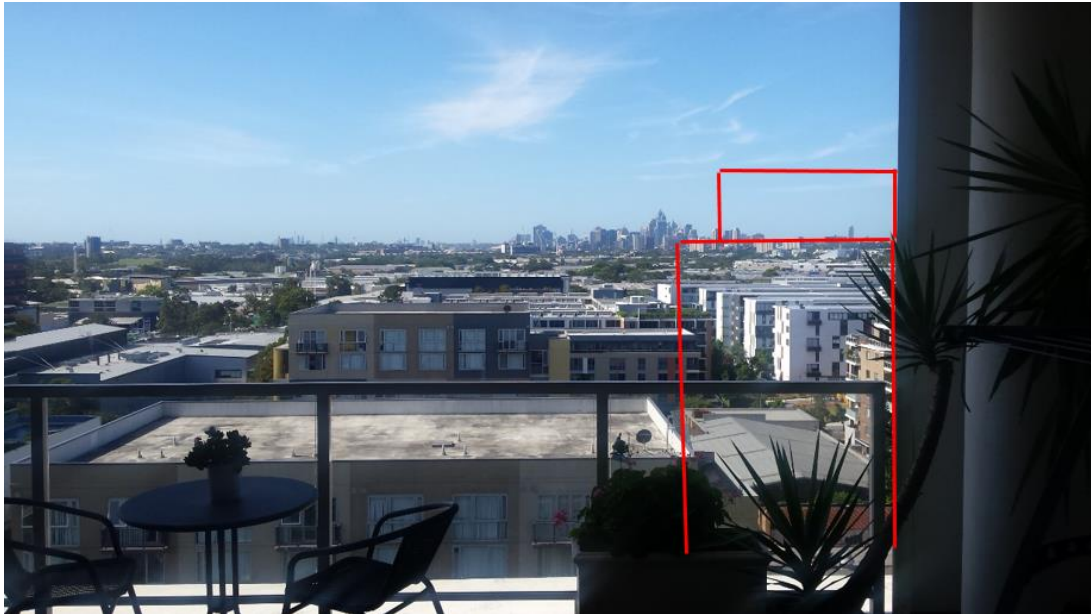


Figure 2. Most eastern point looking north from the balcony with approximate proposed built envelope

In Figures 3 and 4, when looking north from the centre and eastern side of the balcony, the view of the city skyline is considerable with a slight view of Sydney Park and Green Square. The angle when standing in the centre or on the western side of the balcony demonstrates that the impact of the proposed modification and the approved development will not significantly impact on the city skyline as it would standing on the eastern side of the balcony which would be approximately 50% of the skyline. Approximately 20% of the city skyline would be impacted from this angle therefore a majority of the city skyline will be preserved when considering 6-8 John Street only. Views of Green Square will not be protected. When sitting at all points on the balcony, the impact would be the same as when standing in the same locations. Slight hindrance from the glass balustrading (metal posts) may slightly obstruct depending on the height of the seating on the balcony.

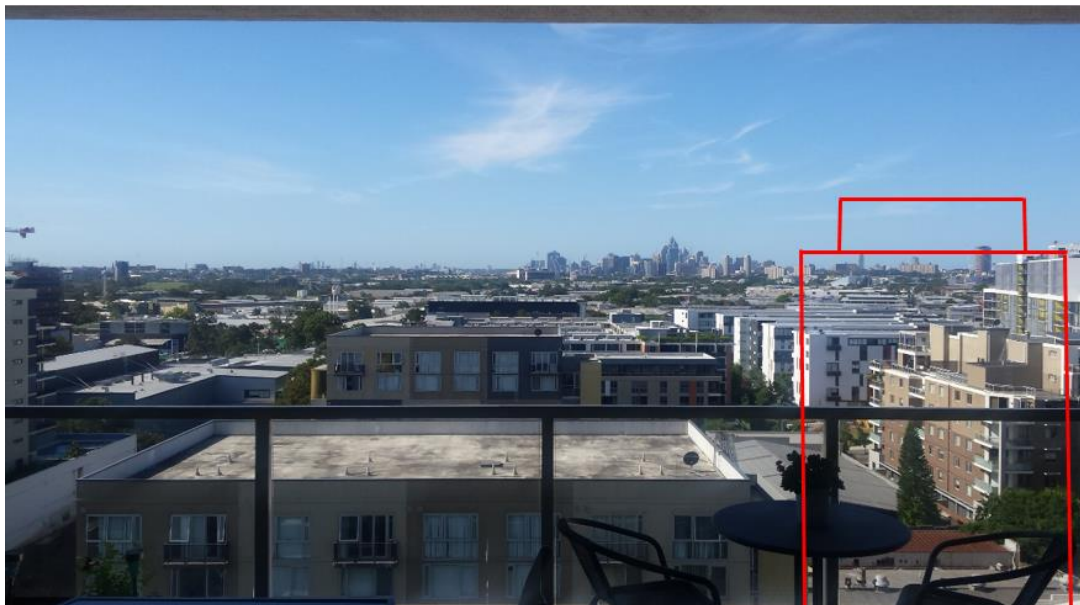


Figure 3. Looking north from the centre of the balcony with approximate proposed built envelope

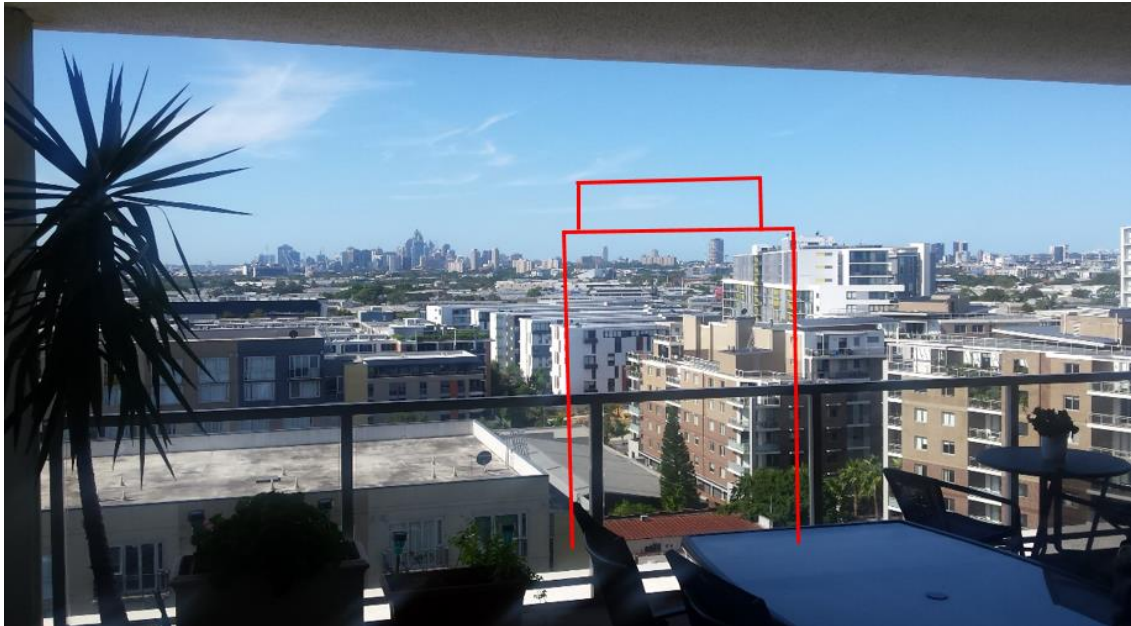


Figure 4. Looking north-east from the balcony with approximate proposed built envelope

An assessment of the view loss from the principal living areas is provided below. Figure 5 shows the current view when sitting on one of the lounges in the living area. The living area and kitchen are located on the western side of the unit, with the bedroom located on the eastern side of the unit. Consideration of the principal living areas and not the bedrooms is discussed. The photograph that was provided to the applicant was taken when sitting from the living room however the image has been magnified. The expanse of the city skyline is visible from the living room and from the kitchen areas. The preservation of the entire skyline is not possible due to the approved location and orientation of the development however the western portion of the city skyline will be maintained. As discussed above, the impact of the top two floors (including the new storey) will have less of an impact in regards to the expanse of view loss as these two levels have been set in greater from the side boundaries than what was originally approved. From this angle on the lounge, the view that is lost is predominately east Sydney and Green Square with a small portion of the city obstructed.



Figure 5. Current view when sitting on the western-most lounge within the living room

4. Assessment of the reasonableness of the proposal that is causing the impact

While it is considered that the photomontage that was provided by the applicant is inaccurate due to the magnification of the photo which does not show the true extent of the view that is considered and lost, an individual assessment of the views experienced demonstrates that there is no significant view loss of the city skyline from the proposed additional level at 6-8 John Street. As discussed in the original report, the height of the proposed modification will be increased by 2.53 metres to a maximum height of 37.63 metres. The proposed height is significantly lower than the maximum allowable height of 44 metres provided within the BBLEP 2013. It was envisaged that the maximum height allowable in the area is 13 to 14 storeys. It is acknowledged that the existing built form surrounding the subject site currently is 7-8 storeys however these sites have a large site area therefore the height and FSR have been dispersed while with the subject site, the site is relatively smaller and therefore the FSR has been dispersed through the storeys. The proposal is not dissimilar to the height of the approved/proposed developments at 13A Church Avenue and 27 Church Avenue which have heights of 13 storeys.

The owner of the unit that the assessment was carried out against is located along the southern most section of Mascot Station therefore it is anticipated that development will be carried out directly to the north of the site. The development directly to the north of the units at 214-220 Coward Street have already been developed at a maximum height of 7 storeys therefore the impact on view loss will not be as significant as a portion of the skyline will continue to be maintained and not completely be obliterated.

Additionally, the site is one of the last sites to be redeveloped therefore the height of the development, while not consistent with the sites to the east and west, is lower in height than the approved development at 13A Church Avenue which has a height of 12 storeys and the property to the south which has a maximum height of 14 storeys. Therefore, the site is not the only site that extends beyond the other developments in the immediate areas. The development at 13A Church Avenue has been approved with a higher height than the proposed development therefore will contribute to the view loss experienced at 214-220 Coward Street. While there may be slight loss of view to some of the units from Levels 11 and below, the proposed bulk and scale of the development has considered the surrounding amenity of existing development. Overall, the additional height is supportable due to the percentage of views that is lost from the additional level. An assessment of the applicants' discussion relating to view loss continues to apply from the original report.

2. Increase setback along the northern boundary

The Panel had concerns relating to the setbacks proposed to the northern boundary on Levels 1 to 3. The original proposal comprised of a northern setback between 4 metres to 5 metres. This did not comply with the building separation required under the ADG. The applicant has amended their design so that the balconies on Levels 1 to 3 now have a rear northern minimum setback of 6 metres to 7.5 metres. The setback for the habitable areas has also been amended so that there is a northern setback ranging from 6.1 metres to 10.16 metres.

The change in the setbacks resulted in minor changes to the configuration of six apartments within Levels 1 to 3 (Units 102, 103, 202, 203, 302 and 303). These units originally were all two bedroom units however the modifications have converted 3 out of the 6 units into 1 bedroom units. Therefore the total GFA and unit mix for the development has been altered.

The table below demonstrates the breakdown in GFA/FSR, unit mix and POS for the overall site.

	Approved	Originally Proposed	Amended
GFA	4,383.99sqm	4,401.02sqm	4,377.03sqm
FSR	3.9:1	3.92:1	3.9:1
Unit Mix	1 bed: 10/39 (25.6%) 2 bed: 29/39 (74%)	1 bed: 16/52 (31%) 2 bed: 34/52 (65%) 3 bed: 2/52 (4%)	1 bed: 19/52 (37%) 2 bed: 31/52 (60%) 3 bed: 2/52 (4%)
POS	1 bed: 20sqm 2 bed: 15sqm	1 bed: 8sqm 2 bed: 10sqm	1 bed: 8sqm 2 bed: 10sqm
Car Parking	70	55	No change

As demonstrated in the table, the modifications to the setbacks results in a reduction in the overall GFA and FSR to what was approved. The modification in the car parking does not alter the amount of car spaces required for the development and the POS continues to comply with the minimum POS required under the ADG. The modification results in an increase in the overall number of proposed 1 bedroom units from 31% to 37%. The justification provided within the original report relating to unit mix continues to stand with the proposed modifications. The result is a minor increase in one-bedroom units which is acceptable considering the location of the site to Mascot Station and the neighbouring commercial centre to the south of Coward Street. The original development was approved with a total of 10 x one-bedroom units and the amended proposal will have a total of 19 one-bedroom units. The additional units and the unit mix will not have a significant impact on the surrounding development.

All other issues relating to height and FSR have been addressed in the original report that was presented to the Planning Panel on 14 December 2017.

S.79C(1)(a)(iv) - Provisions of regulations

The proposed development is not inconsistent with the relevant provisions of the *Environmental Planning and Assessment Regulation 2000*.

S.79C(1)(b) - Likely Impacts of Development

The proposed modification relates to increase the number of residential apartments, reduce the number of car parking to align the proposal with the ADG, increase the height of the development by 2.53 metres and modifications to conditions, and as such, it is considered that the proposed amendments will have no significant adverse environmental, social or economic impacts on the locality. The original application addressed any impact to the natural and built form and the social and economic impact to the Botany area. The additional height in regard to view loss and the setbacks as amended has been considered in the report above. The proposed changes to the approved development will not result in a significant change to the intensity of the site, from that which was originally envisaged by Council in the approved development and the BDDCP 2013 controls. The proposal will reduce the overall FSR from what was originally approved.

S.79C(1)(c) - Suitability of the site

The proposed modifications do not alter previous conclusions regarding site suitability.

S.79C(1)(d) - Public Submissions

In accordance with Part 2 – Advertising & Notification of the Botany Bay Development Control Plan (BBDGP) 2013, the amended plans were re-notified to the objectors for a period of 7 days between 5 February to 12 February 2018. Two submissions were submitted regarding to the amended documentation. A summary of the issues that were raised in the submissions are provided below:

- *View loss analysis is incorrect*

Comment: The objection related to the view loss analysis that was re-notified. Concerns were raised regarding to the accuracy of the assessment particularly as a majority of the proposal fell outside the area of assessment. The northern aspect of the affected unit was raised and the proposed and approved height being inconsistent with the existing surrounding built form was considered. An assessment on the view loss against the four points raised within Tenacity Consulting vs Warringah Council were addressed above in the report.

- *The specific matter of view loss and sunlight is critical and is not sufficiently addressed in the revised plans*

Comment: The view loss of the development has been considered as stated above. In regards to the solar amenity and its impacts on the neighbouring developments, this was considered in the original application. The proposed modification does not alter the built form significantly therefore the solar analysis does not change. The additional storey is setback away from the sides of the building therefore any impact will not fall onto surrounding developments. Solar analysis onto the building itself has been considered in the original report.

- *Health and safety concerns relating to the development i.e. construction, asbestos*

Comment: Appropriate conditions have been imposed in the original consent relating to dilapidation reports, appropriate removal of asbestos from the site and general conditions relating to construction.

- *The number of car parking spaces is insufficient for this development*

Comment: The number of car parking spaces comply with the minimum requirement of car spaces specified within the ADG. The rate of 0.6 spaces for 1 bed, 0.9 spaces for 2 bed and 1.4 for 3 bed has been considered. The proposal also proposes a total of 7 visitor parking spaces the number of units generate. Therefore there is no shortfall in car parking.

- *The height should be no greater than the neighbouring blocks to be in keeping with the view sunlight issues as well as the contribution back to the community for green space, childcare and common areas*

Comment: The Mascot Station Precinct was subject to a masterplan and has a key site specific DCP (Part 9A) which specifies the key controls that are applicable for the area. The Botany Bay Local Environmental Plan 2013 sets the maximum height and floor space ratios for the site. The subject application is proposed considerably lower than the height that is prescribed for the site at 44 metres. The FSR proposed as part of these amendments is less than the FSR that has been approved. Part 9A of the BBDGP also goes into detail regarding to setbacks and car parking. In addition to the BBDGP 2013, the Apartment Design Guide sets out controls relating to setbacks, building separation, solar amenity and cross ventilation and a thorough assessment of these controls was carried out in the application.

