

AGENDA

Georges River Local Planning Panel

Meeting:	Georges River Local Planning Panel (LPP)
Date:	Thursday, 01 June 2023
Time:	4.00pm
Venue:	Blended Meeting Online and Georges River Civic Centre Corner Dora and MacMahon Streets, Hurstville
Participants:	Stephen Alchin (Chairperson) Deborah Laidlaw (Expert Panel Member) Michael Leavey (Expert Panel Member) George Vardas (Community Representative)

1. On Site Inspections – Carried out by Panel Members prior to meeting

2. Opening

3. Consideration of Items and Verbal Submissions

LPP010-23	13-21 Wyuna Street, Beverley Park – MOD2022/0204 (Report by Principal Planner)
------------------	--

4. Local Planning Panel Deliberations in Closed Session
--

5. Confirmation of Minutes

**REPORT TO GEORGES RIVER COUNCIL
LPP MEETING OF THURSDAY, 01 JUNE 2023**

LPP010-23

LPP Report No	LPP010-23	Development Application No	MOD2022/0204
Site Address & Ward Locality	13-21 Wyuna Street, Beverley Park Kogarah Bay Ward		
Proposed Development	S4.55(2) Modification of development Consent No. DA2019/0439 for demolition, tree removal, construction of a 7 storey residential flat building with basement parking		
Owners	Mr Coplin, Mrs Coplin, Wyuna Group P/L		
Applicant	Wyuna Group Pty Ltd		
Planner/Architect	Architect: Shiro Architects Planner: Think Planners		
Date Of Lodgement	20/12/2022		
Submissions	One (1) submission		
Cost of Works	Original DA \$16,421,429.00		
Local Planning Panel Criteria	The application relates to development to which the State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development applies and the application has been lodged under Section 4.55(2) of the Act.		
List of all relevant s.4.15 matters (formerly s79C(1)(a))	State Environmental Planning Policy No.65 – Design Quality of Residential Apartment Development, State Environmental Planning Policy (Resilience and Hazards) 2021, State Environmental Planning Policy (Transport and Infrastructure) 2021, Georges River Local Environmental Plan 2021, Georges River Development Control Plan 2021		
List all documents submitted with this report for the Panel's consideration	Statement of Environmental Effects, FSR Variation Request, Architectural Plans, Amended Landscape Plan, Amended Traffic and Parking Assessment Report, Updated Design Verification Statement, Submission		
Report prepared by	Principal Planner		

Recommendation	That the application be approved in accordance with the conditions included in this report.
-----------------------	---

Summary of matters for consideration under Section 4.15 Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the assessment report?	Yes
Legislative clauses requiring consent authority satisfaction Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarised, in the Executive Summary of the assessment report?	Yes

Clause 4.6 Exceptions to development standards If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report?	Not Applicable
Special Infrastructure Contributions Does the DA require Special Infrastructure Contributions conditions (under s7.24)?	Not Applicable
Conditions Have draft conditions been provided to the applicant for comment?	No, standard conditions have been attached with no design changes

Site Plan



Executive Summary

Proposal

1. The Section 4.55(2) modification application seeks consent for amendments to a consent granted under DA2019/0439, approved by the Georges River Local Planning Panel on 6 August 2020 for demolition, tree removal, construction of a 7 storey residential flat building with basement parking.
2. The modifications sought include:
 - Reduction of the width of balcony sliding doors by between 100mm and 500mm as a result of input from structural engineers;
 - Refinement of the basement car parking levels including reducing the floor to ceiling height of the upper basement from 3.7m to 2.7m and changes to the internal layout of the basement level that increases the number of car parking spaces from 109 to 114 and relocates storage areas;
 - Changes to the internal layout of the adaptable units and the 5 liveable units to comply with development consent conditions 158 and 172.
 - Introduction of a 4000 litre underground tank and associated underground Fire pump room as well as an associated fire hose booster assembly within the front setback to address the requirements of Fire and Rescue NSW; and
 - Refinement of the external façade of the development including:
 - Replacement of smoked glass balustrading with clear glass;
 - Metal cladding on balcony edges replaced with painted render;
 - Metal cladding on uppermost residential level changed from a dark grey to mid-range - grey as illustrated on the revised schedule of finishes.
3. The proposed increase in two parking spaces within the basement contribute to GFA (25.33sqm) and the applicant has provided a variation request which has been considered in this report.

Site and Locality

4. The development site is located on the north western side of Wyuna Street, approximately 100m from its intersection with Stubbs Street. It consists of five (5) existing allotments known as 13, 15, 17, 19 and 21 Wyuna Street, Beverley Park. These sites are legally identified as Lot 11 in DP1276116.
5. The consolidated site is irregular in shape. It has a total frontage to Wyuna Street of 62.43m and a total site area of 2,675.91sqm. The land falls gently to the street from the rear boundary.
6. The site is currently vacant.
7. This entire block (surrounded by Princes Highway to the north west, Stubbs Street to the north east, Lacey Street to the south west and Wyuna Street to the south east) is zoned R4 High Density Residential with a maximum height of 21m and a maximum Floor Space Ratio (FSR) of 2:1.
8. The adjacent residential block to the west, bounded by Princes Highway, Lacey Street, John Street and Park Road, has also been up-zoned in the same manner.
9. On the northern side of the Princes Highway to the aforementioned two (2) blocks is the Carlton strip shopping centre zoned B2 Local Centre.

10. Land on the opposite side of Wyuna Street is zoned R2 Low Density Residential and is characterised by single dwelling houses.

Zoning and Permissibility

11. The site is zoned R4 High Density Residential under Georges River Local Environmental Plan 2021 (GRLEP) and the proposed modification being works to the approved residential flat building is permissible with Council's consent.

Submissions

12. The application was neighbour notified between 19/1/23 and 3/2/23. One submission was received.

Reason for referral to the Local Planning Panel

13. The proposal is referred to the Local Planning Panel for determination as the development is subject to SEPP 65 and the application has been lodged under Section 4.55(2) of the Act. The Georges River Local Planning Panel is the consent authority via the Ministerial Direction of 23 February 2018.

Conclusion

14. The application has been assessed having regard to Section 4.55(2) of the Environmental Planning and Assessment (EP&A) Act 1979 and the Matters for Consideration under Section 4.15(1) of the EP&A Act 1979. Following the assessment of the proposal, it is considered that Modification No. MOD2022/0204 is worthy of support and is recommended for approval subject to modified conditions.

Report in Full

Site and Locality

15. The development site is located on the north western side of Wyuna Street, approximately 100m from its intersection with Stubbs Street. It consists of five (5) existing allotments known as 13, 15, 17, 19 and 21 Wyuna Street, Beverley Park. These sites are legally identified as Lot 11 in DP1276116.
16. The consolidated site is irregular in shape. It has a total frontage to Wyuna Street of 62.43m and a total site area of 2,675.91sqm. The land falls gently to the street from the rear boundary.
17. The site is currently vacant.
18. This entire block (surrounded by Princes Highway to the north west, Stubbs Street to the north east, Lacey Street to the south west and Wyuna Street to the south east) is zoned R4 High Density Residential with a maximum height of 21m and a maximum Floor Space Ratio (FSR) of 2:1.
19. The adjacent residential block to the west, bounded by Princes Highway, Lacey Street, John Street and Park Road, has also been up-zoned in the same manner.
20. On the northern side of the Princes Highway to the aforementioned two (2) blocks is the Carlton strip shopping centre zoned B2 Local Centre.
21. Land on the opposite side of Wyuna Street is zoned R2 Low Density Residential and is characterised by single dwelling houses.

Background

22. The approved development is for the demolition, tree removal, construction of a 7 storey residential flat building with basement parking, (DA2019/0439), which was approved by the Georges River Planning Panel on 6 August 2020.
23. Modification application (MOD2021/0040) was approved on 21 April 2021 for inclusion of the stormwater plans in the approved plans list, correction of the S7.11 contributions figures, correction of conditions imposed in error or with incorrect references.
24. Modification application (MOD2021/0173) was approved on 3 March 2022 by the Panel for design detail changes throughout the building.

Proposal

25. The applicant seeks to modify Development Consent No DA2019/0439 in the following manner:
 - Reduction of the width of balcony sliding doors by between 100mm and 500mm as a result of input from structural engineers;
 - Refinement of the basement car parking levels including reducing the floor to ceiling height of the upper basement from 3.7m to 2.7m and changes to the internal layout of the basement level that increases the number of car parking spaces from 109 to 114 and relocates storage areas;
 - Changes to the internal layout of the adaptable units and the 5 liveable units to comply with development consent conditions 158 and 172.
 - Introduction of a 4000 litre underground tank and associated underground Fire pump room as well as an associated fire hose booster assembly within the front setback to address the requirements of Fire and Rescue NSW; and
 - Refinement of the external façade of the development including:
 - Replacement of smoked glass balustrading with clear glass;
 - Metal cladding on balcony edges replaced with painted render;
 - Metal cladding on uppermost residential level changed from a dark grey to mid-range - grey as illustrated on the revised schedule of finishes.
26. The proposed increase in two parking spaces within the basement contribute to GFA (25.33sqm) and the applicant has provided a variation request which has been considered in this report.
27. The conditions in the consent requiring modification are limited to *Condition 1 – Approved Plans and Condition 110 – Allocation of Car Parking Spaces*.