The modified proposal complied with the majority of the controls that were relevant to the proposed modifications. Part 9A of the BBDCP 2013 does not allocate or specify that the subject site is required to contain public green space, public parks or a school. There have been key areas within the Mascot Station Precinct where public parks have been approved however have yet to be built. There is no requirement under the BBDCP 2013 to provide community facilities or active street frontages within this particular site. The site is subject to road widening therefore a portion of the site will be dedicated to Council to allow for the widening of John Street. Considering the size of the site, it is impractical to provide public open space and communal childcare. The site is in close proximity to the future Linear Park which will provide a large expanse of public open space. The site was approved with communal open space for its residents only.

S.79C(1)(e) - Public interest

The further modifications to the proposed amendments will have no significant adverse impact upon the public interest, streetscape or onto adjoining properties. Initially concerns relating to the height of the development in contrast to the surrounding approved residential flat buildings was considered in the original development application and the bulk of the approved development was in consideration to the size of the site and the inability for the applicant/owner to acquire the site to the north which remains isolated. The issue relating to view loss is considered to have been addressed as above and the changes to the setbacks have modified the overall GFA/FSR so that the development is below what was originally approved.

Section 94 Contributions

As stated previously, the s.94 contributions that had been previously calculated on the original proposal are to be maintained. These calculations were calculated under the Section 94 Contributions Plan 2005-2010. The additional units subject to this proposed modification has been calculated under the Section 94 Contributions Plan 2016 and a breakdown of the contributions is as follows:

PROPOSED	Proposed	Contribution per dwelling	Total payable
1 bed	9	\$9,645.44	\$86,808.94
2 bed	2	\$15,869.98	\$31,739.95
3 bed	2	\$20,740.15 (capped at \$20,000)	\$40,000.00
TOTAL	13		\$160,029.21

The condition has been modified to demonstrate the original and additional S.94 Contribution as above.

Conclusion

Amended plans requested by the Panel for Development Application No. 14/180/02 at 6-8 John Street, Mascot, have been considered and have addressed the Panels key concerns that were raised at the Panel meeting of 14 December 2017. The issues addressed above have been assessed and therefore, the development proposal is recommended for approval.

Attachment

Schedule 1 – Conditions of Consent

Premises: 6-8 John Street, Mascot

DA No: DA-14/180/02

SCHEDULE OF CONSENT CONDITIONS

1. The development is to be carried in accordance with the following plans and reference documentation listed below and endorsed with Council's stamp, except where amended by other conditions of this consent.

Drawing No.	Author	Date Received
DA01 Rev A B - Aerial 3D Modelling	Edifice Design Pty Ltd	Dated 21 July 2014; Received 5 August 2014 Dated 20 January 2017; Received 31 January 2017
DA02 Rev A- 3D Modelling		Dated 21 July 2014; Received 5 August 2014 Dated 20 January 2017; Received 31 January 2017
DA03 Rev A C - Site Analysis Plan		Dated 21 July 2014; Received 5 August 2014 Dated 23 January 2018; Received 23 January 2018
DA04 Rev A B - Design Concepts		Dated 21 July 2014; Received 5 August 2014 Dated 20 January 2017; Received 31 January 2017
DA05 Rev A B -Site Elevation and Site Section		Dated 21 July 2014; Received 5 August 2014 Dated 20 January 2017; Received 31 January 2017
DA06 Rev B F - Basement Level 2 Floor Plan		Dated 3 July 2015; Received 3 July 2015 Dated 23 January 2018; Received 23 January 2018
DA07 Rev A E - Basement Level 1 Floor Plan		Dated 3 July 2015; Received 3 July 2015 Dated 20 January 2017; Received 31 January 2017
DA08 Rev B E - Lower Ground Level (Car Park) Floor Plan		Dated 3 July 2015; Received 3 July 2015 Dated 20 January 2017; Received 31 January 2017
DA09 Rev B F - Ground Level (Podium) Floor Plan		Dated 3 July 2015; Received 3 July 2015

		<i>Dated 23 January 2018; Received 25 January 2018</i>
DA10 Rev B F -Level 1, 2, and 3 (Typical) Floor Plan		<i>Dated 3 July 2015; Received 3 July 2015 Dated 23 January 2018; Received 25 January 2018</i>
DA11 Rev A F - Level 4 Floor Plan		<i>Dated 21 July 2014; Received 5 August 2014 Dated 23 January 2018; Received 25 January 2018</i>
DA12 Rev B C -Level 5 Floor Plan		<i>Dated 3 July 2015; Received 3 July 2015 Dated 20 January 2017; Received 31 January 2017</i>
DA13 Rev B C - Level 6 Floor Plan		<i>Dated 3 July 2015; Received 3 July 2015 Dated 20 January 2017; Received 31 January 2017</i>
DA14 Rev B C - Level 7 Floor Plan		<i>Dated 3 July 2015; Received 3 July 2015 Dated 20 January 2017; Received 31 January 2017</i>
DA15 Rev A D - Level 8 Floor Plan		<i>Dated 21 July 2014; Received 5 August 2014 Dated 20 January 2017; Received 31 January 2017</i>
DA16 Rev B E - Level 9 Floor Plan		<i>Dated 3 July 2015; Received 3 July 2015 Dated 20 January 2017; Received 31 January 2017</i>
DA16a Rev C- Level 10 Floor Plan		<i>Dated 20 January 2017; Received 31 January 2017</i>
DA17 Rev A D - Roof Plan		<i>Dated 21 July 2014; Received 5 August 2014 Dated 23 January 2018; Received 25 January 2018</i>
DA18 Rev B E - South Elevation		<i>Dated 3 July 2015; Received 3 July 2015 Dated 20 January 2017; Received 31 January 2017</i>
DA19 Rev B F - East Elevation		<i>Dated 3 July 2015; Received 3 July 2015 Dated 23 January 2018; Received 25 January 2018</i>
DA20 Rev B F - North Elevation		<i>Dated 3 July 2015; Received 3 July 2015 Dated 23 January 2018; Received 25 January 2018</i>
DA21 Rev B F - West Elevation		<i>Dated 3 July 2015; Received 3 July 2015 Dated 23 January 2018; Received 25 January 2018</i>
DA22 Rev B F - Section A-A		<i>Dated 3 July 2015; Received 3 July 2015</i>

		<i>Dated 23 January 2018; Received 25 January 2018</i>
DA23 Rev A-C Section B-B		<i>Dated 21 July 2014; Received 5 August 2014 Dated 20 January 2017; Received 31 January 2017</i>
DA24 Rev B-D Section C-C		<i>Dated 3 July 2015; Received 3 July 2015 Dated 20 January 2017; Received 31 January 2017</i>
DA25 Rev B E Section D-D		<i>Dated 3 July 2015; Received 3 July 2015 Dated 23 January 2018; Received 25 January 2018</i>
DA26 Rev A B Schedule of Colour and Materials		<i>Dated 21 July 2014; Received 5 August 2014 Dated 20 January 2017; Received 31 January 2017</i>
DA27 Rev A C Calculation Plan Sheet 1		<i>Dated 21 July 2014; Received 5 August 2014 Dated 23 January 2018; Received 25 January 2018</i>
DA28 Rev A C Calculation Plan Sheet 2		<i>Dated 21 July 2014; Received 5 August 2014 Dated 23 January 2018; Received 25 January 2018</i>
DA43 Rev A - Demolition Plan		Dated 21 July 2014; Received 5 August 2014
L/01 Proposed Landscape Plan (Lower Ground)	A Total Concept Landscape Architects and Swimming Pool Designers	<i>Dated 11 June 2014; Received 5 August 2014 Dated 21 December 2016; Received 31 January 2017</i>
L/02 Proposed Landscape Plan (Ground/Podium)		
L/03 Proposed Landscape Plan (Level 4)		
L/04 Proposed Landscape Plan (Level 9)		
Ref: 30154- Survey Plan 1/2	Ballenden Surveyors	Dated 3 June 2013; Received 5 August 2014
Ref: 30154- Survey Plan 2/2		

(DA-14/180/02)

Reference Document Name	Author	Date Received
<i>Photomontage of view loss</i>	<i>Digital Line</i>	<i>Received 25 January 2018</i>

Statement of Environmental Effects	Damian O'Toole Town Planning Pty Ltd	Dated July 2014; Received 5 August 2014
Statement of Environmental Effects-s.96 application	Urbis	Dated 30 January 2017; Received 31 January 2017
Clause 4.6 Variation	-	Received 5 August 2014
BASIX Certificate No. 555575M-788903M	Planning and Infrastructure NSW Government Certified Energy	Dated 3 July 2014; Received 5 August 2014 Dated 13 January 2017; Received 31 January 2017
Disability Access Report	Cheung Access	Dated 23 July 2014; Received 5 August 2014 Dated 18 January 2017; Received 31 January 2017
Aircraft Noise Impact Assessment	Rodney Stevens Acoustics	Dated 4 July 2014; Received 5 August 2014
Acoustic Addendum letter	Rodney Stevens Acoustics	Dated 10 January 2017; Received 31 January 2017
SEPP 65 – Design Verification Statement	Edifice Design	Dated August 2014; Received 5 August 2014
Carpark, ramp and driveway certification of a proposed mixed use development – Version 1c	ML Traffic Engineers	Dated June 2014; Received 5 August 2014 Dated December 2016; Received 31 January 2017
Traffic Impact Assessment- Version 2a	ML Traffic Engineers	Dated July 2014; Received 5 August 2014 Dated December 2016; Received 31 January 2017
Detailed Site Investigation	ESP Environmental Safety Professionals	Dated May 2015; Received 29 May 2015
Preliminary Geotechnical Report	D Katauskas	Dated 8 July 2014; Received 5 August 2014
Registered Quantity Surveyors Cost Report	Washington Brown Quantity Surveyors	Dated 16 June 2014; Received 5 August 2014
Waste Management Plan	Edifice Design	Dated 1 August 2014; Received 5 August 2014

Pedestrian Wind Environment Statement, Ref No. WC024-01F02	Windtech Consultants Pty Ltd	Dated 20 June 2014; Received 5 August 2014
Building Code of Australia Compliance Assessment Report	Peter Dix	Dated 16 July 2014; Received 5 August 2014 Dated 19 January 2017; Received 31 January 2017
Travel Plan	ML Traffic Engineers	Dated December 2016; Received 31 January 2017

(DA-14/180/02)

2. This Consent relates to land in Lot 8 and 9 DP 939729, and as such, building works must not encroach on to adjoining lands or other public places, except as otherwise permitted by this consent.
3.
 - a) All building work must be carried out in accordance with the provisions of the Building Code of Australia;
 - b) All plumbing stacks, vent pipes and the like shall be kept within the building and suitably concealed from view. This Condition does not apply to the venting to atmosphere of the stack above roof level;
 - c) All air conditioning units shall be appropriately treated to ensure that they are concealed from view and compliant with Australian Standard AS1668.2;
 - d) The basement of the building must be designed and built so that on completion, the basement is a “fully tanked” structure, i.e. it is designed and built to prevent the entry of ground water / ground moisture into the inner parts of the basement car park;
 - e) The provision of disabled access throughout the development is required and shall be in compliance with the Building Code of Australia Part D3 “Access for People with Disabilities” and Australian Standard AS1428.1 (2001) – Design for Access and Mobility – Part 1 General Requirements for Access – Buildings. This requirement shall be reflected on the Construction Certificate plans; and
 - f) Windows located on the eastern and western elevation of the building are to comply with Part C3 of the BCA.
4. All costs associated with these development conditions shall be borne by the applicant. If, when actioning these conditions Council’s solicitor is required to act on behalf of Council, then Council’s solicitor’s fees and charges shall also be borne by the Applicant.
5. Pursuant to clause 97A(3) of the *Environmental Planning & Assessment Regulation 2000*, it is a condition of this development consent that all the commitments listed in the relevant BASIX Certificate No. ~~555575M~~ **788903M** dated ~~3 July 2014~~ **13 January 2017** and received ~~5 August 2014~~ **31 January 2017** for the development are fulfilled. **(DA-14/180/02)**

- 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.
 - b) BASIX Certificate has the meaning given to that term in the *Environmental Planning and Assessment Regulation 2000*.
6. The consent given does not imply that works can commence until such time that: -
- a) Detailed plans and specifications of the building have been endorsed with a Construction Certificate by: -
 - i) The consent authority; or,
 - ii) An accredited certifier; and,
 - b) The person having the benefit of the development consent: -
 - i) Has appointed a principal certifying authority; and,
 - ii) Has notified the consent authority and the Council (if the Council is not the consent authority) of the appointment; and,
 - iii) The person having the benefit of the development consent has given at least 2 days notice to the Council of the person's intention to commence the erection of the building.
7. An experienced Landscape Contractor shall be engaged to undertake all landscaping (site and public domain) work and shall be provided with a copy of both the approved landscape drawing and the conditions of approval to satisfactorily construct the landscape to Council requirements. The contractor shall be engaged weekly for a minimum period of 52 weeks from final completion of landscaping for maintenance and defects liability, replacing plants in the event of death, damage, theft or poor performance. After that time regular and ongoing maintenance is required.
8. To ensure satisfactory growth and maintenance of the landscaping, a fully automatic drip irrigation system is required in all landscaped areas. The system shall be installed by a qualified landscape contractor and provide full coverage of planted areas with no more than 300mm between drippers, automatic controllers and backflow prevention devices, and should be connected to a recycled water source. Irrigation shall comply with both Sydney Water and Council requirements as well as Australian Standards, and be maintained in effective working order at all times.
9. New street trees at the pot size specified shall be installed in accordance with the approved landscape plan. The trees shall be sourced from a reputable supplier that grows stock to the NATSPEC specifications. A Dial-Before-You-Dig enquiry is required prior to all planting - Council is not liable for any damage to subsurface infrastructure

during public domain works. Two hold point inspections are required: prior planting trees to ensure plant stock is suitable and post-planting.

10. Rigid polyethylene sheet type tree root barriers shall be installed alongside the kerb and footpath edge for all new street trees for a depth of 900mm, for 3 metres each side of the tree centre and shall be located 150mm inward of the footpath and kerb edge, or any other built element. Root deflectors/directors surrounding the rootball are not permissible. The Applicant is required to contact Council's Landscape Architect for an inspection of root barriers located within the public domain prior to backfilling and turfing.
11. Any sub-surface OSD tank or infiltration trench is required to be partially or wholly located underneath the driveway or paved areas to maximize the area available for deep soil, effective and site responsive tree planting and landscaping on the property. If this cannot be achieved the OSD shall cover no more than 50% of the landscape area, be appropriately located to allow effective tree planting and be constructed so that the top of the structure is 1.2m below final surface levels.
12. Planter boxes constructed over a concrete slab shall be built in accordance with the following requirements:
 - a) Ensure soil depths and dimensions in accordance with Council's DCP allowing a minimum soil depth of 1 metre to support trees. The base of the planter must be screeded to ensure drainage to a piped internal drainage outlet of minimum diameter 90mm, with no low points elsewhere in the planter. There are to be no external weep holes.
 - b) A concrete hob or haunch shall be constructed at the internal join between the sides and base of the planter to contain drainage to within the planter.
 - c) Planters are to be fully waterproofed and sealed internally with a proprietary sealing agent and applied by a qualified and experienced tradesman to eliminate water seepage and staining of the external face of the planter. All internal sealed finishes are to be sound and installed to manufacturer's directions prior to backfilling with soil. An inspection of the waterproofing and sealing of edges is required by the Certifier prior to backfilling with soil.
 - d) Drainage cell must be supplied to the base and sides of the planter to minimize damage to the waterproof seal during backfilling and facilitate drainage. Apply a proprietary brand filter fabric and backfill with an imported lightweight soil suitable for planter boxes compliant with AS 4419 and AS 3743. Install drip irrigation including to lawns.
 - e) Finish externally with a suitable paint, render or tile to co-ordinate with the colour schemes and finishes of the building.
13. It is a condition of approval that the Applicant must, at no cost or expense to Council:
 - a) Dedicate the portion of land for the purpose of John Street road widening. The areas of the land to be dedicated shall be the full length of John Street frontage of the development site and the width measuring from the centreline of John Street, a horizontal distance of 10 metres and as detailed in the Mascot Station Precinct Development Control Plan. The Plan of Dedication shall be lodged with Council prior to the issue of the Construction Certificate and registered with the Department of Lands prior to the issue of the Occupation Certificate. A copy of the registered document shall be submitted for record purposes;

- b) Upgrade the public domain by construction and reconstruction of road pavement, kerb and gutter, footpath, drainage system, street trees, landscaping and any associated works for the John Street frontage of the site at the applicant's expense. All improvements shall be in accordance with specifications and requirements from Council's landscape and engineering sections and the approved civil works shall be constructed and completed to Council's satisfaction prior to the issue of the Occupation Certificate;
- c) Replace all the existing above ground electricity and telecommunication cables to underground cables within the site and road reserve area fronting the site in accordance with the guidelines and requirements of the relevant utility authorities. The applicant shall bear all the cost of the construction and installation of the cables and any necessary adjustment works. These works and payments shall be completed prior to the issue of the Occupation Certificate;
- d) Construct the drainage system from the property to the existing pit in John Street. The construction shall include a new kerb inlet grated pit and all associated works within the road reserve area; and
- e) Provide appropriate and suitable street lighting to a high decorative standard to the street frontage of the site, so to provide safety and illumination for residents of the development and pedestrians in the area. All street lighting shall comply with relevant electricity authority guidelines and requirements.