Assessment

Section 4.55(2) Considerations

28. The application has been made pursuant to Section 4.55(2) of the Environmental Planning and Assessment Act 1979 to modify Development Consent DA2019/0439 determined on 6 August 2020 by the Georges River Local Planning Panel. A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if it:
 - **Is satisfied the proposed development as modified is substantially the same development for which consent was originally granted?**

29. The proposed development as modified would represent substantially the same development for which consent was originally granted being a residential flat building.
- **Has advertised and or notified the application in accordance with the regulations or a development control plan?**
30. The application was neighbour notified in accordance with the provisions of Georges River Development Control Plan 2021 and one submission was received.
- **Has considered any submissions made concerning the proposed modification?**
31. One submission was received. This is addressed in detail later in this report.

Section 4.15 Evaluation

32. In determining a Section 4.55(2) modifications the provisions of Section 4.15 of the EP&A Act 1979 (where relevant) need to be considered as part of the assessment. The following considers the proposal in respect to these requirements.

State Environmental Planning Policies

33. Compliance with the relevant State Environmental Planning Policies (SEPPs) are discussed in the table below.

State Environmental Planning Policy	Complies
State Environmental Planning Policy (Resilience and Hazards) 2021	Yes - no change.
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	Yes - no change.
State Environmental Planning Policy (Transport and Infrastructure) 2021	Yes - no change.
State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development	Yes - see discussion below.

State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development

34. The proposed modification does not affect the overall design quality of the development which was also taken into consideration under Clause 29 of the SEPP in the assessment of the original DA with regards to the cl 29(b) the design quality principles, and cl 29(c) the Apartment Design Guide (ADG).
35. An assessment of the application against the Objectives in the ADG is provided below. Compliance with the design principles under the SEPP will not be affected by the modifications proposed.

Clause 28 – Consideration of Apartment Design Guide (ADG)

36. The following table is an assessment against the Objectives of the ADG relevant to the modification application.

ADG Compliance Table		
Standard	Proposal	Complies
3D – Communal Open Space (COS)		
Provide COS at least 25% of the site area located on a podium or roof if it can't be located on ground level At least 50% direct sunlight to the principal usable part of the COS for at least 2 hours between 9 am and 3 pm on 21 June (mid-winter)	No change to the approved development in this regard.	
3E – Deep Soil Zones		
Site area is > 1,500sqm = 6m min dimension Min deep soil area of 7%	No change to the approved development in this regard.	
3F – Visual Privacy		
Minimum separation to side and rear boundaries: <u>Up to 12m (4 storeys):</u> 3m non-habitable rooms 6m habitable rooms & balconies <u>12m to 25m (5-8 storeys):</u> 4.5m non-habitable rooms 9m habitable rooms and balconies	No change to the approved development in this regard.	
3G – Pedestrian Access and Entries		
Building entries and pedestrian access connects to and addresses the public domain Multiple entries (including communal building entries and individual ground floor entries) should be provided to activate the street edge	No change to the approved development in this regard.	
3H – Vehicle Access		
Vehicle access points are designed and located to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes	No change to the approved development in this regard.	
3J – Bicycle and Car Parking		
Car parking provided in accordance with RMS GTTGD (Sub-Regional Centres) for sites located within 800m of a railway station or light rail stop in the Sydney Metropolitan Area.	No change to the approved development in this regard.	

4A – Solar and Daylight Access		
Living rooms and private open space receive 2 hours direct sunlight between 9am and 3pm in midwinter for 70% of apartments (ie 13 apartments)	No change to the approved development in this regard.	
Max. 15% of apartments receive no direct sunlight between 9am and 3pm in midwinter		
4B – Natural Ventilation		
At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building (i.e. 11 apartments)	No change to the approved development in this regard.	
Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.		
4C – Ceiling Heights		
Minimum ceiling heights measured from FFL to finished ceiling level: Habitable rooms = 2.7m Non-habitable rooms = 2.4m	No change to the approved development in this regard.	
4D – Apartment Size and Layout		
Minimum internal areas: Studio: 35sqm 1-bedroom: 50sqm 2-bedroom: 70sqm 3-bedroom: 90sqm	All units, including the modified units, meet minimum internal size requirements.	Yes
(Add 5sqm if second bathroom proposed)	Calculated accordingly.	Yes
Each habitable room must have a window in an external wall with a total minimum glass area of at least 10% of the floor area of the room.	All units, including the modified units, achieve compliance.	Yes
Habitable room depths are limited to a maximum of 2.5 x the ceiling height	All rooms (excluding open plan layouts) are compliant.	Yes
In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window	All units with open plan layouts have a depth no greater than 8m.	Yes
Master bedrooms have a minimum area of 10sqm and other bedrooms 9sqm (excluding wardrobe space)	All bedrooms are compliant, Including the modified units.	Yes

Bedrooms have a minimum dimension of 3m (excluding wardrobe space)	All bedrooms are compliant, Including the modified units.	Yes
Living rooms or combined living/dining rooms have a minimum width of: - 3.6m for studio and 1 bedroom - 4m for 2 and 3 bedroom apartments	All living and living/dining rooms achieve the minimum required widths. Including the modified units	Yes
Internal width of cross-over or cross-through apartments are at least 4m	N/A – none proposed.	N/A
4E – Private Open Space and Balconies		
Minimum primary balcony sizes: Studio: 4sqm area 1-bedroomr: 8sqm area, 2m depth 2-bedroomr: 10sqm area, 2m depth 3+br: 12sqm area, 2.4m depth The minimum balcony depth to be counted as contributing to the balcony area is 1m For apartments at ground level or on a podium or similar structure, a private open space is provided instead of a balcony. It must have a minimum area of 15sqm and a minimum depth of 3m	No change to the approved development in this regard.	
4F – Common Circulation Areas		
Maximum 12 apartments off a circulation core on a single level	No change to approved development.	
4G – Storage		
In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided: Studio: 4m ³ 1-bedroom: 6m ³ 2-bedroom: 8m ³ 3 –bedroom: 10m ³ At least 50% of storage is located within the apartment	All units have compliant total storage volumes as per the ADG volumes, including the modified units. At least 50% of storage is located within the unit, including the modified units.	Yes Yes
4H – Acoustic Privacy		
Adequate building separation is provided within the development and from neighbouring buildings/adjacent uses.	No change to the approved development in this regard.	

<p>Window and door openings are generally orientated away from noise sources</p> <p>Noisy areas within buildings including building entries and corridors should be located next to or above each other and quieter areas next to or above quieter areas</p> <p>Storage, circulation areas and non-habitable rooms should be located to buffer noise from external sources</p>	
4J – Noise and Pollution	
<p>To minimise impacts the following design solutions may be used:</p> <ul style="list-style-type: none"> • Physical separation between buildings and the noise or pollution source • Residential uses are located perpendicular to the noise source and where possible buffered by other uses • Buildings should respond to both solar access and noise. Where solar access is away from the noise source, non-habitable rooms can provide a buffer • Landscape design reduces the perception of noise and acts as a filter for air pollution generated by traffic and industry 	<p>No change to the approved development in this regard.</p>
4K – Apartment Mix	
<p>A range of apartment types and sizes is provided to cater for different household types now and into the future.</p> <p>The apartment mix is distributed to suitable locations within the building.</p>	<p>No change to the approved development in this regard.</p>
4L – Ground Floor Apartments	
<p>Street frontage activity is maximised where ground floor apartments are located</p>	<p>No change to the approved development in this regard.</p>

Design of ground floor apartments delivers amenity and safety for residents	
4M – Facades	
Facades should be well resolved with an appropriate scale and proportion to the streetscape and human scale	<p>The proposed façade changes include replacement of smoked glass balustrading with clear glass, metal cladding on balcony edges replaced with painted render, and metal cladding on uppermost residential level changed from a dark grey to mid-range grey.</p> <p>This changes are appropriate for the building and supported.</p>
4N – Roof Design	
Roof treatments are integrated into the building design and positively respond to the street. Opportunities to use roof space for residential accommodation and open space are maximised.	No change to the approved development in this regard.
4O – Landscape Design	
Landscape design is viable and sustainable, contributes to the streetscape and amenity	No change to the approved development in this regard.
4P – Planting on Structures	
Planting on structures – appropriate soil profiles are provided, plant growth is optimised with appropriate selection and maintenance, contributes to the quality and amenity of communal and public open spaces	No change to the approved development in this regard.
4Q – Universal Design	
Universal design – design of apartments allow for flexible housing, adaptable designs, accommodate a range of lifestyle needs	No change to the approved development in this regard.
4R – Adaptive Reuse	
Adaptive reuse as apartment of existing buildings- new additions are contemporary and complementary, provide residential amenity while not precluding future adaptive reuse.	<div>N/A – not an adaptive reuse.</div> <div>N/A</div>
4U – Energy Efficiency	
Development incorporates passive environmental design, passive solar design to optimise heat	No change to the approved development in this regard.

storage in winter and reduce heat transfer in summer, natural ventilation minimises need for mechanical ventilation	
4V – Water Management and Conservation	
Water management and conservation – potable water use is minimised, stormwater is treated on site before being discharged, flood management systems are integrated into the site design	No change to the approved development in this regard.
4W – Waste Management	
Waste management – storage facilities are appropriately designed, domestic waste is minimised by convenient source separation and recycling	The waste chutes are deleted from the building as part of this application. The waste rooms in the basement are designed in accordance with Council's controls, noting the GRDCP 2021 does not require waste chutes in buildings less than 8 storeys in height.
4X – Building Maintenance	
Building design provides protection from weathering Enables ease of maintenance, material selection reduces ongoing maintenance cost	No change to the approved development in this regard.

37. In summary, the proposal is considered to be consistent with SEPP 65 – Design Quality of Residential Apartment Development.

Georges River Local Environmental Plan 2021

38. The building height of the development was approved at 21.76m under MOD2021/0173. This modification does not change the approved height.
39. The FSR of the development was approved at 2.02:1 under MOD2021/0173.
40. The total floor space of the development has increased as part of this modification, as a result of the provision of additional parking spaces within the basement, resulting in a variation to the maximum Floor Space Ratio (FSR) control of 25.33sqm, and this variation has been assessed below.

Assessment of Floor Space Ratio (FSR) variation

41. The approved FSR of the development is 5,412.85sqm or 2.02:1. The increased FSR arises from the addition of two parking spaces within the amended basement design. The modification results in a 25.33sqm exceedance above the approved FSR for the site, which represent a variation of 0.5%.

42. In the NSW Land and Environment Court case of *Gann & Anor v Sutherland Shire Council [2008]*, the Court held that there is power to modify a development application (via a Section 4.55 application) where the modification would result in the breach of development standards. The Court took the view that development standards within an LEP did not operate to prohibit the granting of consent if they were not complied with (and no objection pursuant to SEPP No. 1 (now relevant to a Clause 4.6 variation) had been lodged). Notwithstanding, the Court held that despite a SEPP No. 1 Objection (or Clause 4.6 variation now) not being required, a Section 96 application (this being a Section 4.55(2) application under the EP&A Act) still requires the consent authority to take into consideration those matters referred to in Section 4.15. These matters, where relevant to the application are assessed below.

Objectives of Clause 4.4 – Floor space ratio

43. The objectives of Clause 4.4 are as follows:
- (a) *to ensure that buildings are compatible with the bulk and scale of the existing and desired future character of the locality,*
 - (b) *to ensure that development provides appropriate built form transition between new buildings and—*
 - (i) *adjoining land uses, or*
 - (ii) *heritage items, heritage conservation areas or Aboriginal places of heritage significance,*
 - (c) *to control development density and intensity of land use, taking into account—*
 - (i) *the environmental constraints and values of the site, including retaining the scenic, visual, and landscape qualities of the area, and*
 - (ii) *the amenity of adjoining land and the public domain, and*
 - (iii) *the availability of infrastructure to service the site, and*
 - (iv) *the capacity of the road network to accommodate the vehicular and pedestrian traffic that a development will generate.*
44. The proposal satisfies the objectives of the floor space control as the additional floor space is located within the footprint of the basement and will not add to the bulk of the building.
45. The site is located in the R4 High Density Residential zone, the objectives of which are:
- *To provide for the housing needs of the community within a high density residential environment.*
 - *To provide a variety of housing types within a high density residential environment.*
 - *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
 - *To enable other land uses that contribute to the vibrancy of the neighbourhood while ensuring that business centres remain the focus for business and retail activity.*
 - *To encourage development that maximises public transport patronage and promotes walking and cycling.*
46. The modified proposal meets all relevant zone objectives in that it does not discernibly alter the approved intensity of residential land uses and continues to provide a variety of dwelling types.
47. The minor numerical variation to the floor space development standard is acceptable on merit as the proposal meets the objectives of both the zone and the development standard.

48. On “planning grounds” the modified proposal does not alter the degree of which compliance with the zone objectives was achieved under the originally approved development. The modifications will not result in any amenity impacts on adjoining sites or the streetscape.
49. Although an objection pursuant Clause 4.6 is not required, the reasoning applied in *Wehbe v Pittwater Council* [2007] NSW LEC 827, is appropriate to rely upon to determine that the proposal is well founded despite the departure from Clause 4.4 of Georges River LEP 2021. In the judgement the Honourable Brian Preston, Chief Justice of the Land and Environment Court, set out 5 different ways in which an objection may be well founded and that approval of the objection may be consistent with the aims of the policy.
50. The proposal is considered to be consistent with the first of these in that the objectives of the FSR standard and the R4 zone objectives are achieved notwithstanding the numerical variation proposed.
51. Given that compliance with the zone and development standard objectives is achieved, insistence on strict compliance with the FSR standard is considered to be unreasonable and unnecessary in the circumstances. The proposal is compliant with the relevant objectives and will create negligible environmental impacts. The proposal is therefore justified on environmental planning grounds.
52. It is noted that in *Initial Action Pty Ltd v Woollahra Municipal Council* [2018] NSWLEC 118, Preston CJ clarified what items a Clause 4.6 does and does not need to satisfy. Importantly, there does not need to be a “better” planning outcome:

86. The second way is in an error because it finds no basis in cl 4.6. Clause 4.6 does not directly or indirectly establish a test that the non-compliant development should have a neutral or beneficial effect relative to a compliant development. This test is also inconsistent with objective (d) of the height development standard in cl 4.3(1) of minimising the impacts of new development on adjoining or nearby properties from disruption of views or visual intrusion. Compliance with the height development standard might be unreasonable or unnecessary if the non-compliant development achieves this objective of minimising view loss or visual intrusion. It is not necessary, contrary to what the Commissioner held, that the non-compliant development have no view loss or less view loss than a compliant development.

87. The second matter was in cl 4.6(3)(b). I find that the Commissioner applied the wrong test in considering this matter by requiring that the development, which contravened the height development standard, result in a “better environmental planning outcome for the site” relative to a development that complies with the height development standard (in [141] and [142] of the judgment). Clause 4.6 does not directly or indirectly establish this test. The requirement in cl 4.6(3)(b) is that there are sufficient environmental planning grounds to justify contravening the development standard, not that the development that contravenes the development standard have a better environmental planning outcome than a development that complies with the development standard.
53. The proposal is considered to achieve a planning purpose of providing additional resident parking on a site that is not located in an accessible location in terms of public transport options, in the absence of any additional or new adverse impacts.
54. The proposed modifications do not affect any other relevant provisions of GRLEP 2021.

Georges River Development Control Plan 2021

55. The proposed modification does not affect the relevant provisions of GRDCP 2021 with regards to Residential Flat Building, with the exception of parking.
56. The approved development currently provides 109 parking spaces (96 residential and 13 visitor spaces) for 64 apartments. The approved basement plans are reproduced below.