CONDITIONS IMPOSED BY EXTERNAL AUTHORITIES

14. The following conditions imposed by Ausgrid are as follows:

- a) The developer is required to make a formal submission to Ausgrid by means of a duly completed Preliminary Enquiry and/ or Connection Application form, to allow Ausgrid to assess any impacts on its infrastructure and determine the electrical supply requirements for the development (eg. whether a substation is required on site).
- b) In general, works to be considered by Ausgrid include, but are not limited to, the following:
 - i) Changes in electrical load requirements
 - ii) Changes to Ausgrids infrastructure (ie. asset relocations, decommissioning substations etc.)
 - iii) Works affecting Ausgrids easements, leases and/ or right of ways
 - iv) Changing the gradients of any roads or paths
 - v) Changing the level of roads or foot paths
 - vi) Widening or narrowing of roads
 - vii) Closing roads or laneways to vehicles
 - viii) In all cases Ausgrid is to have 24 hour access to all its assets

- c) The developer is to ensure that the proposed works do not contravene Ausgrids technical standards and statutory requirements, in regards to the safe and reliable operation and maintenance of Ausgrid's network.

15. The following conditions imposed by Sydney Water are as follows:

Water

- a) The proposed development is located in the Mascot Station Urban Activation precinct;
- b) The 100mm drinking water main in John Street does not comply with the Water Supply Code of Australia (Sydney Water Edition- WSA 03-2002) requirement for minimum sized mains for the scope of development.
- c) The drinking water main needs to be amplified to a 200mm main from point 'A' to point 'B'.
- d) Detailed requirements will be provided at Section 73 phase.

Wastewater

- a) The proposed development is available to connect to the 225mm wastewater main located in John Street

Sydney Water E-Planning

- a) Sydney Water has an email address for planning authorities to submit statutory or strategic planning documents for review. The email address is urbangrowth@sydneywater.com.au.

Sydney Water Servicing

- a) A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water. Make an early application for the certificate, as there may be water and wastewater pipes to be built that can take some time. This can also impact on other services and buildings, driveways or landscape designs. Applications must be made through an authorised Water Servicing Coordinator. For help, either visit www.sydneywater.com.au > Plumbing, building and developing > Land development or telephone 132092.

16. The following conditions have been imposed by Sydney Airport Corporation Limited (SACL). The proposed development is to comply with the following requirements issued by (SACL) dated 4 November 2014. The conditions are as follows:

Height Restrictions

- a) The property development at 6-8 John Street Mascot, lies within an area defined in schedules of the Civil Aviation (Buildings Control) Regulation, which limit the height of structures to 50 feet (15.24 metres) above existing ground height (AEGH) without prior approval of the Civil Aviation Safety Authority;
- b) In this instance, Peter Bleasdale, an authorised person of the Civil Aviation Safety Authority (CASA), under Instrument Number: CASA 229/11 in the capacity as Airfield Design Manager has advised that he has "no objection to the erection of

the proposed development to a maximum height of ~~45.25~~ **47.78** metres above Australian Height Datum (AHD)”; (**DA-14/180/02**)

- c) The approved height is inclusive of all lift over-runs, vents, chimneys, aerials, TV antennae, construction cranes etc;
- d) Should you wish to exceed ~~45.25~~ **47.78** metres above Australian Height Datum (AHD), a new application must be submitted;
- e) Should the height of any temporary structure and/or equipment be greater than 50 feet (15.24 metres) above existing ground height (AEGH), a new approval must be sought in accordance with the *Civil Aviation (Buildings Control) Regulations Statutory Rules 1988*, No.161;
- f) Construction cranes may be required to operate at a height significantly higher than that of the proposed controlled activity and consequently, may not be approved under the Airports (Protection of Airspace) Regulations;
- g) SACL advises that approval to operate construction equipment (i.e. cranes) should be obtained prior to any commitment to construct;
- h) Information required by Sydney Airport prior to any approval is to include:
 - i) the location of any temporary structure or equipment, i.e. construction cranes, planned to be used during construction relative to Mapping Grid of Australia 1994;
 - ii) the swing circle of any temporary structure/equipment used during construction;
 - iii) the maximum height, relative to Australian Height Datum (AHD), of any temporary structure or equipment i.e. construction cranes, intended to be used in the erection of the proposed structure/activity;
 - iv) the period of the proposed operation (i.e. construction cranes) and desired operating hours for any temporary structures.
- i) Any application for approval containing the above information, should be submitted to SACL at least 35 days prior to commencement of works in accordance with the *Airports (Protection of Airspace) Regulations Statutory Rules 1996*, No.293, which now apply to this Airport;
- j) Under Section 186 of the *Airports Act 1996*, it is an offence not to give information to the Airport Operator that is relevant to a proposed “controlled activity” and is punishable by up to 50 penalty units;
- k) The height of the prescribed airspace at the site is approximately 51.0 metres above Australian Height Datum (AHD). In accordance with Regulation 9 of the *Airports (Protection of Airspace) Regulations Statutory Rules 1996*, No. 293, “a thing to be used in erecting the building, structure or thing would, during the erection of the building, structure or thing, intrude into PANS OPS airspace for the Airport, cannot be approved.”

Bird and Obstacle Hazard Management

- l) To minimise the potential for bird habitation and roosting, the applicant must ensure that non-bird attracting plant species are used in any landscape design;
- m) Any landscaping design must minimise the attractiveness for foraging birds i.e. site is kept clean regularly, refuse bins are covered, and detention ponds are netted.
- n) All trees to be planted shall not be capable of intruding in to the Obstacle Limitation Surface when mature.

Planning for Aircraft Noise and Public Safety Zones

- o) Current planning provisions (s. 117 Direction 3.5 NSW Environmental Planning and Assessment Act 1979) for the assessment of aircraft noise for certain land uses are based on the Australian Noise Exposure Forecast (ANEF). The current ANEF for which Council may use as the land use planning and for Sydney Airport was endorsed by Air services Australia on 13 March 2009 (Sydney Airport 2029 ANEF).
- p) Whilst there are currently no national aviation standards relating to defining public safety areas beyond the airport boundary, it is recommended that proposed land uses which have high population densities should be avoided.

17. The following conditions are imposed by the NSW Office of Water and must be complied with:

General

- a) An authorisation shall be obtained from NSW Office of Water for the take of groundwater as part of the activity. Groundwater shall not be pumped or extracted for any purpose other than temporary construction dewatering at the site identified in the development application. The authorisation shall be subject to a currency period of 12 months from the date of issue and will be limited to the volume of groundwater take identified in the authorisation.
- b) The design and construction of the building must prevent any take of groundwater after the authorisation has lapsed by making any below-ground levels that may be in contact with groundwater watertight for the anticipated life of the building. Waterproofing of below-ground levels must be sufficiently extensive to incorporate adequate provision for reasonably foreseeable high water table elevations to prevent potential future inundation.
- c) Construction methods and material used in and for construction shall be designed to account for the likely range of salinity and pollutants which may be dissolved in groundwater, and shall not themselves cause pollution of the groundwater.

Prior to excavation

- d) Measurements of groundwater levels beneath the site from a minimum of three monitoring bores shall be taken. These measurements should be included in a report provided to the NSW Office of Water in support of the dewatering licence application, along with a schedule and indicative level predictions for the proposed ongoing water level monitoring from the date of consent until at least two months after the cessation of pumping shall be included in the report.

- e) An acid sulfate soil management plan shall be produced in accordance with the ASSMAC Guidelines manual to adequately address any likely risk from the proposal with respect to the disturbance these soils and provided to the NSW Office of Water in support of the dewatering licence application.
- f) A reasonable estimate of the total volume of groundwater to be extracted shall be calculated and a report provided to the NSW Office of Water. Details of the parameters (e.g. permeability predicted by slug-testing, pump-testing or other means) and calculation method shall be included in the report submitted to the NSW Office of Water in support of the dewatering licence.
- g) A copy of a valid development consent for the project shall be provided in the report to the NSW Office of Water.
- h) Groundwater quality testing shall be conducted on a suitable number of samples using a suitable suite of analytes and completed by a NATA-certified laboratory, with the results collated and certificates appended to a report supplied to the NSW Office of Water. Samples must be taken prior to the substantial commencement of dewatering, and a schedule of the ongoing testing throughout the dewatering activity shall be included in the report. Collection and testing and interpretation of results must be done by suitably qualified persons and NATA certified laboratory identifying the presence of any contaminants and comparison of the data against accepted water quality objectives or criteria.
- i) The method of disposal of pumped water shall be nominated (i.e. reinjection, drainage to the stormwater system or discharge to sewer) and a copy of the written permission from the relevant controlling authority shall be provided to the NSW Office of Water. The disposal of any contaminated pumped groundwater (sometimes referred to as "tailwater") must comply with the provisions of the *Protection of the Environment Operations Act 1997* and any requirements of the relevant controlling authority.
- j) Contaminated groundwater (i.e. above appropriate NEPM 2013 investigation thresholds) shall not be reinjected into any aquifer without the specific authorisation of the NSW Environment Protection Authority (any such discharge would be regulated through a licence issued under the *Protection of the Environment Operations Act 1997* [POEO Act]). The reinjection system design and treatment methods to remove contaminants shall be nominated and a report provided to the NSW Office of Water. The quality of any pumped water that is to be reinjected must be compatible with, or improve the intrinsic or ambient groundwater in the vicinity of the reinjection site.

During excavation

- k) Engineering measures designed to transfer groundwater around the basement shall be incorporated into the basement construction to prevent the completed infrastructure from restricting pre-existing groundwater flows.
- l) Piping, piling or other structures used in the management of pumped groundwater shall not create a flooding hazard. Control of pumped groundwater is to be maintained at all times during dewatering to prevent unregulated off-site discharge.
- m) Measurement and monitoring arrangements to the satisfaction of the NSW Office of Water are to be implemented. Monthly records of the volumes of all groundwater

pumped and the quality of any water discharged are to be kept and a report provided to the NSW Office of Water after dewatering has ceased. Daily records of groundwater levels are to be kept and a report provided to the NSW Office of Water after dewatering has ceased.

- n) Pumped groundwater shall not be allowed to discharge off-site (e.g. stormwater system, sewerage system, etc) without the controlling authorities approval and/or owners consent. The pH of discharge water shall be managed to be between 6.5 and 8.5. The requirements of any other approval for the discharge of pumped groundwater shall be complied with.
- o) Dewatering shall be undertaken in accordance with groundwater-related management plans applicable to the excavation site. The requirements of any management plan (such as acid sulfate soils management plan or remediation action plan) shall not be compromised by the dewatering activity.
- p) The location and construction of groundwater extraction works that are abandoned are to be recorded and a report provided to the NSW Office of Water after dewatering has ceased. The method of abandonment is to be identified in the documentation.
- q) Access to groundwater management works used in the activity is to be provided to permit inspection when required by the NSW Office of Water under appropriate safety procedures.

Following excavation

- r) All monitoring records must be provided to the NSW Office of Water after the required monitoring period has ended together with a detailed interpreted hydrogeological report identifying all actual resource and third party impacts.
18. The following conditions are imposed by the NSW Police and must be complied with. The conditions are outlined as follows, and relevant details shall be included in the plans and documentation submitted with the Construction Certificate:
- a) Passive Surveillance
 - i) As the proposed development may be exposed to Break Enter and Steals, Stealing, Steal from persons, Malicious Damage and Steal from Motor Vehicle offences, a closed circuit television system (CCTV) which complies with the Australian Standard — Closed Circuit Television System (CCTV) AS:4806:2006 needs to be implemented to receive, hold or process data for the identification of people involved in anti-social or criminal behaviour. The system is obliged to conform with Federal, State or Territory Privacy and Surveillance Legislation.
 - ii) This system should consist of surveillance cameras strategically located in and around the development to provide maximum surveillance coverage of the area, particularly in areas which are difficult to supervise.
 - 1 Cameras should be strategically mounted outside the development buildings and within the car parking areas to monitor activity within these areas.

- 2 One or more cameras should be positioned at the entry and exit points to monitor these areas (underground car park, foyer entrance).
- iii) Lighting (lux) levels for this development must be commensurate with a medium crime risk identified in this evaluation. The emphasis should be on installing low glare/high uniformity lighting levels in line with Australian Standard AS:1158.

CONDITIONS WHICH MUST BE SATISFIED PRIOR TO THE ISSUE OF THE SUBDIVISION CERTIFICATE

19. Where not already provided, a Section 73 Certificate under the Sydney Water Act 1994 must be obtained prior to the issue of the Subdivision Certificate. Application must be made through an authorised Water Servicing Coordinator. Please refer to “Your Business” section of Sydney Water’s website as www.sydneywater.com.au then “e-develop” icon or telephone 132092.

Following application a “Notice of requirements” will detail 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 the linen plan or occupation of the development.

20. Prior to the issue of Subdivision Certificate, a Certificate of Survey from a Registered Surveyor shall be submitted to the Principal Certifying Authority showing all the structures are wholly located within the property boundary.

21.

- a) Positive Covenant and Restriction on Use of the land shall be created to all proposed lots to ensure that car parking for the residential part is not to be to sublet or used for any other purposes;
- b) Additional Easements benefiting the proposed townhouse allotments shall be created pursuant to Section 88B of the Conveyancing Act 1919, that provide direct access to the basement lifts, garbage rooms, car wash bays, building services and fire exits.

22. In order to ensure that the required on-site detention system will be adequately maintained, Positive Covenant and Restriction on the Use of Land on the Title under Section 88B of the Conveyancing Act 1919 shall be created in favour of Council as the benefiting authority for the as-built on-site detention system on proposed Lots 1, 2 and 3.