LPP010-23

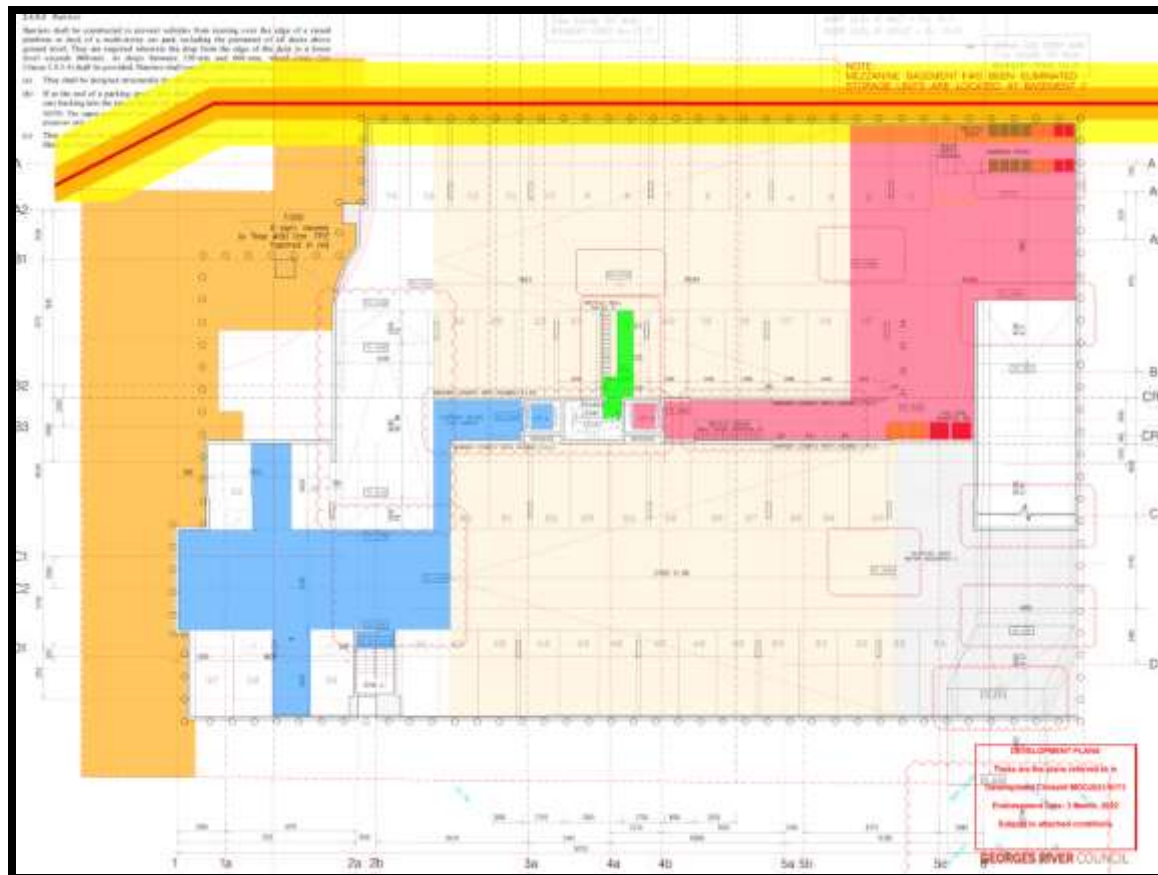


Figure 1: Approved Basement Level 1

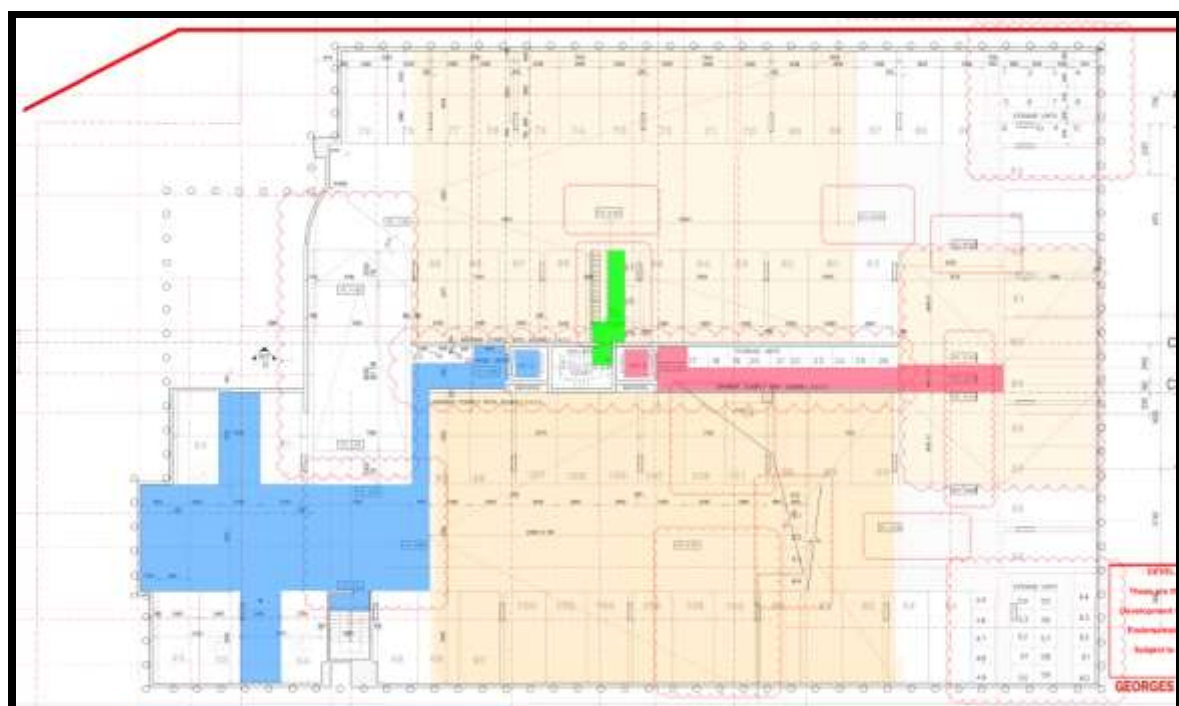
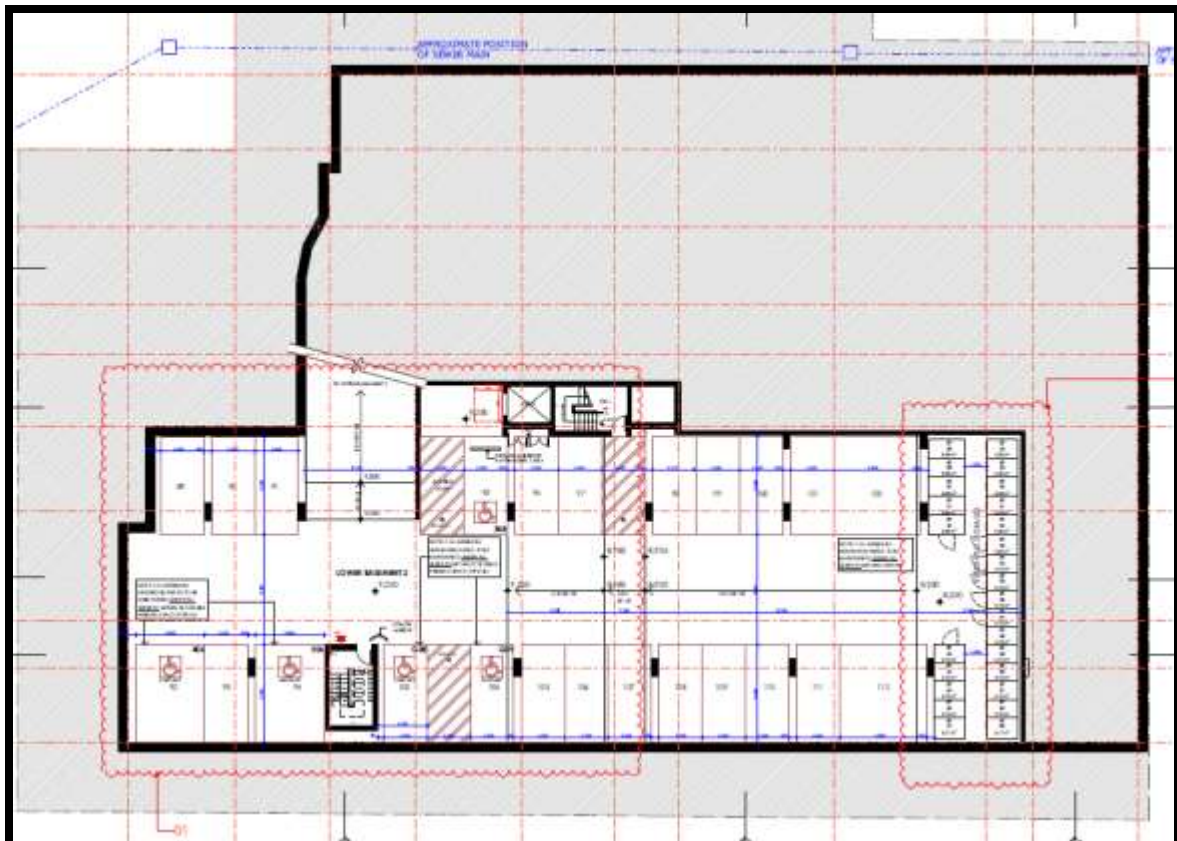


Figure 2: Approved Basement Level 2**Figure 3: Approved Section Plan**

57. In relation to parking, the following changes are proposed by this application:
- relocation/reconfiguration of the approved car parking spaces and bicycle/storage locations for better internal manoeuvring; and
 - increase in the total number of approved parking spaces from 109 to 114 (101 residential and 13 visitor spaces) (spaces 102 and 112 are double spaces).
58. The proposed basement changes are reproduced below:

**Figure 4: Proposed Lower Basement Level**

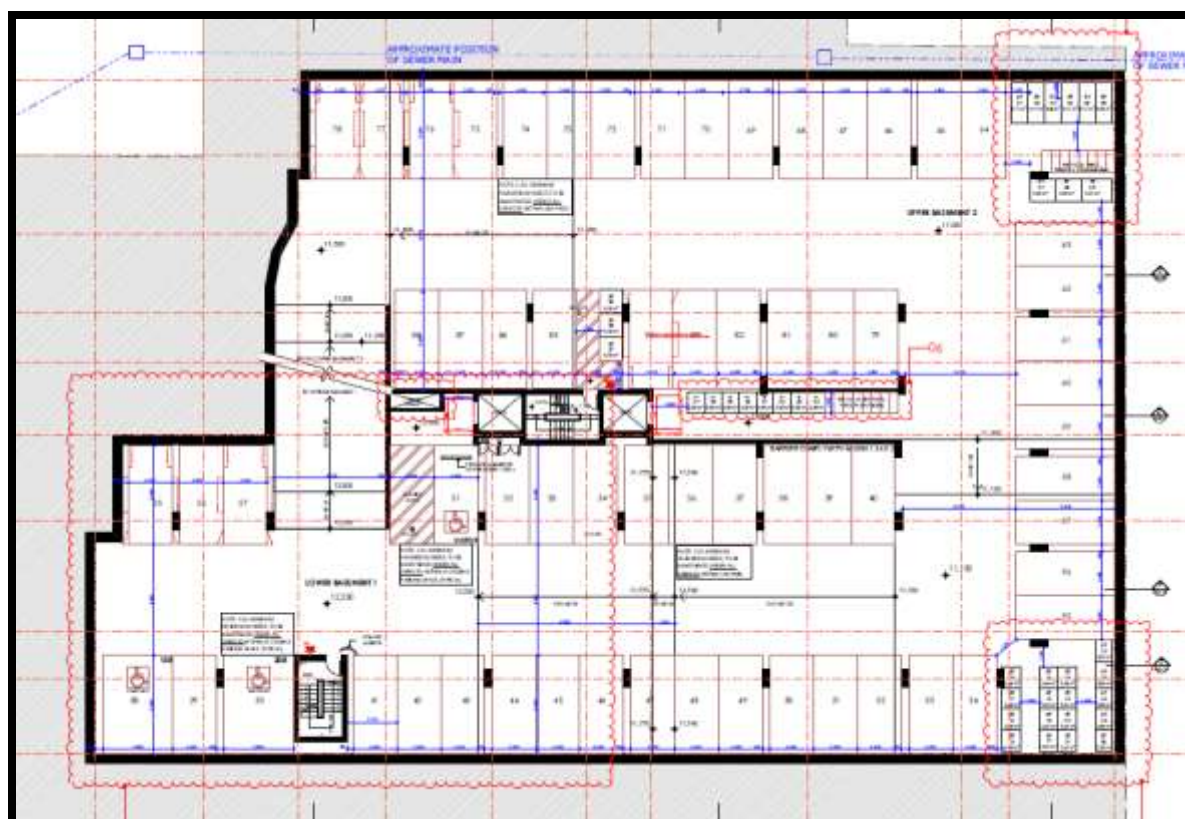


Figure 5: Proposed Upper Basement Level 2 and Lower Basement Level 1

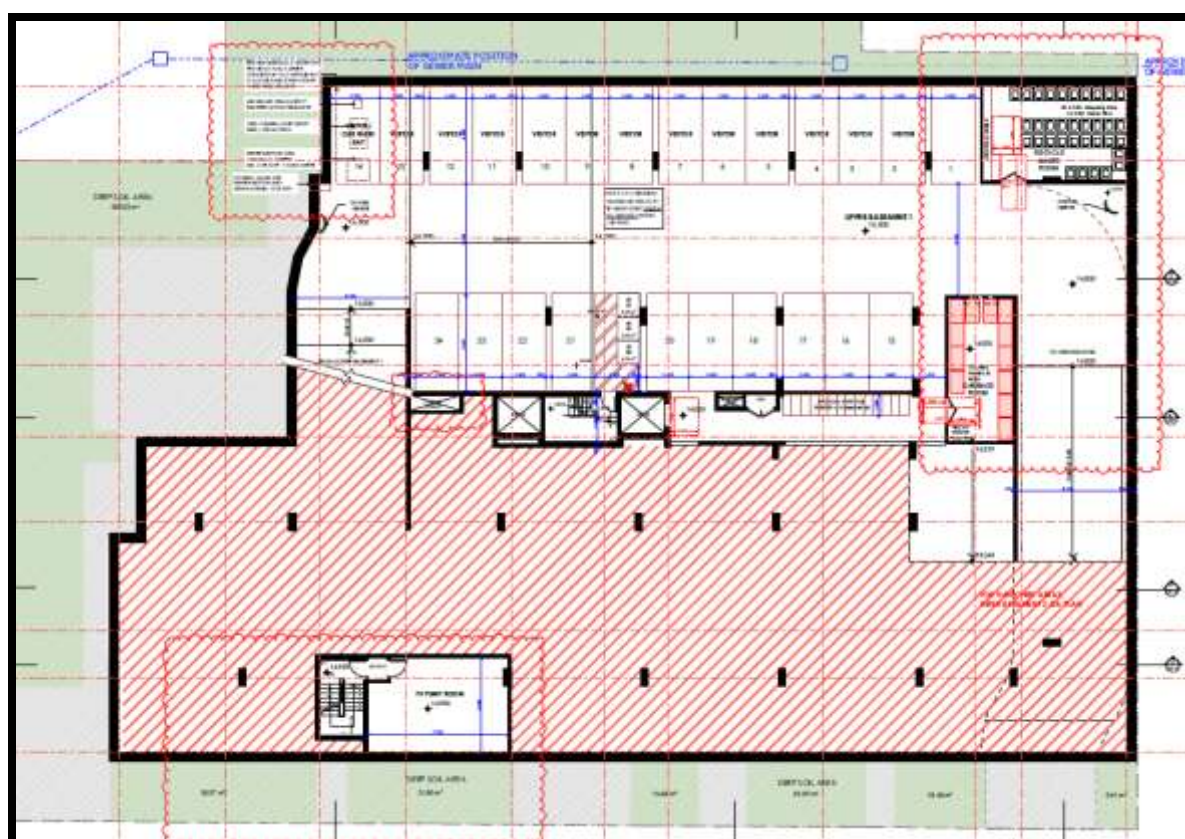


Figure 6: Proposed Upper Basement Level 1



Figure 7: Proposed Section Plan

59. The development was approved under the Kogarah DCP 2013 with parking allocated (condition 110) as follows:

110. Allocation of Car Parking Spaces – A total of 109 car parking spaces, and a minimum of thirty (30) bicycle parking spaces associated with the development is to be allocated as follows, sign posted and/or line marked accordingly:

- Ninety six (96) residential spaces, including eight (8) accessible spaces.
- Thirteen (13) dedicated visitor spaces.
- One (1) of the visitor spaces is to also be a shared as a wash bay.
- Twenty two (22) bicycle spaces for residents.
- Eight (8) bicycle spaces for visitors.

60. Georges River DCP 2021 is now in effect and Chapter 3.13 relates to parking, access and transport. Residential flat buildings attract the following parking rates:

- 1 space per 1 and 2 beds
- 2 spaces per 3 beds or more
- 1 visitor space per 5 units or part thereof and 1 designated car wash bay which may also be a visitor space

61. For this development, the required parking is as follows:

GRDCP 2021 Required Parking	Latest Approval	Modified Proposal
7 x 1B units x 1 space each = 7 spaces 50 x 2B units x 1 space each = 50 spaces 7 x 3B units x 2 spaces each = 14 spaces Total required: 84 spaces	96 spaces	101 spaces
1 visitor space per 5 units (64 units) = 13 spaces	13 visitor spaces	13 visitor spaces

Developer Contributions

62. The proposed development is subject to developer contributions which were levied at the time of the development determination. The modification does not alter the amount payable.

Planning Agreements

63. There is no planning agreement applicable to the development.

EP&A Regulation 2000

64. No matters within the Regulation are affected by the modification.

Impacts**Likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality**

65. The proposed changes are minor and result in minimal environmental impacts, as discussed above.

Suitability of the site for the development

66. The site is zoned R4 – High Density Residential. The proposal is a permissible form of development in this zone. The proposed changes do not affect the suitability of the site for the development, and do not impact the development potential of the adjoining allotments.

Submissions and the Public Interest

67. The application was notified in accordance with the provisions of Section 4.55 of the Environmental Planning and Assessment Act 1979. One submission was received.

Submission	Comments
<i>This is no less than the third time a revision of the original development application has been submitted to GRC. All applications and revisions completely ignore and surpass councils own guidelines for developments in this zone. These issues have been raised in response to all subsequent applications yet have been dismissed each and every time.</i>	The proposed modifications do not alter the height, FSR or intensity of the approved development.

The public interest

68. The proposal is not inconsistent with the public interest.

Referrals**Council Referrals**

69. The application was referred to the following Council staff for comment:
- Development Engineer
70. No objections were raised and amendment to conditions is not required.

Conclusion

71. The application has been assessed having regard to the Section 4.55 and the Matters for Consideration under Section 4.15(1) of the Environmental Planning and Assessment Act 1979. Following the assessment of the modifications, it is considered that Modification No. MOD2022/0204 is considered worthy of support subject to updated conditions.
72. The changes required to the existing notice of determination are limited to the modified drawings submitted with the modification application (Condition 1) and Condition 110 – Allocation of Car Parking Spaces.

Determination and Statement of Reasons

Statement of Reasons

73. The reasons for this recommendation are:
- The proposal remains consistent with the original reasons for approval;
 - The proposed modifications to the approved plans do not result in undermining the objectives of the Georges River Local Environmental Plan 2021 or the Georges River Development Control Plan 2021; and
 - The proposed modifications to the approved plans do not result in any adverse impact on the natural and built environment.