23. A copy of the Building Management Statement and By-Laws for each of the proposed lots shall be submitted to Council for approval prior to the issue of the Subdivision Certificate. The Building Management Statement and By-Laws shall address all conditions associated with the ongoing use of the development within this consent and include:

- a) Responsibilities with regard to the ongoing maintenance of the building and landscaped areas at the property in accordance with the plans and details approved under this Development Consent;

- b) Responsibilities with regard to the maintenance of artificial features at the property in accordance with the plans and details approved under this Development Consent;
- c) Responsibilities regarding the maintenance of the car wash bay the Owners Corporation / building owner;
- d) Responsibilities for ensuring owners and/or tenants have adequate and hygienic waste sterile, disposal and collection arrangements and for ensuring the waste storage area is appropriately maintained and kept in a clean and safe state at all times;
- e) Responsibilities to ensure that receptacles for the removal of waste, recycling etc. are put out for collection between 4.00pm and 7.00pm the day prior to collection, and, on the day of collection, being the day following, returned to the premises before 12.00 noon;
- f) The Owners Corporation/Executive Committee obligations under clauses 177, 182, 183, 184, 185 and 186 of the Environmental Planning and Assessment Regulation 2000;
- g) Responsibilities to ensure that wastewater and stormwater treatment devices (including drainage systems, sumps and traps) are regularly maintained in order to remain effective. All solid and liquid wastes collected from the devices shall be disposed of in a manner that does not pollute waters and in accordance with the Protection of the Environment Operations Act 1997;
- h) The linen plan must include details of any easements, encroachments, rights of way, including right of footway, restriction as to user or positive covenants and include a Section 88B Instrument under the *Conveyancing Act, 1919*. Council is to be nominated as the only authority permitted to release, vary or modify any easements, encroachments, rights of way, restriction as to user or positive covenants;
- i) A graffiti management plan for the removal of graffiti and similar vandalism within seven (7) days of its occurrence and surface re-instatement;
- j) The stormwater drainage system (including all pits, pipes, absorption, detention structures, treatment devices, infiltration systems and rainwater tanks) shall be regularly cleaned, maintained and repaired to ensure the efficient operation of the system from time to time and at all times. The system shall be inspected after every rainfall event to remove any blockage, silt, debris, sludge and the like in the system. All solid and liquid waste that is collected during maintenance shall be disposed of in a manner that complies with the appropriate Environmental Guidelines;
- k) CCTV surveillance of all public areas within the development site; and
- l) Maintenance of inbuilt acoustic measures for aircraft noise.
- m) The Owners Corporation/Executive Committee obligations to ensure the ongoing maintenance of traffic light system and any repair works needed will be required to be carried out as soon as possible.

24. Consolidation of Lot 8 and 9 DP 939729 into one (1) allotment.

CONDITIONS WHICH MUST BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE FOR EXCAVATION AND BUILDING WORKS

25. Prior to the release of the Construction Certificate the required Long Service Levy payable under Section 34 of the Building and Construction Industry Long Service payments Act 1986 must be paid. The Long Service Levy is payable at 0.35% of the total cost of the development, however, this is a State Government fee and can change without notice.
26. The applicant must, prior to the issue of the Construction Certificate, pay the following fees:
- a) Builders Security Deposit \$102,000.00;
 - b) Development Control \$5,000.00;
 - c) Waste Levy \$2,000.00;
 - d) Section 94 Contributions \$556,009.00
 - e) ***Section 94 Contributions for additional units \$160,029.21 (DA-14/180/02)***
27. The City of Botany Bay being satisfied that the proposed development will increase the demand for public amenities within the area, and in accordance with Council's Section 94 Contributions Plans listed below a contribution of **\$556,009.00** is required to be paid to Council prior to the release of the Construction Certificate.

The above is broken down as follows:

Section 94 Development Contributions Plan 2005-2010

Residential

Community Facilities:	\$133,872.00
Open Space and Recreation:	\$142,979.00
Administration:	\$4,748.00
Transport:	\$61,342.00
Section 94 2005/2010 Total	\$342,941.00

Mascot Station Precinct Plan

2 x Studio, 8 x One Bedroom, 29 x Two Bedroom	\$213,068.00
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Grand total \$556,009.00

Note: The Section 94 Contribution fees are subject to annual review and the current rates are applicable for the financial year in which your consent is granted. If you pay the contribution in a later financial year you will be required to pay the fees applicable at that time.

An additional contribution rate of \$160,029.21 for DA-14/180/02 under the Botany Bay Section 94 Contributions Plan 2016 is required (as indexed February 2018). The breakdown of the contribution is as follows:

a) <i>Community Facilities</i>	<i>\$24,603.46</i>
b) <i>Recreation Facilities- Mascot Precinct</i>	<i>\$2,496.19</i>

c) Recreation Facilities- Citywide	\$106,872.44
d) Transport Management- Citywide	\$10,069.79
e) Transport Management- Mascot	\$14,153.75
f) Administration	\$1,833.57

(DA-14/180/02)

28. Plans submitted with the Construction Certificate shall demonstrate compliance with the following:

a) All residential unit sizes excluding balconies as a minimum must be as follows:

- i) Studio = ~~60m²~~ **35m²**
- ii) 1 bedroom = ~~75m²~~ **50m²**
- iii) 2 bedroom = ~~100m²~~ **70m²**
- iv) 3 Bedroom = ~~130m²~~ **90m²**

(DA-14/180/02)

29. All plumbing stacks, vent pipes and the like shall be kept within the building and suitably concealed from view. This condition does not apply to the venting to atmosphere of the stack above roof level. Details shall be submitted to the Principal Certifying Authority prior to issue of the Construction Certificate.

30. The applicant is to submit payment for a Tree Preservation Bond of \$1500 to ensure protection of two (2) Council street trees (*Corymbia maculata*) in the nature strip either side of 6-8 John Street from damage during construction. The duration of the Bond shall be limited to a period of 24 months after issue of the Occupation Certificate. At the completion of the 24 month period the Tree Preservation Bond shall be refunded pending a satisfactory inspection by a qualified Arborist and a report to Council. If a tree was found to be in decline, damaged (including roots), dead or pruned without Council permission or, if tree protection measures were not satisfied at any time during construction, then Council will forfeit all, or part thereof, of the bond. The Tree Preservation Bond was calculated using the Thyer Tree Evaluation method.

31. Fire booster assemblies and electrical kiosks are to be housed within the building structure. All above-ground utilities must be appropriately sited and located in unobtrusive locations away from pedestrian entrances to the site and public spaces. These items reduce the visual amenity of the development, public spaces or the public domain. The location of these utilities is to be approved by Council's Landscape Architect prior to their installation

32. The Landscape Concept Plan by *A Total Concept* (Drawings L/01 to L/04, dated ~~11/06/2014~~ **(21/12/2016)**) shall be submitted to and approved by the City of Botany Bay Council Landscape Architect prior to Issue of Construction Certificate. The landscape documentation is to be prepared by a suitably qualified Landscape Architect, in accordance with Council's Landscape DCP and include the following amendments: **(DA-14/180/02)**

- a) Substitute *Banksia* 'Birthday Candles' within communal areas on the podium plan (drawing #L/02) for *Hymenosporum flavum* 75L pot size, to provide improved amelioration of the development.
 - b) Substitute 1 x *Magnolia* 'Little Gem' beside the wall within the garden bed on the western side of the podium level communal area (Drawing #L/02) with 2 x *Waterhousia floribunda* 'Sweeper' to provide a taller screen to the adjacent building façade and improve amenity to the communal area.
 - c) Substitute *Melaleuca* 'Claret Top' within communal areas on the podium plan (drawing #L/02) for *Metrosideros cultivars* 25L pot size, to provide a more layered landscape and improve amenity within the communal area.
 - d) Substitute 6 x *Melaleuca* 'Claret Top' within landscaped areas on the ground floor plan near the proposed hydrant booster (drawing #L/01) for 3 x *Eleocarpus eumundi* 75L pot size under planted with 8 x *Liriope* 'Evergreen Giant' 2.5L pot size, to provide more effective amelioration of the building and improve amenity to the streetscape.
 - e) Substitute 7 x *Dracaena marginata* in the south eastern corner of the site (drawing #L/01) for 5 x *Eleocarpus reticulatus* 75L pot size to provide improved amelioration of the building and amenity to the streetscape.
 - f) A planting plan at 1:100 showing all plant locations/groupings and plant centres/species. Increase planting densities of ground covers and shrubs. Incorporate additional medium to large shrubs within landscape areas to ensure there is a dense layered planting scheme consisting of trees, shrubs and groundcovers in all landscape areas.
 - g) Include elevated planter box sectional details and drainage details. All planter box depths and dimensions shall be in accordance with Council's DCP and capable of supporting medium to large trees.
 - h) Include detailed site sections through communal open space, showing the relationship of the basement structure on soil depths and level changes.
 - i) Indicate areas of paving, amenity/pedestrian lighting, furniture and fences. Include a schedule of materials.
 - j) Indicate the method of irrigation to communal areas. i.e. recycled or potable.
 - k) Indicate the location of all basement structures relative to the landscape areas.
 - l) Indicate existing trees in the John Street nature-strip and vegetation along the western boundary of property No. 3-9 Church avenue to be retained and protected on plans.
33. A Public Domain Landscape Plan is required for John Street. The plan shall be submitted to and approved by the City of Botany Bay Council Landscape Architect prior to Issue of Construction Certificate. The landscape plan shall include the following amendments:
- a) Treatment of the nature strip and footpath to CoBB specification (Mascot Station Precinct, John Street JOHN RW/SS1 – REV 3). Location of any above ground electrical pillars needs to be considered and shown on plan.

- b) Four (4) *Corymbia maculata* (Spotted Gum) tree, pot size 400 litre, shall be installed in the John Street turf nature strip.
34. An Erosion and Sediment Soil and Water Management Plan (ESCP) shall be prepared in accordance with the Landcom *Managing Urban Stormwater – Soils and Construction* 4th Edition (2004) and submitted to the Principal Certifying Authority prior to the release of any Construction Certificate. This plan shall be implemented prior to commencement of any site works or activities. All controls in the plan shall be maintained at all times during the construction works. A copy of the ESCP shall be kept on-site at all times and made available to Council Officers on request.
35. Prior to the issue of the Construction Certificate, the measures required in the acoustical assessment report prepared by Rodney Stevens Acoustics, dated 4 July 2014 shall be undertaken in accordance with the provisions of AS 2021 – 2000: Acoustics - Aircraft Noise Intrusion - Building Siting and Construction to establish components of construction to achieve indoor design sound levels in accordance with Table 3.3 of AS2021 – 2000 shall be incorporated into the construction of the building.
36. A sufficient area shall be provided onsite to enable separate stockpiling of excavated materials for sampling and analysis prior to removal or reuse on site. Details of this area shall be provided in the Erosion and Sediment Control Plan (ESCP) prior to the release of any construction certificate. This plan shall incorporate and reference the construction environmental management plan and address site limitations.
37. An Acid Sulfate Soils Management Plan, that has been prepared by a suitably qualified and experienced environmental/geotechnical consultant, shall be submitted to the Principal Certifying Authority (and the Council if the Council is not the Principal Certifying Authority) prior to the issue of any Construction Certificate. This plan shall include any site specific procedures and mitigation measures required and shall include a site analysis from a NATA registered laboratory. The plan shall provide details of the following:
- a) Site specific mitigation measures to both minimise the disturbance of acid sulfate soils as well as any measures relating to acid generation and acid neutralisation of the soil;
 - b) Management of acid sulfate affected excavated material;
 - c) Measures taken to neutralise the acidity of any acid sulfate affected material; and
 - d) Run-off control measures for the acid sulfate affected soil.
- This report shall be provided prior to the issue of any construction certificate and all recommendations of the report shall be implemented during works on site.
38. Prior to the issue of any Construction Certificate, the applicant shall lodge a Damage Deposit of **\$102,000.00** (GST Exempt) by way of cash deposit or unconditional bank guarantee to Council against possible damage to Council's asset during the course of the building works. The deposit will be refunded subject to inspection by Council 12 months after the completion of all works relating to the proposed development and Final Occupational Certificate has been issued.
39. Prior to the issue of any Construction Certificate, at the proposed point of construction site entry, photographic survey showing the existing conditions of Council's and RMS infrastructure shall be submitted to Council and Principal Certifying Authority. The survey

shall detail the physical conditions and identify any existing damages to the roads, kerbs, gutters, footpaths, driveways, street trees, street signs and any other Council assets fronting the property and extending to a distance of 50m from the development. Failure to do so may result in the applicant/developer being liable for any construction related damages to these assets. Any damage to Council's infrastructure during the course of this development shall be restored at the applicant's cost.

40. A Construction Management Program shall be submitted to, and approved in writing by the Council prior to the issue of a Construction Certificate. The program shall detail:

- a) The proposed method of access to and egress from the site for construction vehicles, including access routes through the Council area and the location and type of temporary vehicular crossing for the purpose of minimising traffic congestion and noise in the area, with no access across public parks or public reserves being allowed,
- b) The proposed phases of construction works on the site and the expected duration of each construction phase,
- c) The proposed order in which works on the site will be undertaken, and the method statements on how various stages of construction will be undertaken,
- d) The proposed manner in which adjoining property owners will be kept advised of the timeframes for completion of each phase of development/construction process,
- e) The proposed method of loading and unloading excavation and construction machinery, excavation and building materials, formwork and the erection of any part of the structure within the site. Wherever possible mobile cranes should be located wholly within the site,
- f) The proposed areas within the site to be used for the storage of excavated materials, construction materials and waste containers during the construction period,
- g) The proposed method/device to remove loose material from all vehicles and/or machinery before entering the road reserve, any run-off from the washing down of vehicles shall be directed to the sediment control system within the site,
- h) 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 and certified by an Accredited Certifier (Structural Engineering), or equivalent,
- i) Proposed protection for Council and adjoining properties, and
- j) The location and operation of any on site crane. Please note that a crane may require prior approval from Sydney Airports Corporation.

The location of any Construction Zone (if required) approved by Council's Traffic Committee, including a copy of that approval.

41. A detailed Traffic Management Plan for the pedestrian and traffic management of the site during construction shall be prepared and submitted to the relevant road authority (Council or Roads and Maritime Services) for approval. The plan shall:

- a) be prepared by a RMS accredited consultant,
- b) nominate a contact person who is to have authority without reference to other persons to comply with instructions issued by Council's Traffic Engineer or the Police,
- c) if required, implement a public information campaign to inform any road changes well in advance of each change. The campaign may be required to be approved by the Traffic Committee

Note: Any temporary road closure shall be confined to weekends and off-peak hour times and is subject to Council's Traffic Engineer's approval. Prior to implementation of any road closure during construction, Council shall be advised of these changes and Traffic Control Plans shall be submitted to Council for approval. This Plan shall include times and dates of changes, measures, signage, road markings and any temporary traffic control measures.

42. Prior to the release of the Construction Certificate, the following required section(s) are to be submitted to and approved by Council:
 - a) All driveways/access ramps/vehicular crossings shall conform with Australian Standards AS 2890.1 and Council requirements including but not limited to Section 8(v) of the DCP Stormwater Management Technical Guidelines,
 - b) A minimum of one (1), 3.5m wide carwash bay with the appropriate drainage systems shall be provided for resident use,
 - c) A traffic control system shall be installed on all ramps between car park levels. It should include stop-go traffic light features and all associated infrastructure, and
 - d) For multi-unit developments, the applicant shall provide longitudinal sections along the extremities and the centre line of each internal driveway/access ramp at a scale of 1:25. These long sections shall extend from the horizontal parking area within the property to the centre line of the roadway. The sections shall also show the clear height from the ramp to any overhead structure.
43. Prior to the release of the Construction Certificate, the following required section(s) are to be submitted to and approved by Council:
 - a) Disabled car parking spaces shall be provided and clearly marked as per the Traffic & Parking Impact Assessment report by ML Traffic Engineers, dated **July 2014 December 2016**, Australian Standards AS 2890.6, SEPP 65 Design Code and Council requirements, and **(DA-14/180/02)**
 - b) All off street disabled parking shall have access to the adjacent road(s) and to the communal open space as per Australian Standards AS 2890.6 and Council requirements.
44. Prior to the release of the Construction Certificate, a plan (written and/or diagrammatic) shall be submitted and approved by the Engineering and Regulatory Services Department, showing the method of access of building materials and plant to the property, and storage location on the property during construction and shall include all existing structures.

45. Prior to the issue of any Construction Certificate, the applicant shall contact “Dial Before You Dig” to obtain a utility service diagram for, and adjacent to the property. The sequence number obtained from “Dial Before You Dig” shall be forwarded to Principal Certifying Authority. All utilities within the work zone shall be protected during construction. Any adjustments or damage to public utilities/services as a consequence of the development and associated construction works shall be restored or repaired at the applicant’s expense.
46. Prior to issue of any Construction Certificate, a Dilapidation Report of the immediate adjoining properties and public infrastructure (including Council and public utility infrastructure) shall be prepared by a Practising Structural / Geotechnical Engineer and submitted to Council. The report shall include records and photographs of the following area that will be impacted by the development.

- a) All properties immediately adjoining the site;
- b) John Street

The applicant shall bear the cost of all restoration works to buildings/ structures and public infrastructure that been damaged during the course the demolition, site clearing and site remediation works. Any damage to buildings/structures, infrastructures, roads, lawns, trees, gardens and the like shall be fully rectified by the applicant/developer, at the applicant/developer’s expense. In addition, the following issues shall also be complied with: -

- c) A copy of the dilapidation report together with the accompanying photographs shall also be given to all immediately adjoining properties owners and public utility authorities, and a copy lodged with Principal Certifying Authority and the Council. The report shall be agreed by all affected parties as a fair record of existing conditions prior to commencement of any works.
- d) A second Dilapidation Report, including a photographic survey shall then be submitted at least one month after the completion of construction works. A copy of the second dilapidation report together with the accompanying photographs shall be given to Council, public utilities authorities and all immediate adjoining properties owners, and a copy lodged with Principal Certifying Authority.
- e) Any damage to buildings, structures, public infrastructure, lawns, trees, gardens and the like shall be fully rectified by the applicant or owner of the development, at no cost to Council and the affected property owner. The applicant or owner of the development shall bear the cost of all restoration works to any damage during the course of this development.
- f) It is a condition of consent that should construction works cause rise to public safety and/or workplace safety; works shall halt until absolute safety is restored.

(Note: Prior to commencement of the surveys, the applicant/ owner of the development shall advise (in writing) all property owners of buildings to be surveyed of what the survey will entail and of the process for making a claim regarding property damage. A copy of this information shall be submitted to Council.)

47. Prior to issue of any Construction Certificate, the applicant shall lodge a further Development Application to Council for the civil works associated with the development to be carried out in public domain area (including road reserve area). Details of the civil works shall be submitted to Council as part of the documentation of Development

Application and all costs associated with the design and construction shall be borne by the applicant. The civil works in public domain area shall include the following: -

- a) Replace the existing above ground electricity and telecommunication cables in John Street fronting the site and Lot 8 and 9 DP 939729, with underground cables to relevant authorities requirements;
- b) Design and construct kerb and gutter for the full John Street frontage of the site after the dedication of road;
- c) Design and reconstruct road pavement directly in front of the site along the John Street frontage. The area of construction shall extend from the lip of the new kerb and gutter to the centreline of the road;
- d) Design and construct footpath paving and the landscaping in the road reserve area for the John Street frontages in accordance with the current Council's approved public domain landscape plans;
- e) Design and provide line marking and all necessary signage on John Street to RMS's requirements;
- f) Design and construct stormwater drainage system from the site to the existing Council's drainage pit in John Street;
- g) Design and provide appropriate street lighting to the street frontage of the site to cables to relevant authorities requirements;
- h)
 - i) Landscaping and civil works on Lot 8 and 9 DP 939729; and,
 - ii) Landscaping and embellishment of the proposed public parkland area in the southern section of the site. A detailed landscape construction plan should be submitted and shall include, but not be limited to, areas of paving, landscaping and tree planting utilising a variety of decorative plans as well as large canopy trees, furniture and lighting and shall address the interface and connection with the residential development to the west, the future linear park to the east and the John Street public domain. Landscaping and embellishment shall be installed by the Applicant at their expense and in accordance with the Council approved landscape plan.
- i) After the approval has been obtained from the responsible utility for street lighting, detailed street lighting design and construction plans, prepared by a suitably qualified person, shall be submitted to Council for approval. The design shall be in accordance with AS 1158 and to Ausgrid's requirements. Alterations/additions to street lighting shall be carried out by the responsible utility authority for lighting, or to the satisfaction of that authority, and all capital contributions associated with the installation of the lighting shall be borne by the applicant. The proposal shall include details of all fixtures being proposed and underground power reticulation shall be allowed for in the design.

48. All works carried out on the public roads shall be inspected and approved by Council's engineer. Documentary evidence of compliance with Council's requirements shall be obtained prior to proceeding to the subsequent stages of construction, encompassing not less than the following key stages:

- (a) Initial pre-construction on-site meeting with Council's engineers to discuss concept and confirm construction details, traffic controls and site conditions/constraints prior to commencement of the construction of the civil works associated with the road widening;
- (b) Prior to placement of concrete (kerb and gutter and footpath);
- (c) Prior to construction and placement of road pavement materials; and
- (d) Final inspection.

Note: Council's standard inspection fee will apply to each of the above set inspection key stages. Additional inspection fees may apply for additional inspections required to be undertaken by Council.

- 49. As part of this development, the Ausgrid power pole at the front of the property will need to be decommissioned and new lighting pole(s) shall be constructed satisfying V2 lighting requirements and any other requirements as specified by Council and any other service provider,
- 50. Any above ground utilities shall be relocated underground in accordance with Ausgrid and any other affected and relevant service provider, and
- 51. All underground and above ground infrastructure shall be constructed as specified by Ausgrid, Council and any other affected service provider. The location of the new electrical pillars, new lighting poles, any new pits and trenches for utilities shall be confirmed with Council prior to the issue of the Construction Certificate.

Any costs in the relocation, adjustment, and provision of land or support of services as requested by the service authorities and Council are to be the responsibility of the developer.

- 52. Prior to the issue of any Construction Certificate, detail design and construction plans in relation to stormwater management and disposal system for the development shall be submitted to the Principal Certifying Authority and Council for approval. (The detail drawings and specifications shall be prepared by a suitably qualified and experienced civil engineer and to be in accordance with Council's Development Control Plan 'Stormwater Management Technical Guidelines', AS/NSZ 3500 – Plumbing and Drainage Code and the BCA. All drawings shall correspond with the approved architectural plans.) The plans shall incorporate but not be limited to the following:
 - a) Provision of an On-site Detention system (OSD) in accordance with but not limited to Part 6 of the SMTG,
 - b) The On-Site Detention System (OSD) shall be designed according to Part 6 of the SMTG. It should be noted that OSD systems shall be designed to detain the stormwater runoff from the site for all storm events up to and including 1 in 100 year ARI storm and permissible site discharge (PSD) shall be based on 1 in 5 year ARI peak flow generated from the site under the "State of Nature" condition (i.e. the site is totally grassed/turfed), rather than pre-development condition,
 - c) Maximum stormwater discharge to Council's Kerb and Gutter is 10L/s. If higher discharge rates are proposed, the discharge pipe shall be connected to Council's pit and pipe system,
 - d) Provision of a minimum 10kL rainwater tank collection system for internal reuse in accordance with Section 4 of Botany Bay's SMTG,

- e) No pump-out shall be used to drain seepage from the basement due to the elevated water table level. That is the basement shall be designed as a “fully tanked” structure,
 - f) The pump-out can only be utilized to dispose runoff that may enter the basement carpark from driveway access to the basement,
 - g) The pump out system from the basement carpark proposed shall discharge to the on-site stormwater detention (OSD) system,
 - h) If an OSD system is proposed, incorporate a Stormwater Quality Improvement system to ensure compliance with Section 16 of Botany Bay’s SMTG,
 - i) The water quality improvement system and WSUD strategy proposal shall be designed to capture and treat at least 85% flows generated from the site.
 - j) A WSUD Strategy and MUSIC model must be prepared and submitted to Council for the development. The MUSIC model must be prepared in line with the Draft NSW MUSIC Modelling Guidelines (Sydney Metro CMA). Sydney’s Water’s requirements are that the water quality improvement should meet or exceed the target as described in the “Botany Bay & Catchment Water Quality Improvement Plan” which was prepared by the Sydney Metropolitan Catchment Management Authority in April 2011, and
 - k) The submission of detailed calculations including computer modelling where required to support the proposal.
53. A suitable intercom system linked to all units within the development shall be provided at the vehicle entrance to the basement car parking area to ensure any visitors to the site can gain access to the visitor parking located within the basement car park. The details of the intercom system shall be submitted to Principal Certifying Authority prior to the issue of a Construction Certificate and its location and specifications endorsed on the construction drawings.
54. To ensure that utility authorities and Council are advised of any effects to their infrastructure by the development, the applicant shall:
- a) Carry out a survey of all utility and Council services within the site including relevant information from utility authorities and excavation if necessary to determine the position and level of services;
 - b) Negotiate with the utility authorities (eg. AusGrid, Sydney Water, Telecommunications Carriers and Council in connection with:
 - i) The additional load on the system; and
 - ii) The relocation and/or adjustment of the services affected by the construction.
- Any costs in the relocation, adjustment, and provision of land or support of services as requested by the service authorities, beneficiaries and Council are to be the responsibility of the developer.
55. Prior to the release of the Construction Certificate, the following required section(s) are to be submitted to and approved by Council:

- a) A minimum 1 disabled car parking space shall be provided and clearly marked as per Australian Standards AS 2890.6, SEPP 65 Design Code and Council requirements; and
- b) All off street disabled parking shall have access to the adjacent road(s) and to the communal open space as per Australian Standards AS 2890.6 and Council requirements.

CONDITIONS WHICH MUST BE SATISFIED PRIOR TO THE COMMENCEMENT OF ANY DEVELOPMENT OR WORK

56. Prior to the commencement of works, the applicant must inform Council, in writing, of:
- a) The name of the contractor, and licence number of the licensee who has contracted to do, or intends to do, the work: or
 - b) The name and permit number of the owner-builder who intends to do the work;
 - c) The Council also must be informed if: -
 - i) A contract is entered into for the work to be done by a different licensee; or
 - ii) Arrangements for the doing of the work are otherwise changed.
57. The site to which this approval relates must be adequately fenced or other suitable measures employed that are acceptable to the Principal Certifying Authority to restrict public access to the site and building works. Such fencing or other measures must be in place before the approved activity commences.
58. This Consent shall not preclude the demolisher from giving notice to other statutory authorities, such as Sydney Water Corporation, WorkCover, etc.
59. If the land to which the application relates is served by a common sewerage system that is also used by others, then measures must be placed in effect and prior to the commencement of work to ensure the operation of the sewerage system is without disruption to other joint users.
60. The demolisher shall lodge with Council, and at least forty-eight (48) hours prior to the commencement of work:-
- a) Written notice, indicating the date when demolition of the building is to commence.
 - b) This persons full name and address.
 - c) Details of Public Liability Insurance.
61. In order to ensure that two (2) Council street trees (*Corymbia maculata*) in the John Street nature strip either side of the site, and the mixed planting along the western boundary of No. 3-9 Church avenue (*Banksia integrifolia* and *Elaeocarpus sp.*) are retained and protected during construction, and their health and structural stability ensured, the following is required:
- a) A Consultant Arborist AQF Level 5 shall be engaged from site establishment to the post-construction period to erect tree protection zones and signage, inspect and advise on all works during the entire construction period, monitor tree health

and to authorize and undertake tree canopy and root pruning where necessary only and to the minimum only so that the health or structural stability of the trees is not impacted.

- b) Trees to be retained are to be tagged with clearly visible marking tape at a height of approx. 2 metres from ground and numbered with the corresponding number in the Tree Report.
- c) Prior to commencing demolition/any works the tree/s is/are to be physically protected by fencing underneath the canopy dripline using 1.8 metre high chainwire fence to form the Tree Protection Zone (TPZ). The area within the fencing is to be mulched with leaf mulch to a depth of 100mm and a weekly deep watering program undertaken during construction. The fence shall remain in place until construction is complete.
- d) If there is insufficient space to erect fencing in a particular area, wrap the trunk with hessian or carpet underlay to a height of 2.5 metres or to the tree's first lateral branch, whichever is greater, and affix timber palings around the tree with strapping or wire (not nails).
- e) Before any works commence on site, the Applicant is required to contact Council for an inspection and/or provide photographic evidence of the fenced TPZ's. Council approval is required prior commencement of any work.
- f) All detailed Construction Certificate plans shall show trees to be protected and the TPZ.
- g) The TPZ's are "No-Go" zones. There shall be no access to the property excluding the existing crossover, no stockpiling, storage or sorting of waste or building materials, no construction work, no concrete mixing, strictly no washing down of concrete mixers or tools, no chemicals mixed/disposed of, no excavation or filling, no service trenching. Any unavoidable work within the fenced zone shall be under the direction of Council's Tree Officer or Consultant Arborist.
- h) Where unavoidable foot access is required in the TPZ, provide temporary access with timber sheets to minimise soil compaction, spillage or root damage.
- i) Excavation within the TPZ and within a nominated radial dimension from the tree trunk as determined by the consultant Arborist in accordance with AS 4970 : 2009 – Protection of Trees on Development Sites shall be carried out manually using hand tools or light machinery to minimise root damage or disturbance.
- j) No tree roots greater than 30mm in diameter shall be pruned without further assessment by Council's Tree Officer and the consulting Arborist and only following the submission of further Arborists reports to Council so as not to unduly impact or stress the tree.
- k) Ensure no damage to the canopy, trunk or root system (including the surrounding soil) of any tree to be retained. There shall be no canopy pruning unless approval has been granted by Council's Tree Officer under application from the consultant Arborist. Approved pruning shall be undertaken by a qualified Arborist in accordance with AS 4373.
- l) For retained trees on the private property adjoining, the developer is required to consult with Council and advise prior to any tree works taking place.

- m) Care shall be taken with construction work in the primary root zone of all existing neighbouring trees to be retained. These trees must be retained and construction works are to accommodate tree roots, branches and canopy without damage or impact. Trees are not to be pruned back to the boundary fence line under any circumstances. The canopy may otherwise overhang the property.
- n) The Applicant will be required to undertake any tree maintenance or remedial pruning works required by Council or the Consultant Arborist at the completion of construction.

If there is any contravention of these tree preservation conditions, or a tree was found to be damaged (including roots), in decline, dead or pruned without permission, then Council may claim all or part of the lodged security bond prior to its release as well as require remedial pruning work. Epicormic growth is evidence of root damage.

- 62. An Erosion and Sediment Control Plan (ESCP) shall be prepared in accordance with the Landcom *Managing Urban Stormwater – Soils and Construction* 4th Edition (2004). All management measures recommended and contained within the Erosion and Sediment Control Plan (ESCP) shall be implemented in accordance with the *Landcom Managing Urban Stormwater – Soils and Construction* 4th Edition (2004). This plan shall be implemented prior to the commencement of any site works or activities. All controls in the plan shall be maintained at all times. A copy of the ESCP shall be kept on-site at all times and made available to Council Officers on request.
- 63. Erosion and sediment control devices shall be installed and functioning prior to the commencement of any demolition, excavation or construction works upon the site in order to prevent sediment and silt from site works (including demolition and/or excavation) being conveyed by stormwater into public stormwater drainage system, natural watercourses, bushland and neighbouring properties. In this regard, all stormwater discharge from the site shall meet the legislative requirements and guidelines including the *Protection of the Environment Operations Act 1997*. These devices shall be maintained in a serviceable condition AT ALL TIMES throughout the entire demolition, excavation and construction phases of the development and for a minimum one (1) month period after the completion of the development, where necessary.
- 64. The vehicular entry/exits to the site must be protected from erosion and laid with a surface material which will not wash into the street drainage system or watercourse.
- 65. For any water from site dewatering to be permitted to go to stormwater, the water must meet ANZECC 2000 Water Quality Guidelines for Fresh and Marine Water for the 95% protection trigger values for marine water. The results of all testing must be completed by a NATA accredited laboratory. All laboratory results must be accompanied by a report prepared by a suitably qualified person indicating the water meets these guidelines and is acceptable to be released into council's stormwater system. If it is not acceptable, details of treatment measures to ensure that the water is suitable for discharge shall be provided in this report. Reports shall be provided to council prior to discharge of any groundwater to the stormwater system.
- 66. Prior to commencement of any works, application(s) shall be made to Council's Customer Services Counter and obtained the following approvals and permits on Council's property/road reserve under Road Act 1993 and Local Government Act 1993: (It should be noted that any works shown within Council's road reserve or other Council Lands on the development approval plans are indicative only and no approval for these works is given until this condition is satisfied.)