Determination

74. That pursuant to Section 4.55(2) of the Environmental Planning and Assessment Act 1979 that the Georges River Local Planning Panel grant consent to Modification Application MOD2022/0204 for modifications to DA2019/0439 in accordance with the conditions of consent originally imposed at Lot 8 DP 7056 and Lots 20-23 DP 17618 known as 13-21 Wyuna Street, Beverly Park, subject to the amendments in the below conditions of consent (conditions 1 and 110 only):

GENERAL CONDITIONS

1. **Approved Plans** - The development will be implemented in accordance with the approved plans and supporting documentation listed below which have been endorsed by Council's approved stamp, except where marked up on the plans and/or amended by conditions of this consent:

Description	Reference No.	Date	Revision	Prepared by
Demolition Plan	DA-03	04.02.20	P9	shiro-architects
Site Plan/Roof Plan	DA-04	04.02.20 15.09.21	P12 A	shiro-architects
Ground Floor Plan	DA-05	19.05.20 15.09.21	P13 A	shiro-architects
Basement 1	DA-06B	19.05.20 15.09.21	P13 A	shiro-architects
Mezzanine Basement 1	DA-06A	19.05.20 15.09.21	P13 A	shiro-architects
Basement 2	DA-07	19.05.20 15.09.21	P13 A	shiro-architects
Level 1	DA-08	04.02.20 15.09.21	P012 A	shiro-architects
Level 2	DA-09	04.02.20 15.09.21	P12 A	shiro-architects

Level 3	DA 10	04.02.20 15.09.21	P12 A	shiro architects
Level 4	DA 11	04.02.20 15.09.21	P12 A	shiro architects
Level 5	DA 11	04.02.20 15.09.21	P12 A	shiro architects
Level 6	DA 13	04.02.20 15.09.21	P12 A	shiro architects
Section A-A	DA 14A	04.02.20 15.09.21	P12 A	shiro architects
Section B-B C-C	DA 14B	04.02.20	P12	shiro architects
Section D-D	DA 14C	04.02.20	P12	shiro architects
Street Elevation	DA 16A	04.02.20	P1	shiro architects
Elevations	DA 16B	04.02.20 15.09.21	P12 A	shiro architects
Cover Page	DA-00	25/10/2022	B	Design Corp Architects
Lower Basement 2 Floor Plan	DA-01	25/10/2022	B	Design Corp Architects
Upper B2 and Lower B1 Floor Plan	DA-02	25/10/2022	B	Design Corp Architects
Upper Basement 1 Floor Plan	DA-03	25/10/2022	B	Design Corp Architects
Ground Floor Plan	DA-04	25/10/2022	B	Design Corp Architects
Level 1 Floor Plan	DA-05	25/10/2022	B	Design Corp Architects
Level 2 Floor Plan	DA-06	25/10/2022	B	Design Corp Architects
Level 3 Floor Plan	DA-07	25/10/2022	B	Design Corp Architects
Level 4 Floor Plan	DA-08	25/10/2022	B	Design Corp Architects
Level 5 Floor Plan	DA-09	25/10/2022	B	Design Corp Architects
Level 6 Floor Plan	DA-10	25/10/2022	B	Design Corp Architects
Roof Plan	DA-11	25/10/2022	B	Design Corp Architects
Section A&B	DA-12	25/10/2022	B	Design Corp Architects
Section C	DA-13	25/10/2022	B	Design Corp Architects
Section D	DA-14	25/10/2022	B	Design Corp Architects
East Elevation	DA-15	25/10/2022	B	Design Corp Architects
North Elevation	DA-16	25/10/2022	B	Design Corp Architects
South Elevation	DA-17	25/10/2022	B	Design Corp Architects

West Elevation	DA-18	25/10/2022	B	Design Corp Architects
FSR Plans	DA-19	04/04/23	C	Design Corp Architects
Adaptable Unit Plan	DA-20	25/10/2022	B	Design Corp Architects
Adaptable Unit Plan	DA-21	25/10/2022	B	Design Corp Architects
Landscape Plans	117-L01 to L05	03.06.20	D	Andrew Prowse Landscape Architect
Landscape Plans	Sheets 1-10	20.10.22	B	Paul Scrivener Landscape
Arboricultural Impact Assessment and Tree Management Plan	5560.1	03.02.20		Redgum Horticultural
Preliminary Site Investigation	E24383.E01_R ev0	23.10.19		EIAustralia
Geotechnical Report	P1563_01	15.11.19		Morrow
Stormwater Plans	E313451 Sheets D1 to D11	1.6.20	C	Donovan Associates

This condition has been amended as part of MOD2021/0040 (DA2019/0439)

This condition has been amended as part of MOD2021/0173 (DA2019/0439)

This condition has been amended as MOD2022/0204 (DA2019/0439)

SEPARATE APPROVALS REQUIRED BY OTHER LEGISLATION

- 2. Section 138 Roads Act 1993 and Section 68 Local Government Act 1993** – Unless otherwise specified by a condition of this consent, this Development Consent does not give any approval to undertake works on public infrastructure.

Separate approval is required under Section 138 of the Roads Act 1993 and/or Section 68 of the Local Government Act 1993 for any of the following activities carried out in, on or over a public road (including the footpath) listed below. This approval is to be obtained from RMS.

An application is required to be lodged and approved prior to the commencement of any of the following works or activities;

- (a) Placing or storing materials or equipment;
- (b) Placing or storing waste containers or skip bins;
- (c) Erecting a structure or carrying out work
- (d) Swinging or hoisting goods over any part of a public road by means of a lift, crane or the like;
- (e) Pumping concrete from a public road;
- (f) Pumping water from the site into the public road;
- (g) Constructing a vehicular crossing or footpath;
- (h) Establishing a “works zone”;

- (i) Digging up or disturbing the surface of a public road (e.g. Opening the road for the purpose of connections to utility providers);
- (j) Stormwater & ancillary works in the road reserve; and
- (k) Stormwater & ancillary to public infrastructure on private land
- (l) If any excavation is to be supported by the use of below ground (cable) anchors that are constructed under Council's roadways/footways.

These separate activity approvals must be obtained and evidence of the approval provided to the Certifying Authority prior to the issue of the Construction Certificate.

The relevant Application Forms for these activities can be downloaded from Council's website www.georgesriver.nsw.gov.au. For further information, please contact Council's Customer Service Centre on (02) 9330 6400.

3. **Below ground anchors - Information to be submitted with S68 Application under LGA 1993 and S138 Application under Roads Act 1993** - In the event that the excavation associated with the basement carpark is to be supported by the use of below ground (cable) anchors that are constructed under Council or RMS roadways/footways, an application must be lodged with Council or RMS under Section 68 of the Local Government Act 1993 and the Roads Act 1993 for approval, prior to commencement of those works.

The following details must be submitted:

- (i) That cable anchors will be stressed released when the building extends above ground level to the satisfaction of Council;
- (ii) The applicant has indemnified council from all public liability claims arising from the proposed works, and provide adequate insurance cover to the satisfaction of Council.
- (iii) Documentary evidence of such insurance cover to the value of \$20 million;
- (iv) The applicant must register a non-terminating bank guarantee in favour of Council. An amount will be determined when the application is lodged;
- (v) The guarantee will be released when the cables are stress released. In this regard it will be necessary for a certificate to be submitted to Council from a structural engineer at that time verifying that the cables have been stress released.
- (vi) In the event of any works taking place on Council's roadways/footways adjoining the property while the anchors are still stressed, all costs associated with overcoming the difficulties caused by the presence of the 'live' anchors will be borne by the applicant.

4. **Hoarding Application** - Prior to demolition of the buildings on the site or the commencement of work above ground level a separate application for the erection of an A class (fence type) or a B class hoarding or C type scaffold, in accordance with the requirements of Work Cover Authority of NSW, must be erected along that portion of the footway/road reserve, where the building is within 3.0 metres of the street boundary. An application for this work under Section 68 of the Local Government Act 1993 and the Roads Act 1993 must be submitted for approval to Council.

The following information is to be submitted with a Hoarding Application under s68 of the Local Government Act and s138 of the Roads Act 1993:

- A site and location plan of the hoarding with detailed elevation, dimensions, setbacks, heights, entry and exit points to/from the site, vehicle access points, location of public utilities, electrical overhead wire protection, site management plan and builders sheds location; and
- Hoarding plan and details that are certified by an appropriately qualified engineer; and
- The payment to Council of a footpath occupancy fee based on the area of footpath to be occupied and Council's Schedule of Fees and Charges (available on our website) before the commencement of work; and
- A Public Risk Insurance Policy with a minimum cover of \$10 million in relation to the occupation of and works within Council's road reserve, for the full duration of the proposed works, must be obtained a copy provided to Council. The Policy is to note Council as an interested party; and

The application must be endorsement by the Roads & Maritime Services (RMS) as the hoarding is located within 100m of an intersection with traffic lights. For assistance you should contact the DA unit at RMS and speak to Hans on 88492076. Or email hans.pilly.mootanah@rms.nsw.gov.au to obtain concurrence for the hoarding structure.

5. Vehicular Crossing – The following vehicular crossing and road frontage works will be required to facilitate access to and from the proposed development site:

- (a) Construct a 1.2m wide footpath for the full length of the frontage of the site in accordance with Council's Specifications applying at the time construction approval is sought.
- (b) The thickness and design of the driveway shall be in accordance with Council's Specifications applying at the time construction approval is sought.
- (c) Any existing vehicular crossing and/or laybacks which are redundant must be removed. The kerb and gutter, any other footpath and turf areas shall be restored at the expense of the applicant. The work shall be carried out in accordance with Council's specification, applying at the time construction approval is sought.

Constructing a vehicular crossing and/or footpath requires separate approval under Section 138 of the Roads Act 1993, prior to the commencement of those works.