- a) Permit to erect hoarding on or over a public place, including Council's property/road reserve,
- b) Permit to construction works, place and/or storage building materials on footpaths, nature strips,
- c) Permit for roads and footways occupancy (long term/ short term),
- d) Permit to construct vehicular crossings, footpaths, kerbs and gutters over road reserve,
- e) Permit to open road reserve area, including roads, footpaths, nature strip, vehicular crossing or for any purpose whatsoever, such as relocation / re-adjustments of utility services,
- f) Permit to place skip/waste bin on footpath and/or nature strip, and
- g) Permit to use any part of Council's road reserve or other Council lands.

67. Prior to the commencement of demolition work, a licensed demolisher who is registered with the WorkCover Authority must prepare a Work Method Statement to the satisfaction of the Principal Certifying Authority (Council or an accredited certifier) and a copy sent to Council (if it is not the PCA). A copy of the Statement must also be submitted to the WorkCover Authority.

The statement must be in compliance with: AS2601-1991 Demolition of Structures," the requirements of WorkCover Authority and conditions of the Development Approval, and must include provisions for:

- a) Enclosing and making the site safe, any temporary protective structures must comply with the "Guidelines for Temporary Protective Structures (April 2001)";
- b) Inspection and removal of asbestos, contamination and other hazardous materials (by appropriately licensed contractors);
- c) Dust emission must be minimised for the full height of the building. A minimum requirement is that perimeter scaffolding, combined with chain wire and shade cloth must be used, together with continuous water spray during the demolition process. Compressed air must not be used to blow dust from the building site;
- d) Disconnection of Gas and Electrical Supply;
- e) Fire fighting services on site are to be maintained at all times during demolition work. Access to fire services in the street must not be obstructed;
- f) No demolition activity shall cause damage to or adversely affect the safe access and egress of this building;
- g) Waterproofing of any exposed surfaces of adjoining buildings;
- h) Proposals shall be in accordance with the "Protection of the Environmental Operations Act 1997";
- i) Working hours, in accordance with this Development Consent;
- j) Confinement of demolished materials in transit;

- k) Location and method of waste disposal and recycling in accordance with the "Waste Minimisation and Management Act 1995";
 - l) On site monitoring both during asbestos removal and the remainder of demolition activities.
68. To ensure that utility authorities and Council are advised of any effects to their infrastructure by the development, the applicant shall:
- a) Carry out a survey of all utility and Council services within the site including relevant information from utility authorities and excavation if necessary to determine the position and level of services,
 - b) Negotiate with the utility authorities (eg AusGrid, Sydney Water, Telecommunications Carriers and Council in connection with:
 - i) The additional load on the system, and
 - ii) The relocation and/or adjustment of the services affected by the construction.
69. The Applicant must indemnify Council against all loss of or damage to the property of others and injury or death to any persons which may arise out of or in consequence of the carrying out of the work and against all claims, demands, proceedings, costs, charges and expenses whatsoever in respect thereof or in relation thereto. In this regard, the Applicant shall take out a public liability policy during the currency of the works in the sum of not less than \$20,000,000 and to be endorsed with City of Botany Bay Council as principal, and keep such policy in force at the Applicant's own expense. A certificate from the Applicant's insurers to this effect is to be LODGED WITH COUNCIL BEFORE ANY WORK IS COMMENCED. The amount of Common Law liability shall be unlimited.

DURING WORKS

70. The proposed development shall comply with the following:
- a) 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:
 - i) Stating that unauthorised entry to the work site is prohibited;
 - ii) Showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours;
 - iii) The Development Approval number; and
 - iv) The name of the Principal Certifying Authority including an afterhours contact telephone number.
 - b) Any such sign is to be removed when the work has been completed.
71. If the work involved in the construction of a building:
- a) likely to cause pedestrians or vehicular traffic in a public place to be obstructed or rendered inconvenient; or,

- b) involves the enclosure of a public place:
 - i) a hoarding or fence must be erected between the work site and the public place.
 - ii) If necessary an awning is to be erected sufficient to prevent any substance from or in connection with the work falling into the public place.
 - iii) The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to person(s) in the public place.
 - iv) Any such hoarding, fence or awning is to be removed when the work has been completed.
- c) Suitable consent shall be obtained from Council prior to the erection of any hoarding at the property.

72.

- a) Any new information that comes to light during demolition, excavation, remediation and or construction which has the potential to alter previous conclusions about site contamination and remediation must be notified to Council;
- b) Results of the monitoring of any field parameters such as soil, groundwater, surface water, dust or noise measurements shall be made available to Council Officers on request throughout the remediation and construction works.

73. The land to which this Consent relates must be fenced and enclosed to protect the entry or access to the land and site by lawful persons. The fencing must be in place before demolition works commence.

74. Throughout the demolition and construction period, Council's warning sign for soil and water management shall be displayed on the most prominent point of the building site, visible to both the street and site workers. A copy of the sign is available from Council's Customer Service Counter.

75. During demolition and construction works, the applicant/builder is required to ensure the protection and preservation of all boundary fencing or boundary walls between the subject site and adjoining properties. Any damage caused as a result of such works will be at the full cost of the applicant/builder.

76. The Applicant shall conduct all demolition, construction and related deliveries wholly on site. If any use of Council's road reserve is required then separate applications are to be made at Council's Customer Services Department.

77. All vehicles transporting soil, sand or similar materials to or from the site shall cover their loads at all times.

78.

- a) Existing structures and or services on this and adjoining properties shall not be endangered during any demolition associated with the above project. The Applicant is to provide details of any stabilisation works required to adjacent developments to Council.

- b) As the development involves an excavation that extends below the level of the base of the footings of a building or road on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
 - i) Protect and support the adjoining premises from possible damage from the excavation, and
 - ii) Where necessary, underpin the adjoining premises to prevent any such damage.
 - iii) Must at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of his intention to do so to the owner of the adjoining allotment of land and, furnish particulars of the excavation to the owner of the building being erected or demolished.
- 79. If the land to which the application relates is served by a common sewerage system that is also used by others, then measures must be placed in effect and prior to the commencement of work to ensure the operation of the sewerage system is without disruption to other joint users.
- 80. The operation shall not give rise to offensive odour or other air impurities in contravention of the Protection of the Environment Operations Act 1997. The Principle contractor shall ensure that all practical means are applied to minimise dust and odour from the site. This includes:
 - a) Covering excavated areas and stockpiles,
 - b) The use of fine mists of hydrocarbon mitigating agents on impacted stockpiles or excavation areas,
 - c) Maintenance of equipment and plant to minimise vehicle exhaust emissions,
 - d) Erection of dust screens on the boundary of the property and/or closer to potential dust sources,
 - e) All loads entering or leaving the site are to be covered,
 - f) The use of water sprays to maintain dust suppression,
 - g) Keeping excavated surfaces moist.
- 81.
 - a) In order to prevent vehicles tracking soil or other materials onto public roads and washing of materials into the street drainage system or watercourse, during excavation, construction and deliveries, access to the site shall be available in all weather conditions. The area shall be stabilised and protected from erosion;
 - b) Concrete trucks and any other trucks that used for the transportation of building materials or similar, shall not traffic soil cement or other materials onto the road reserve. Hosing down of vehicle tyres shall only be conducted in a suitable off-street area where wash waters do not enter the stormwater system or enter Council's land;

- c) Building operations such as brick cutting, washing tools or brushes and mixing mortar shall not be carried out on public roadways or footways or in any other locations which could lead to the discharge of materials into the stormwater drainage system or onto Council's lands;
 - d) Hosing down or hosing/washing out of any truck (concrete truck), plant (eg concrete pumps) or equipment (eg wheelbarrows) on Council's road reserve or other property is strictly prohibited. Fines and cleaning costs will apply to any breach of this condition.
 - e) During construction works the area in front of the premises and for the full width of the site, be maintained at all times and kept clean and tidy.
 - f) The operations of the site shall be conducted in such a manner as not to interfere with or materially affect the amenity of the neighbourhood by reason of noise, vibration, odour, fumes, vapour, steam, soot, ash, dust, particulate matter, waste water, waste products or other impurities which are a nuisance or injurious to health.
 - g) All possible and practicable steps shall be taken to prevent nuisance to the inhabitants of the surrounding neighbourhood from wind-blown dust, debris, noise and the like.
82. The Development is to be constructed to meet the following construction noise requirements:
- a) Construction Noise
 - i) Noise from construction activities associated with the development shall comply with the NSW Environment Protection Authority's Environmental Noise Manual – Chapter 171 and the Protection of the Environment Operations Act 1997.
 - b) Level Restrictions
 - i) Construction period of 4 weeks and under:

The L10 sound pressure level measured over a period of not less than 15 minutes when the construction site is in operating must not less than 15 minutes when the construction site is in operating must not exceed the background level by more than 10dB(A).
 - ii) Construction period greater than 4 weeks and not exceeding 26 weeks:

The L10 sound pressure level measured over a period of not less than 15 minutes when the construction site is in operating must not exceed the background level by more than 10 dB(A).
 - c) Time Restrictions
 - i) Monday to Friday 07:00am to 05:00pm;
 - ii) Saturday 08:00am to 04:00pm;

- iii) No Construction to take place on Sundays or Public Holidays.
 - d) Silencing
 - i) All possible steps should be taken to silence construction site equipment.
- 83. During demolition, excavation, remediation and construction, care must be taken to protect Council's infrastructure, including street signs, footpath, kerb, gutter and drainage pits etc. Protecting measures shall be maintained in a state of good and safe condition throughout the course of construction. The area fronting the site and in the vicinity of the development shall also be safe for pedestrian and vehicular traffic at all times. Any damage to Council's infrastructure (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concrete delivery vehicles) shall be fully repaired in accordance with Council's specification and AUS-SPEC at no cost to Council.
- 84.
 - a) All imported fill shall be validated in accordance with Department of Environment and Conservation approved guidelines to ensure that it is suitable for the proposed development from a contamination perspective. Imported fill shall be accompanied by documentation from the supplier, which certifies that the material is suitable for the proposed residential/recreational land use and not contaminated based upon analyses of the material.
 - b) To prevent contaminated soil being used onsite, all imported fill shall be certified VENM material and shall be validated in accordance with the Office of Environment and Heritage (OEH) approved guidelines to ensure that it is suitable for the proposed development. Imported fill shall be accompanied by documentation from the supplier which certifies that the material has been analysed and is suitable for the proposed land use.
 - c) Any soil disposed of offsite shall be classified in accordance with the procedures in the Department of Environment and Climate Change Waste Classification Guidelines (2008).
- 85. Any material containing asbestos found on site during the demolition process shall be removed and disposed of in accordance with:
 - a) WorkCover NSW requirements. An appropriately licensed asbestos removalist must complete all asbestos works if they consist of the removal of more than 10m² of bonded asbestos and/or any friable asbestos;
 - b) Protection of the Environment Operations Act 1997;
 - c) Protection of the Environment Operation (Waste) Regulation 2014;
 - d) DECC Waste Classification Guidelines 2008.
 - e) NSW Environment Protection Authority Waste Classification Guidelines 2014
 - f) No demolition materials shall be burnt or buried on the site.

86. Following the completion of the removal of asbestos from the site, an Asbestos Clearance Certificate is to be provided to Council following the final asbestos clearance inspection by a licensed inspector.
- a) Demolition work shall be carried out in accordance with Australian Standards AS 2601-1991 Demolition of Structures and the requirements of the NSW WorkCover Authority; and
 - b) The demolisher shall comply with Australian Standard 2601 - 1993 "*Demolition of Structures*".
87. Hazardous or intractable wastes arising from the demolition process shall be removed and disposed of in accordance with the requirements of WorkCover NSW and the Department of Environment and Climate Change and Water and with the provisions of:
- a) New South Wales Occupational Health and Safety Act, 2000;
 - b) The Occupational Health and Safety (Hazardous Substances) Regulation 2001;
 - c) The Occupational Health and Safety (Asbestos Removal Work) Regulation 2001;
 - d) Protection Of the Environment Operations Act 1997 (NSW); and
 - e) Department of Environment and Climate Change Waste Classification Guidelines (2008).
88. The following shall be complied with:
- a) The construction of the premises shall not give rise to transmission of vibration at any affected premises that exceeds the vibration in buildings criteria outlined in the NSW Environmental Noise Control Manual;
 - b) Vibration levels induced by the demolition and construction activities shall not exceed 1mm/sec peak particle velocity (ppv) when measured at the footing of any occupied building.
 - c) Vibration levels induced by the demolition and construction activities shall not exceed 3mm/sec peak particle velocity (ppv) when measured at the footing of any unoccupied building.
 - d) The upper noise level from the demolition and construction operations measured over a period of 10 minutes must not exceed the background noise level by more than 10dB(A).
89. The applicant is responsible for the installation and protection of all regulatory/ parking / street signs fronting the site during construction. Any damaged or missing street signs as a consequence of the construction works associated with the development shall be replaced at full cost to the applicant.
90. During Construction and any associated deliveries activities, the applicant shall ensure that all works and measures have been implemented in accordance with following approved plans at all times:
- a) Approved Erosion and Sediment Control Plan;
 - b) Approved Construction Traffic Management Plan;

- c) Approved Construction Management Plan; and
 - d) Approved Waste Management Plan.
91. All possible and practicable steps shall be taken to prevent nuisance to the inhabitants of the surrounding neighbourhood from wind-blown dust, debris, noise and the like.
92. Inspections must be conducted by Council's Engineer at the following occasions:
- a) Formwork inspection of driveway layback and adjacent kerb and gutter prior to laying of concrete,
 - b) Formwork inspection of Council's kerb and gutter prior to laying of concrete,
 - c) Formwork inspection of Council's footpath prior to laying of concrete,
 - d) Final inspection of driveway layback and adjacent kerb and gutter,
 - e) Final inspection of Council's kerb and gutter, and
 - f) Final inspection of Council's footpath.
93. If an excavation associated with the proposal extends below the level of the base of the footings of a building on an adjoining allotment of land or the common boundary fence the person causing the excavation to be made:
- a) Must preserve and protect the building/ fence from damage; and,
 - b) If necessary, underpin and support such building in an approved manner;
 - c) Must at least be 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of the intention to do so to the owner of the adjoining allotment of land and, furnish particulars of the excavation to the owner of the building being erected or demolished;
 - d) Any retained existing structures and or services on this and adjoining properties are not endangered during any demolition excavation or construction work associated with the above project. The applicant is to provide details of any shoring, piling, or underpinning prior to the commencement of any work. The construction shall not undermine, endanger or destabilise any adjacent structures.
 - e) Retaining walls associated with the erection of a building or other approved methods of preventing movement or other approved methods of preventing movement of the soil must be provided where necessary, and
 - f) Adequate provision must be made for drainage.
- 94.
- a) The applicant shall conduct all construction works and any related deliveries/activities wholly within the site. If any use of Council's road reserve is required, approval and permits shall be obtained from Council.
 - b) Construction operations such as brick cutting, washing tools or brushes and mixing mortar shall not be carried out on park/road reserve or in any other locations which

could lead to the discharge of materials into the stormwater drainage system or onto Council's lands.

- c) Hosing down or hosing/washing out of any truck (concrete truck), plant (eg concrete pumps) or equipment (eg wheelbarrows) on Council's road reserve or other property is strictly prohibited. Fines and cleaning costs will apply to any breach of this condition.
 - d) Pavement surfaces adjacent to the ingress and egress points are to be swept and kept clear of earth, mud and other materials at all times and in particular at the end of each working day or as directed by Council's Engineer.
95. Any new information that comes to light during demolition or construction which has the potential to alter previous conclusions about site contamination and remediation must be notified to Council and the accredited certifier immediately.
96. All remediation work must be carried out in accordance with:
- a) NSW Office of Environment and Heritage (OEH) 'Contaminated Sites – Guidelines for Consultants Reporting on Contaminated Sites';
 - b) NSW Environment Protection Authority (NSW EPA) guidelines under the Contaminated Land Management Act 1997;
 - c) State Environmental Planning Policy 55 (SEPP55) – Remediation of Land;
97. The management of potential and actual acid sulfate soils shall be conducted in accordance with all recommendations within the Acid Sulfate Soil Management Plan required to be submitted prior to any construction certificate including:
- a) Site specific mitigation measures to both minimise the disturbance of acid sulfate soils as well as any measures relating to acid generation and acid neutralisation of the soil; and
 - b) Management of acid sulfate affected excavated material;
 - c) Measures taken to neutralise the acidity of any acid sulfate affected material; and
 - d) Run-off control measures for the acid sulfate affected soil.
98. For any water from site dewatering to be permitted to go to stormwater, the water must meet ANZECC 2000 Water Quality Guidelines for Fresh and Marine Water for the 95% protection trigger values for Marine Water. All testing must be completed by a NATA accredited laboratory. All laboratory results must be accompanied by a report prepared by a suitably qualified and experienced person indicating the water is acceptable to be released into Councils stormwater system. If the groundwater does not meet these guideline levels a Trade Waste permit from Sydney Water must be sought to put the groundwater to sewer.
99. All materials excavated from the site (fill or natural) shall be classified in accordance with the NSW Environment Protection Authority (EPA) Waste Classification Guidelines (2014) prior to being disposed of to a NSW approved landfill or to a recipient site.

100. To prevent contaminated soil being used onsite and to ensure that it is suitable for the proposed land use, all imported fill shall be appropriately certified material and shall be validated in accordance with the:

- a) Office of Environment and Heritage (OEH) approved guidelines; and
- b) Protection of the Environment Operations Act 1997; and
- c) Protection of the Environment Operations (Waste) Regulation 2014.

All imported fill shall be accompanied by documentation from the supplier which certifies that the material has been analysed and is suitable for the proposed land use.

101. The principal contractor or owner builder must install and maintain water pollution, erosion and sedimentation controls in accordance with:

- a) The Erosion and Sediment Control Plan;
- b) "Managing Urban Stormwater - Soils and Construction" (2004) Landcom ('The Blue Book'); and
- c) Protection of the Environment Operations Act 1997.

102. During demolition, excavation, construction and any associated delivery activities, access to the site shall be available in all weather conditions. The area shall be stabilised and protected from erosion to prevent any construction-related vehicles (including deliveries) tracking soil materials onto street drainage system/watercourse, Council's lands, public roads and road-related areas. Hosing down of vehicle tyres shall only be conducted in a suitable off-street area where wash waters do not enter the stormwater system or Council's lands.

103. Results of the monitoring of any field parameters such as soil, groundwater, surface water, dust or noise measurements shall be made available to Council Officers on request throughout the remediation and construction works.

104.

- a) The applicant shall conduct all construction works and any related deliveries/activities wholly within the site. If any use of Council's road reserve is required, approval and permits shall be obtained from Council.
- b) Construction operations such as brick cutting, washing tools or brushes and mixing mortar shall not be carried out on park/road reserve or in any other locations which could lead to the discharge of materials into the stormwater drainage system or onto Council's lands.
- c) Hosing down or hosing/washing out of any truck (concrete truck), plant (eg concrete pumps) or equipment (eg wheelbarrows) on Council's road reserve or other property is strictly prohibited. Fines and cleaning costs will apply to any breach of this condition.
- d) Pavement surfaces adjacent to the ingress and egress points are to be swept and kept clear of earth, mud and other materials at all times and in particular at the end of each working day or as directed by Council's Engineer.

105. During Demolition, Excavation and Construction, care must be taken to protect Council's infrastructure, including street signs, footpath, kerb, gutter and drainage pits etc. Protecting measures shall be maintained in a state of good and safe condition throughout the course of demolition, excavation and construction. The area fronting the site and in the vicinity of the development shall also be made safe for pedestrian and vehicular traffic at all times. Any damage to Council's infrastructure (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concrete delivery vehicles) shall be fully repaired in accordance with Council's specification and AUS-SPEC at no cost to Council.
106. During Demolition, Excavation, Construction and Deliveries, access to the site shall be available in all weather conditions. The area shall be stabilised and protected from erosion to prevent any vehicles (including deliveries) tracking soil materials onto street drainage system/watercourse, Council's lands, public roads and road-related areas. Hosing down of vehicle tyres shall only be conducted in a suitable off-street area where wash waters do not enter the stormwater system or Council's land.
107. Toilet facilities are to be provided at or in the vicinity of the work site on which work involves:
- a) demolition and construction 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;
 - b) Each toilet provided:
 - i) must be standard flushing toilet; and,
 - ii) must be connected:
 - 1 to a public sewer; or
 - 2 if connection to a public sewer is not practicable to an accredited sewerage management facility approved by the Council; or,
 - 3 if connection to a public sewer or an accredited sewerage management facility is not practicable to some other sewerage management facility approved by the Council.
 - iii) The provisions of toilet facilities in accordance with this condition must be in place before work commences.

CONDITIONS WHICH MUST BE SATISFIED PRIOR TO THE ISSUE OF A OCCUPATION CERTIFICATE

108. At the completion of landscaping on the site, the Applicant is required to obtain a Certificate of Compliance from the Landscape Consultant to certify that the landscaping has been installed in accordance with the Council approved landscape plan. The Certificate is to be submitted to the City of Botany Bay Council prior to the issue of an Occupation Certificate.
109. Prior to the issue of the Occupation Certificate, a Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water.

Note: Make an 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 visit www.sydneywater.com.au > Plumbing, building and developing > Developing > Land development or telephone 13 20 92.

110. Prior to the issue of an Occupation Certificate, the fencing adjacent to the site vehicular entrance shall be designed and constructed to ensure there is adequate sight distance between the pedestrians and the vehicles leaving the site. In addition, it shall be ensured that all access gates swing into the site and not out onto the streets.
111. The applicant is to submit payment of a Tree Maintenance Bond of \$2000.00. The duration of the Bond shall be limited to a period of 6 months after planting of the new street trees and a satisfactory inspection from Council. At the completion of the Bond period the Bond shall be refunded pending an inspection of the trees by Council. If a tree is found to be dead, pruned or dying and will not recover Council will forfeit all or part of the bond to replace or maintain the tree/s, unless the Applicant undertakes this work under instruction from Council.
112. The John Street public footpath shall be constructed in accordance with Council specifications Mascot Station Precinct, John Street (JOHNRW/SS1 – REV 3). The footpath dimensions, location, paver type and construction methods shall be in accordance with this specification only. Pavers shall be ordered accounting for adequate lead time for manufacture. Construction hold points and Council inspections are required at the following points :
 - a) after formwork installation and to prior pouring the concrete blinding slab,
 - b) at the commencement of paving works, and
 - a) at final completion.

Council approval of public domain works is required prior to the issue of the Occupation Certificate.

113. Prior to the issue of the Occupation Certificate, ~~seventy-fifty-five (70-55)~~ off-street car parking bays shall be provided to the development as shown on the approved architectural plans. All parking bays and loading bays shall be line marked. The allocation of parking bays shall be in accordance with the following:

a) Studio/1-bedroom unit	One (1) parking space/unit;
b) 2/3 bedroom unit	Two (2) parking spaces/unit;
c) Visitor parking	Two (2) parking spaces.
d) Studio/1 bedroom unit	0.6 parking space/unit;
e) 2 bedroom unit	0.9 parking space/unit;
f) 3 bedroom unit	1.4 parking space/unit;
g) Visitor parking	7 parking spaces

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114. Any damage not shown in the photographic survey submitted to Council before site works have commenced will be assumed to have been caused by the site works (unless

evidence to prove otherwise). All damages as a result from site works shall be rectified at the applicant's expense to Council's satisfaction, prior to occupancy of the development and release of damage deposit.

115. Prior to the issue of the Occupation Certificates, documentation from a practising civil engineer shall be submitted to the Principal Certifying Authority certifying that the stormwater drainage system has been constructed generally in accordance with the approved stormwater management construction plan(s) and all relevant standards.
116. Prior to the issue of any Occupation Certificate, the applicant shall carry out the following works:
- a) On John Street, adjacent to development, demolish existing kerb and gutter and construct new kerb and gutter to new location for the full length of the property in accordance with Council Infrastructure Specifications. Location of kerb & gutter to be confirmed with Council prior to construction,
 - b) On John Street, adjacent to development, demolish existing concrete footpath and construct new paved footpath as per Council's Infrastructure and Landscape Architect specifications, and
 - c) On John Street, adjacent to development, reconstruct the road pavement, half width by milling 50mm of the existing asphalt and lay new asphalt paving, AC14, 50mm thick in accordance with all relevant RMS and Australian Standards.
117. Prior to the issue of the Occupation Certificate, inspection reports (formwork and final) for the works on the road reserve shall be obtained from Council's engineer and submitted to the Principal Certifying Authority attesting that this condition has been appropriately satisfied.
118. Prior to the issue of the Occupation Certificate, a restriction on Use of Land and Positive Covenant(s) shall be imposed on the development. The following covenants shall be imposed under Section 88(E) of the Conveyancing Act 1919 and lodged with the NSW Land and Property Information:
- a) Restriction on Use of Land for On-Site Detention System. Refer to Appendix B of the SMTG for suggested wording, and
 - a) Restriction on Use of Land for Stormwater Quality Improvement Device. Refer to Appendix E of the SMTG for suggested wording.

The terms of the 88 E instruments are to be submitted to Council for review and approval and Proof of registration at the Lands and Property Information Office shall be submitted to the Principal Certifying Authority and Council prior to occupation.

119. Prior to the issue of any Occupation Certificate, the following is to be complied with:
- a) Dedicate to Council and at no expense to the Council and generally in accordance with the Architectural Plans, job no. 13241 by Edifice Design, dated 20 January 2017 and the following:
 - i) Dedicate the portion of land to Council for the purpose of widening John Street. The areas of the land to be dedicated shall be the full length of John Street frontage of the development site and as detailed in the Botany Bay Development Control Plan 2013. The Plan of Dedication shall be lodged

with Council and registered with Land & Property Information prior to the issue of any Occupation Certificate. A copy of the registered document shall be submitted to Council for record purposes.

120. Prior to the issue of any Occupation Certificate, all applications associated with works on Council's land must be made at least 7-10 days prior to the programmed completion of works and all construction must be completed and approved by Council.
121. Prior to release of the Occupation Certificate the developer must submit to the Principal Certification Authority an acoustic report to verify that the measures stated in the acoustic report have been carried out and certify that the construction meets the above requirements. The report must be prepared by a qualified practicing acoustic engineer (who is a member of either the Australian Acoustical Society or the Association of Australian Acoustical Consultants).
122. Prior to the issue of the Final Occupation Certificate, the Principal Certifying Authority is to ensure all units within the development are connected to an intercom system located at the vehicle entrance to the car parking area to ensure visitors to the site can access the visitor parking.
123.
 - a) The property shall be serviced by underground supply of electricity, telecommunications and any other current above ground service supply from the appropriate authorities main street supply system.
 - b) Prior to the issuing of an Occupation Certificate, the existing above ground electricity, telecommunications, and any other cables in the street adjoining the site shall be replaced at the applicant's expense by underground cables to the relevant Energy Australia and other standards. The applicant shall also be responsible for the replacement of existing street lights with new standards in accordance with Council's and Energy Australia's guidelines.
124. Prior to the issue of the Occupation Certificate, upgrade of the public domain by construction and reconstruction of road pavement, kerb and gutter, footpath, drainage system, street trees, landscaping and any associated works for the John Street frontage of the site must be carried out at the applicant's expense. All improvements shall be in accordance with specifications and requirements from Council's landscape and engineering sections and the approved civil works shall be constructed and completed to Council's satisfaction prior to the issue of the Occupation Certificate;
125. Street numbers shall be clearly displayed with such numbers being of contrasting colour and adequate size and location for viewing from the footway and roadway. Details of street numbering and unit numbering shall be submitted to Council for approval prior to the issue of the Occupation Certificate.
126. The public area of the residential parts of each building must be designed by a practicing Interior Designer or other appropriately qualified person and include (but not limited to) colour schemes, artwork surface finishes, timber mid rails/skirting boards etc.

CONDITIONS WHICH MUST BE SATISFIED FOR THE ONGOING USE

- 127.

- a) That before entering a lease/occupancy agreement, all tenants and occupiers of the development are to be advised by the owner of the building that residents are not eligible to participate in on-street resident parking schemes.
 - b) Prior to the issue of the occupation certificate, a sign to this effect shall be located in a prominent place, to Council's satisfaction, such as on a the notice board in the communal room, where it can easily be observed and read by persons entering the building.
128. All intruder alarms shall be fitted with a timing device in accordance with the requirements of *Regulation 12A of the Noise Control Act, 1975, and AS2201, Parts 1 and 2 - 1978 Intruder alarm systems*.
129. Roof terraces are to be protected by shade cloths and plantings.
- 130.
- a) That before entering a lease/occupancy agreement, all tenants and occupiers of the development are to be advised by the owner of the building that residents are not eligible to participate in on-street resident parking schemes.
 - b) Prior to the issue of the occupation certificate, a sign to this effect shall be located in a prominent place, to Council's satisfaction, such as on a the notice board in the communal room, where it can easily be observed and read by persons entering the building.
131. Council's footway (area between property boundary and street kerb) is to be kept clean, tidy, washed and maintained at the applicant's expense.
132. New street trees shall be maintained by the Applicant/Owner/Strata Corporation for a 24 months after final inspection by Council. Maintenance includes twice weekly watering within the first 6 months then weekly thereafter to sustain adequate growth and health, bi-annual feeding, weed removal round the base, mulch replenishment at 3 monthly intervals (to 75mm depth) and adjusting of stakes and ties. Maintenance but does not include trimming or pruning of the trees under any circumstances.
133. Ongoing maintenance of the road verges, footpaths and nature strips in John Street shall be undertaken by the owner/body corporate/strata corporation. Maintenance includes mowing, watering and maintaining the landscaping in these areas at all times. Maintenance does not include pruning, trimming, shaping or any work to street trees at any time.
134. The stormwater drainage system (including all pits, pipes, absorption, detention structures, treatment devices, infiltration systems and rainwater tanks) shall be regularly cleaned, maintained and repaired in accordance with the maintenance schedule submitted to Council to ensure the efficient operation of the system from time to time and at all times. The system shall be inspected after every rainfall event to remove any blockage, silt, debris, sludge and the like in the system. All solid and liquid waste that is collected during maintenance shall be disposed of in a manner that complies with the appropriate environmental guidelines.
135. The Protection of the Environment Operations (Noise Control) Regulation 2000, restricts the times that air conditioners can be uses as follows:

- a) A person must not cause or permit an air conditioner to be used on residential premises in such a manner that it emits noise that can be heard within a habitable room in any other residential premises (regardless of whether any door or window to that room is open):
 - i) Before 8 am or after 10 pm on any Saturday, Sunday or public holiday, or
 - ii) Before 7 am or after 10 pm on any other day.
136. The operation of the site and movements of vehicles shall comply with the following requirements:
- a) All vehicles (including deliveries) shall enter and exit the premises to the public road in a forward direction;
 - b) Vehicular manoeuvring area shall be kept clear at all times. All vehicles shall be parked in the marked parking bays;
 - c) All parking bays shown on the approved architectural plans shall be allocated and set aside for parking and loading/unloading purpose only and shall not be used for other purposes, e.g. storage of goods;
 - d) Any deliveries to the premises or loading and unloading activities associated with the site shall occur via John Street access driveway and are not to interfere with pedestrian and vehicular movements on John Street, public places and road related areas (eg. footpath, nature strip, road shoulder, road reserve, public carpark, service station etc).
137. Council's footway (area between property boundary and street kerb) is to be kept clean, tidy, washed and maintained at the applicant's expense.
138. The collection of garbage associated with the residential premises shall be restricted to 6am to 6pm Monday to Sunday.
- 139.
- a) The operation of all plant and equipment associated with any of the commercial premises shall not give rise to an equivalent continuous (LAeq) sound pressure level at any point on any residential property greater than 5dB(A) above the existing background LA90 level (in the absence of the noise under consideration).
 - b) The operation of all plant and equipment associated with any of the commercial premises when assessed on any residential property shall not give rise to a sound pressure level that exceeds LAeq 50dB(A) day time and LAeq 40 dB(A) night time.
 - c) The operation of all plant and equipment associated with any of the commercial premises when assessed on any neighbouring commercial/industrial premises shall not give rise to a sound pressure level that exceeds LAeq 65dB(A) day time/night time.
 - d) For assessment purposes, the above LAeq sound levels shall be assessed over a period of 10-15 minutes and adjusted in accordance with EPA guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations and temporal content where necessary.