6. Road Opening Permit - A Road Opening Permit must be obtained from Council and/or RMS for every opening of a public road reserve to access services including sewer, stormwater drains, water mains, gas mains, and telecommunications before the commencement of work in the road.

REQUIREMENTS OF CONCURRENCE, INTEGRATED AND OTHER GOVERNMENT AUTHORITIES

7. **Sydney Water – Tap in TM** - The approved plans must be submitted to a Sydney Water Tap inTM to determine whether the development application will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. The approved plans will be appropriately endorsed. For details please refer to 'Plumbing, building and developing' section of Sydney Water's web site at www.sydneywater.com.au then see 'Building', or telephone 13000 TAP IN (1300 082 746). The Certifying Authority must ensure that a Tap inTM agent has appropriately stamped the plans prior to the issue of the Construction Certificate.
8. **Notice of Requirements for a Section 73 Certificate** - A Notice of Requirements of what will eventually be required when issuing a Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.

Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the 'Plumbing, building and developing' section of the web site www.sydneywater.com.au then refer to 'Providers' under 'Developing' or telephone 13 20 92 for assistance.

Following application, a 'Notice of Requirements' will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Co-ordinator, as it can take some time to build water/sewer pipes and this may impact on other services and building, driveway or landscape design.

The Notice of requirements must be submitted prior to the commencement of work. A Section 73 Compliance Certificate will be required at the completion of development in accordance with further conditions.

9. **Electricity Supply** - An application is required to be made to Ausgrid for a network connection. This may require the network to be extended or its capacity augmented. Evidence of this application being lodged with Ausgrid is required to be provided to the Certifying Authority prior to the issue of a Construction Certificate. For further details, you are advised to contact Ausgrid on 13 13 65 or www.ausgrid.com.au (Business and Commercial Services).
10. **Electricity Supply to Development** – The electricity supply to the development must be underground.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

11. **Fees to be paid** - The fees listed in the table below will be paid in accordance with the conditions of this consent and Council's adopted Fees and Charges applicable at the time of payment (available at www.georgesriver.nsw.gov.au).

Payments will be made prior to the issue of the Construction Certificate or prior to the commencement of work (if there is no associated Construction Certificate).

Council will only accept Bank Cheque or Electronic Funds Transfer (EFT) for transaction values of \$500,000 or over. Council will be contacted prior to payment to determine correct total amount to be paid and bank account details (if applicable).

A summary of the fees to be paid are listed below:

Fee Type	Fee
GENERAL FEES	
Long Service Levy (to Long Service Corporation) Or, provide evidence of Payment direct to the Long Service Corporation. See https://portal.longservice.nsw.gov.au/bci/levy/	
Builders Damage Deposit (footpaths and roadworks) (calculation based on \$1,236.00 per metre of street frontage, Wyuna Street of 62.43m)	\$77,163.48
Inspection Fee for Refund of Damage Deposit (minimum of two (2) inspections at \$371 per inspection)	\$742.00
DEVELOPMENT CONTRIBUTIONS	
Kogarah Section 94 Development Contributions Plan No.1 - Roads and Traffic Management - Residential	\$12,397.97
Kogarah Section 94 Development Contributions Plan No.5 – Open Space	\$647,480.62 \$647,480.62
Kogarah Section 94 Development Contributions Plan No.9 – Kogarah Libraries – Books	\$10,428.87
Kogarah Section 94 Development Contributions Plan No.9 – Kogarah Libraries – Building	\$14,27.25 \$14,627.25
Total S94 Contribution	\$684,934.71

General Fees

The fees and charges above are subject to change and are as set out in the version of Council's Schedule of Fees and Charges or as required by other Government Authorities, applicable at the time of payment.

Development Contributions

The Section 7.11 contribution is imposed to ensure that the development makes adequate provision for the demand it generates for public amenities and public services within the area.

Indexation

The above contributions will be adjusted at the time of payment to reflect changes in the cost of delivering public amenities and public services, in accordance with the indices provided by the relevant Section 94 Development Contributions Plan.

Timing of Payment

The contribution will be paid and receipted by Council prior to the release of the Construction Certificate.

Further Information

A copy of all current Development Contributions Plans may be inspected at Council's offices or viewed on Council's website www.georgesriver.nsw.gov.au.

This condition has been amended as part of MOD2021/0040 (DA2019/0439)

- 12. Building services** - Prior to the issue of a Construction Certificate the applicant may be required, under Clause 144 of the Environmental Planning & Assessment Regulation, 2000 to seek written comment from Fire and Rescue (FR) NSW about the location of water storage tanks, construction of hydrant/booster pump and valve rooms, and any Fire Engineered Solution developed to meet the performance requirements under the Category 2 Fire Safety Provisions.

The applicant is also advised to seek written advice from FR NSW on the location and construction of the proposed Fire Control Centre Facility and location and installation of the sites Fire Indicator / mimic Panels.

- 13. Above ground power lines** – Where practicable, all existing overhead power lines within or adjacent to the development site shall be relocated underground to Energy Australia standards and specifications. If not practicable to relocate the power line underground, arrangements shall be made with Energy Australia to place the conduit to carry those power lines underground so that they can be utilised at a later date by Energy Australia. In this regard all associated costs shall be borne by the applicant.

Written compliance with this condition is required to be provided prior to the issuing of the Construction Certificate.

- 14. NBN Connection** - Prior to the issue of the Subdivision or Construction Certificate in connection with a development, the developer (whether or not a constitutional corporation) is to provide evidence satisfactory to the Certifying Authority that arrangements have been made for:

- (i) the installation of fibre-ready facilities to all individual lots and/or premises in a real estate development project so as to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. Demonstrate that the carrier has confirmed in writing that they are satisfied that the fibre ready facilities are fit for purpose; and
- (ii) the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in a real estate development project demonstrated through an agreement with a carrier.

(Note real estate development project has the meanings given in section 372Q of the Telecommunications Act).

- 15. Damage Deposit - Major Works** - In order to insure against damage to Council property the following is required:

- (a) Pay Council, before the issue of the Construction Certificate, a damage deposit for the cost of making good any damage caused to any Council property as a result of the development: **\$77,163.48**
- (b) Pay Council, before the issue of the Construction Certificate, a non-refundable inspection fee (for two inspections) to enable assessment of any damage and repairs where required: **\$742.00.**
- (c) Submit to Council, before the commencement of work, a photographic record of the condition of the Council nature strip, footpath and driveway crossing, or any area likely to be affected by the proposal.

At the completion of work Council will inspect the public works, and the damage deposit will be refunded in full upon completion of work where no damage occurs. Otherwise the amount will be either forfeited or partly refunded according to the amount of damage.

16. Design changes - The following changes are required to be made and shown on the **Construction Certificate** plans:

- (a) The height of the front fence along Wyuna Street shall not exceed 1.2m and shall be designed so that it is 50% transparent.

17. Use of Rooftop Open Space - A Plan of Management (POM) for use of rooftop open space must be submitted for approval of Council prior to the issuing of the Construction Certificate. The POM must outline the following:

- (i) hours of use of the rooftop deck which shall be restricted from 8am until 10pm;
- (ii) maximum number of users at any one time shall be specified (for this development a maximum of 25 at any one time is recommended) given the size of the space;
- (iii) Outline provisions to maximise the safety (fire safety and general safety) for users of this area.
- (iv) no amplified music to be played;
- (v) identify other measures to ensure that the amenity and safety of persons within the development and in nearby existing and future development is maintained.
- (vi) Location and type of signage to be installed in the building to notify residents and visitors in respect to the use of this space.
- (vii) The approved POM shall be incorporated into the Owners Corporation by-laws in any future Strata subdivision and a sign in the front entry of the building shall be included to ensure the use of this space is monitored and understood by all occupants.

The POM shall be prepared and shall be to the satisfaction of Council's delegate.

18. Parking and Layout – The development shall comply with the following requirements:

- Barriers are to be installed in accordance to AS2890.1:2004 section 2.4.5.3.
- Parking spaces shall be clearly designated (sign posted and marked on ground) and line marked prior to the issuing of an Occupation Certificate. Signage, pavement symbols and line marking shall comply with *Australian Standards, AS1742, Manual of Uniform Traffic Control Devices* and *NSW Road Transport (Safety and Traffic Management) Regulations 1999*.
- Driveway access to comply with figure 3.3-Minimum Sight Lines for Pedestrian Safety as per AS 2890.1:2004 of the Australian Standard for off-street car parking. Figure 3.3 specifies the minimum sight lines for pedestrian safety along a circulation driveway or domestic driveway.
- All allocated car parking spaces shall be freely available for the visitors of the proposed development.
- Any wall or fence or solid object on either side of the driveway/vehicular crossing where it meets the Council's road reserve at the boundary must comply with sight distance requirements stipulated in the *Australian Standards AS2890.1*.
- All vehicles shall enter and exit the premises in a forward direction.
- No deliveries to the premises shall be made direct from a public place or street inclusive of footpaths, nature strip, roadway and car parks.