- e) All mechanical ventilation extraction systems associated with the commercial premises shall be provided with adequate filters that are regularly maintained.
- f) The use of any of the commercial premises shall not give rise to air impurities in contravention of the Protection of the Environment Operations Act 1997 and shall be controlled in accordance with the requirements of this Act.
- g) The operation of any of the commercial premises shall be conducted in such a manner as not to interfere with or materially affect the amenity of the neighbourhood by reason of noise, vibration, odour, fumes, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise.
- h) The use of any of the commercial premises shall not give rise to air impurities in contravention of the Protection of the Environment Operations Act 1997. Waste gases released from the premises shall not cause a public nuisance nor be hazardous or harmful to human health or the environment.
- i) No offensive odour from any trade, industry or process shall be detected outside the premises by an authorised Council Officer as defined in the Protection of the Environment Operations Act 1997.
- j) Noise controls specific to the amenity of the residential neighbourhood:
 - i) The La10 noise level emitted from any of the commercial premises shall not exceed the background noise level in any Octave Band Centre Frequency (31.5Hz – 8kHz inclusive) by more than 5 dB between 6:00pm one day and 8:00am the day following Monday to Sunday when measured at the boundary of any residential property; and,
 - ii) Notwithstanding compliance with the above (Condition No. 106(j)(i)), the noise from any of the commercial premises shall not be audible within any habitable room in any residential premises between the hours of 6:00pm one day and 8:00am the day following Monday to Sunday.

140. The landscaped areas on the property shall be maintained in accordance with the approved landscape documentation and to Council's satisfaction at all times. The automatic drip irrigation system shall be maintained in working order plan at all times.

141.

- a) Each residential dwelling (apartment) is approved as a single dwelling for use and occupation by a single family. They shall not be used for separate residential occupation or as separate residential flats. No plumbing fixtures, fittings, walls shall be deleted or added, doorways enclosed or any other changes made from the approved plans in Condition No. 1 of this Consent without the prior Consent of the Council;
- b) The adaptable apartments approved under this development consent are to remain unaltered at all times; and
- c) The storage areas located within the basement shall be allocated to the relevant residential dwelling in any future subdivision of the site. In addition, any isolated storage areas and other spaces identified by the NSW Police in Condition 12, shall be monitored by CCTV cameras at all times.

142. Any BBQ area shall be managed in a manner so as to not adversely impact the amenity of the surrounding residents.
143. The applicant being informed that this approval shall be regarded as being otherwise in accordance with the information and particulars set out and described in the Development Application registered in Council's records as Development Application No.14/180 received on 5 August 2014 **and as further amended by Section 96(2) Application dated 31 January 2017** and that any alteration, variation, or extension to the use, for which approval has been given, would require further approval from Council. **(DA-14/180/02)**

ADVISORY NOTES

144. The following advisory notes are imposed by the NSW Police:

a) Surveillance

- i) Digital technology should be used to receive, store and process data recording equipment should be secured away from public access areas to restrict tampering with the equipment and data. This equipment needs to be checked and maintained on a regular basis.
- ii) It is crucial even in the development stage that these cameras are installed as soon as power is available to the site.
- iii) Any proposed landscaping and vegetation should adhere to the following principles:
 - 1 Shrubs, bushes, plants should remain under 900mm in height.
 - 2 Branches of large trees should start at a height of two (2) metres and higher. This will assist with natural surveillance and reduce hiding spots and dark areas for potential offenders.
- iv) By angling fire egress inlet walls 45 degrees or more, opportunities for entrapment, loitering and vandalism can be reduced.
- v) Any proposed seating area, playground or grass area should be positioned somewhere which can be viewed easily by the community. Consider whether the area will be used enough to warrant its development. Areas which area isolated, unused and maintained poorly become a breeding ground for anti social behaviour.
- vi) Care should be taken when using glazing in entry foyers. At night the vision of departing occupants can be affected by reflections on the interior of the glass (can't see outside). Mirroring can be reduced by using appropriate external lighting.
- vii) The configuration of car parking spaces can impact the risk to car thieves. Grid rows increase natural surveillance. Avoid dark spots, corners and isolated car spaces.

- viii) Public laundries, garbage disposal areas and other communal spaces should not be located in a buildings 'leftover space'. Poor supervision of communal facilities can greatly increase the risk of predatory crime, theft and vandalism. Areas that are unused or sporadically used after hours and unsupervised should not be accessible to the public.
- ix) Uneven building alignments, insert doorways and hidden entrances should be avoided. They can facilitate predatory crimes, thefts, malicious damage and other offences.
- x) Bicycle parking areas should be located within view of capable guardians. The provision of covered lockable racks to secure bicycles increases the effort required to commit crime.

b) Lighting

- i) Lighting sources should be compatible with requirements of any surveillance system installed within the development. (Poor positioning choices in relation to light can cause glare on the surveillance screens).
- ii) The luminaries (light covers) should be designed to reduce opportunities for malicious damage. Lighting within the development needs to be checked and maintained on a regular basis.
- iii) A limited amount of internal lighting should be left on at night to enable patrolling police, security guards and passing people to monitor activities within the business.
- iv) Improved lighting needs to extend from the development towards adjacent streets. Consideration must be given to pedestrians walking from the development to surrounding streets for the purpose of catching public transport etc. Areas adjoining pathways should be illuminated to avoid opportunities for concealment and entrapment.

c) Territorial Reinforcement

- i) Clear street number signs should be displayed and appropriately positioned at the front of the business to comply with Local Government Act, 1993 Section 124 (8). Failure to comply with any such order is an offence under Section 628 of the Act. Offences committed under Section 628 of the Act attract a maximum penalty of 50 penalty units (currently \$5500) for an individual and 100 penalty units (currently \$11000) for the corporation. The numbers should be in contrasting colours to the building materials and be larger than 120mm.
- ii) Warning signs should be strategically posted around the buildings to warn intruders of what security treatments have been implemented to reduce opportunities for crime.
 - 1 Warning, trespasser will be prosecuted
 - 2 Warning, these premises are under electronic surveillance
- iii) Directional signage should be posted at decision making points (e.g. Entry/egress points) to provide guidance to the uses of the development.

This can also assist in access control and reduce excuse making opportunities by intruders.

- iv) A Fire Safety Statement must be prominently displayed within the development to comply with the Environmental Planning & Assessment Regulations (1994) Clause 80GB. The annual fire safety statement is a statement issued by the owner of a building.
- v) Signage needs to be provided at fire exits to assist occupants to identify exits in emergency situations.
- vi) Signage needs to be provided to assist occupants to identify fire suppression equipment, e.g. extinguishers, fire hoses etc.
- vii) A graffiti management plan needs to be incorporated into the maintenance plan for the development. Research has shown that the most effective strategy for reducing graffiti attacks is the quick removal of such material generally within 24 hours.
- viii) Graffiti resistant materials and anti-graffiti coating should be utilised throughout the development.

d) Space Management

- i) An Emergency control and evacuation plan which complies with the Australian Standard, Emergency Control Organisation and Procedures for Buildings, Structures and Workplace, AS:3745:2002 should be prepared and maintained by your development to assist management and staff in the event of an emergency. This standard sets out the requirements for the development of procedures for the controlled evacuation of the building, structures and workplaces during emergencies. Further information in relation to planning for emergencies can be obtained from Emergency NSW <http://www.emergency.nsw.gov.au> or Emergency Management Australia <http://www.ema.gov.au>.
- ii) It is not advised to install storage cages or similar for the residents in the underground car park. If it is required, consider that they should not be constructed in an isolated area. The cages are easy targets when they have little supervision. CCTV cameras must cover this area if they are constructed. Solid steel housing and quality key locks should be used to prevent access.

e) Access Control

- i) The door and door frames to these premises should be of solid construction.
- ii) Doors should be fitted with locks that comply with the Australian Standard – Mechanical Locksets for doors in buildings, AS:4145:1993, to restrict unauthorised access and the Building Code of Australia (fire regulations). This standard specifies the general design criteria, performance requirements and procedures for testing mechanical lock sets and latch sets for their resistance to forced entry and efficiency under conditions of light to heavy usage. The standard covers lock sets for typical doorways, such as wooden, glass or metal hinged swinging doors or sliding doors in

residential premises. Requirements for both the lock and associated furniture are included. Certain areas may require higher level of locking devices not referred to in this standard (eg. Locking bars, electronic locking devices and detection devices) Dead locks are recommended for residential units.

- iii) There are some doors within the premises which are designated as fire exits and must comply with the Building Code of Australia. This means that they provide egress to a road or open space, an internal or external stairway, a ramp, a fire isolated passageway, a doorway opening to a road or open space. The doors in the required exits must be readily open-able without a key from inside that face the person seeking egress, by a single hand downward action or pushing action on a single device which is located between 900mm and 1.2m from the floor.
- iv) Any sliding doors must be fitted with lockable bolts in the bottom and top of the door frame.
- v) The windows and window-frames to these premises should be of solid construction. These windows should be fitted with locks with comply with the Australian Standard — Mechanical Locksets for windows in buildings, AS:4145 <http://www.standards.org.au> to restrict unauthorised access. This standard specifies the general design criteria, performance requirements, and procedures for testing mechanical lock sets and latch sets for their resistance to forced entry and efficiency under conditions of light to heavy usage. The standard covers lock sets for typical windows, such a wooden, glass or metal hinged swinging windows or sliding windows in residential and business premises, including public buildings, warehouses and factories. Requirements for both the lock and associated furniture are included. Certain areas may require higher level of locking devices not referred to in this standard. (e.g. locking bars, electronic locking devices, detection devices, alarms).
- vi) The main access to the underground car park should have restricted access with a security pass. The opening/closing mechanism should be protected from vandalism and tampering. All exit doors from the car park should have striker plates installed to minimise chance of tampering.
- vii) The main entry/egress doors to the development should have an electronically operated lock which require security swipe pass for entry. The lifts operating in the building should have the same security swipe pass technology. When an occupant buzzes in a visitor the lift should recognise the floor the occupant resides and only allow the visitor access to that floor in the lift.

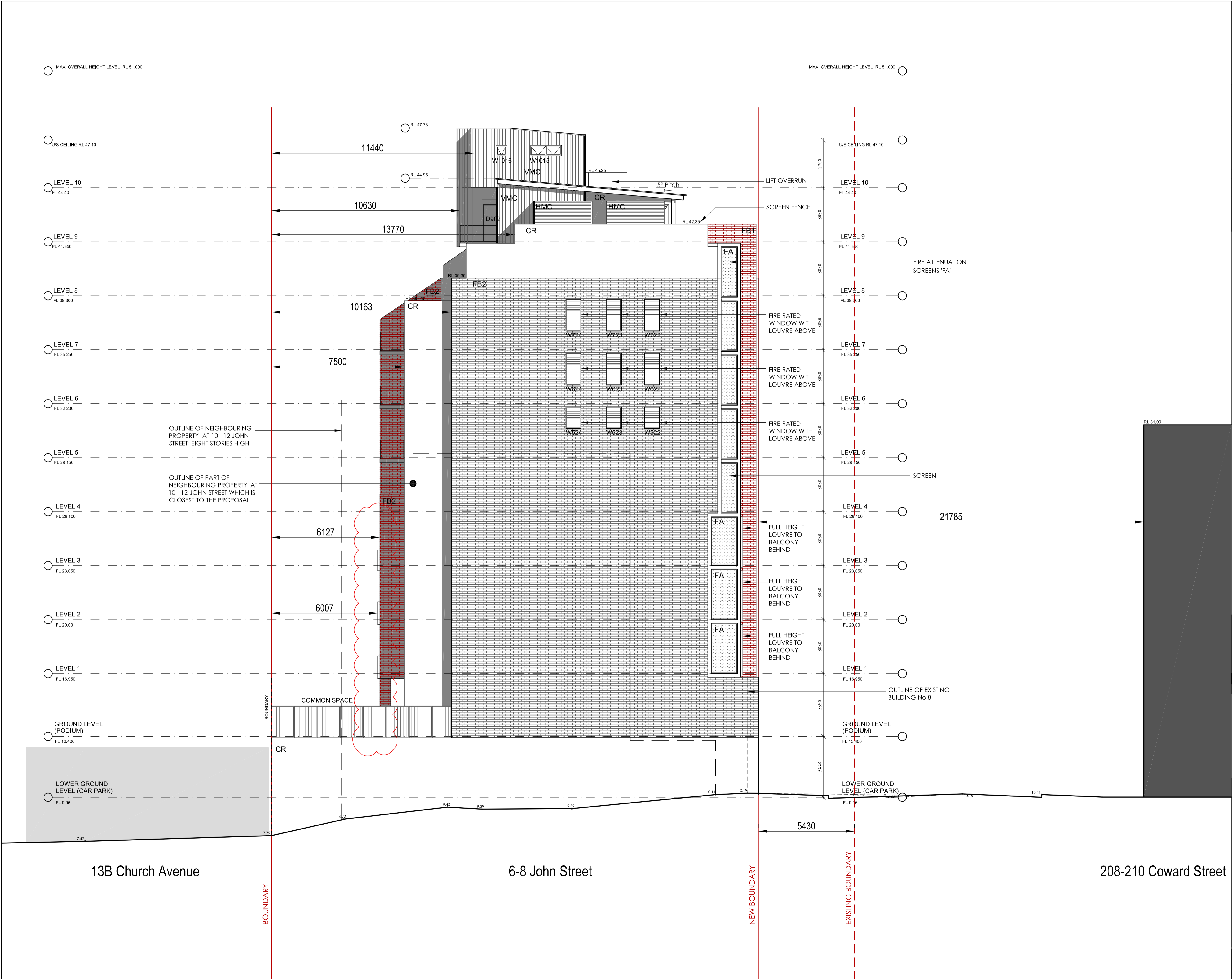




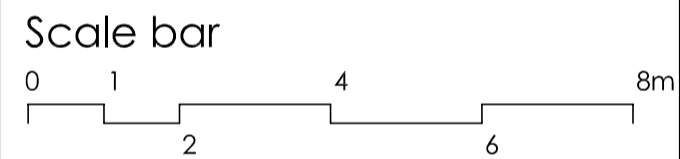
FOR:
DEVELOPMENT APPLICATION



FOR:
DEVELOPMENT APPLICATION



REV:	DATE:	DESCRIPTION:
A	21.07.14	ISSUE FOR DA
B	03.07.15	AMENDED P.O.S
C	12.10.16	ISSUE FOR PRE-S96
D	16.12.16	ISSUE FOR CONSULTATION COORDINATION
E	20.01.17	ISSUE FOR S96
F	23.01.18	ISSUE FOR S96 AMENDMENTS



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PROPERTY PTY LTD
OF:
8 JOHN STREET
MASCOT 2020
TELE: 0407 646 668

JOB:
JOHN STREET APARTMENTS
UNIT DEVELOPMENT
6 - 8 JOHN STREET
MASCOT 2020

DWG TITLE:
WEST ELEVATION

SCALE: 1:100@A1, 1:200@A3	JOB NO: 13241
DATE: 23.01.18	REV: F
	DWG NO: DA21

FOR:
DEVELOPMENT APPLICATION



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<http://www.digitalline.com.au>

A.
19-21 Church Ave
Rear Building

B.
18-26 Church Ave
Front Building

C.
614-629 Gardeners Rd
Front Building

D.
13a
Church Ave

E.
6-8
John St