19. **Materials and finishes** - The proposed materials and finishes selected shall be non-reflective and shall be of the highest quality minimising the need for regular maintenance.
20. **Construction materials** - Any proposed cladding to the building shall be constructed of fire resistant materials which comply with the requirements of the National Construction Code (NCC) 2019 Volume (1) One Building Code of Australia (BCA). Details of the proposed materials and finishes are to be detailed on the construction certificate drawings and shall be to the satisfaction of the PCA.
21. **Mechanical ventilation** – Any proposed mechanical ventilation system will need to satisfy Council's requirements and those stipulated by the National Construction Code and AS1668.2-2002. ~~and shall be in accordance with the plans and details lodged with the application and prepared by RMJ Engineering and dated 26 August 2019.~~

This condition has been amended as part of MOD2021/0040 (DA2019/0439)

22. **Low reflectivity roof** - Roofing materials must be low glare and reflectivity. Details of finished external materials including colours and texture must be provided to the Certifying Authority.
23. **Fire Safety Measures** - Prior to the issue of a Construction Certificate a list of the essential fire safety measures that are to be provided in relation to the land and any building on the land as a consequence of the building work must accompany an application for a construction certificate, which is required to be submitted to either Council or a PCA. Such list must also specify the minimum standard of performance for each essential fire safety measure included in the list. The Council or PCA will then issue a Fire Safety Schedule for the building.
24. **Construction Traffic Management Plan** - A Construction Traffic Management Plan detailing:
 - (a) construction vehicle routes;
 - (b) anticipated number of trucks per day;
 - (c) hours of construction activity;
 - (d) Access arrangements; and
 - (e) Proposed traffic measures to minimise impacts of construction vehicles must be submitted for the approval of Council's Engineers. Council's Engineers must specify in writing that they are satisfied with the Traffic Management Plan prior to the issue of the Construction Certificate.

The Construction Traffic Management Plan may require approval from RMS.

25. **Geotechnical report** - The applicant must submit a Geotechnical Report, prepared by a professional engineer specialising in geotechnical engineering who holds the relevant Certificate of accreditation as required under the Building Professionals Act 2005 in relation to dilapidation reports, all site works and construction. This is to be submitted before the issue of the Construction Certificate and is to include:
 - (a) Investigations certifying the stability of the site and specifying the design constraints to be placed on the foundation, any earthworks/stabilization works and any excavations.

- (b) Dilapidation Reports on the adjoining properties prior to any excavation of site works. The Dilapidation Report is to include assessments on, but not limited to, the dwellings at those addresses and any external paths, grounds etc. This must be submitted to the PCA and the adjoining residents as part of the application for the Construction Certificate. Adjoining residents are to be provided with the report five (5) working days prior to any works on the site.
- (c) On-site guidance by a vibration specialist during the early part of excavation.
- (d) Measures to minimise vibration damage and loss of support to other buildings. Where possible any excavation into rock is to be carried out with tools such as rock saws which reduce vibration to adjoining buildings and associated structures. Where a hydraulic hammer is to be used within 30 metres of any building (other than a path or a fence) the report shall detail the maximum size of hammer to be used and provide all reasonable recommendations to manage impacts.
- (e) Sides of the excavation are to be pierced prior to any excavation occurring to reinforce the walls of the excavation to prevent any subsidence to the required setbacks and neighbouring sites.

26. Waste Storage - Residential and Mixed Use Developments - The plans shall include details of the waste storage area. The waste storage area shall not be visible from the street. The waste storage area shall be located within the lot/building in accordance with the approved plans.

The waste storage area shall be large enough to accommodate the required number of bins for the development and located in an area to suitably facilitate servicing on waste collection day.

The path to the bin room is to be at least 1.0 metres wide and kept clear and unobstructed at all times.

Residential Waste

The development will require the provision of the following waste and recycling facilities:
Domestic Waste

- 11 x 660L litre mobile bins per apartment/dwelling. Domestic Recycling
- 11 x 240 litre mobile bin per 3 apartments/dwellings.
- Green Waste – 1 to 2 x 240 litre mobile bins per apartment block.

27. Waste room design - The waste room will contain the following to minimise odours, deter vermin, protect surrounding areas, and make it a user-friendly and safe area:

- waste room floor to be sealed;
- waste room walls and floor surface is flat and even;
- all walls painted with light colour and washable paint;
- equipment electric outlets to be installed 1700mm above floor levels;
- The bin storage rooms will be mechanically exhausted as required by AS 1668.2;
- light switch installed at height of 1.6m;
- waste rooms must be well lit (sensor lighting recommended);
- optional automatic odour and pest control system installed to eliminate all pest types and assist with odour reduction - this process generally takes place at

- building handover - building management make the decision to install;
- all personnel doors are hinged and self-closing;
- waste collection area must hold all bins - bin movements should be with ease of access;
- Conform to the Building Code of Australia, Australian Standards and local laws; and childproofing and public/operator safety shall be assessed and ensured.
- Occupational Health and Safety issues such as slippery floors in waste rooms and the weight of the waste and recycling receptacles will need to be monitored.
- Cleaners will monitor the bin storage area and all spills will be attended to immediately by cleaners.

This information shall be reflected on construction drawings submitted to the certifying authority.

- 28. Dial before your dig** – The applicant shall contact “Dial Before You Dig on 1100” to obtain a Service Diagram prior to the issuing of the Construction Certificate. The sequence number obtained from “Dial Before You Dig” shall be forwarded to the Principal Certifying Authority (PCA) and Council for their records.
- 29. Structural details** - Engineer's details prepared by a practising Structural Engineer being used to construct all reinforced concrete work, structural beams, columns and other structural members. The details are to be submitted with the construction certificate to the Certifier for approval prior to construction of the specified works.

A copy will be forwarded to Council where Council is not the Certifying Authority.

- 30. Access for Persons with Disabilities** - Access for persons with disabilities must be provided to and within the site, including to all foyer areas, basement carpark, required communal areas including the sanitary and kitchen facilities and allocated balconies in accordance with the requirements of the Premises Standards, the Building Code of Australia and AS 1428.1. Details must be submitted with the Construction Certificate Application.

In regards to the above, pedestrian access throughout basement levels shall be highlighted/line marked and sign posted to safeguard egress.

In the event that full compliance cannot be achieved the services of an accredited access consultant is to be obtained to determine alternative methods of compliance, such a report must be submitted to and endorsed by the Principal Certifying Authority prior to issue of the Construction Certificate.

- 31. Commonwealth Disability (Access to Premises) Standard** - The Commonwealth Disability (Access to Premises - Buildings) Standards 2010 (the Premises Standards) applies to all applications (including a Construction Certificate). This requires any new building, part of a building and the affected part of the existing building to comply with the Premises Standards, the Building Code of Australia and AS 1428.
- 32. Access** - The recommendations of the Access Report prepared by ~~Vista Access Architects Reference No. 18216~~ PSE Access Consulting dated 20 August 2019 shall be implemented in the Construction Certificate Plans and Documents.

This condition has been amended as part of MOD2021/0040 (DA2019/0439)

- ~~33. **BCA Assessment** – The recommendations in the Assessment of BCA Compliance Capability prepared by Certified Building Specialists and dated 26 November 2018 shall be incorporated within the Construction Certificate Plans and relevant documents.~~

This condition has been deleted as part of MOD2021/0040 (DA2019/0439)

34. **Contamination Report** - The recommendations of the Preliminary Site Investigation prepared by EI Australia dated 23 October 2019 shall be included within the Construction Certificate Plans and relevant documents.
35. **Acoustic Requirements** – The Construction Certificate plans shall demonstrate compliance with the Acoustic Assessment submitted to Council, titled *“Traffic Noise Intrusion Assessment – for proposed development at No. 13 - 21 Wyuna Street, Beverley Park.” Reference No. 20200206.1/0805A/R0/AS prepared by Acoustic Logic and dated 8 May 2020.*

This means that a review of glazing design and mechanical plant must be undertaken to ensure that acoustic objectives will be met. Written verification from a suitably qualified acoustic consultant must be submitted to Council validating that the acoustic objectives contained within the aforementioned report will be met, must be submitted to Council for approval. The Construction Certificate will not be issued until Council approves this validation.

36. **Vibration Damage** - To minimise vibration damage and loss of support to the buildings in close proximity to the development any excavation is to be carried out by means of a rock saw and if available, in accordance with the guidelines of the Geotechnical Engineer's report.

Alternatively where a hydraulic hammer is to be used within 30 metres of any building (other than a path or a fence) a report from a qualified geotechnical engineer detailing the maximum size of hammer to be used is to be obtained and the recommendations in that report implemented during work on the site.

The report must be submitted with the Construction Certificate application.

37. **Slip Resistance** - All pedestrian surfaces in areas such as foyers, public corridors/hallways, stairs and ramps as well as floor surfaces in the wet rooms in any commercial/retail/residential apartments will have slip resistance classifications, as determined using test methods in either wet or dry conditions, appropriate to their gradient and exposure to wetting. The classifications of the new pedestrian surface materials, in wet or dry conditions, will comply with AS4586:2013 - Slip Resistance Classifications of New Pedestrian Surface Materials and will be detailed on the plans lodged with the application for the Construction Certificate.
38. **Advice from Fire and Rescue (FR) NSW - Prior to the issue of a Construction Certificate** the applicant may be required, under Clause 144 of the Environmental Planning & Assessment Regulation, 2000 to seek written comment from FR NSW about the location of hydrant facilities and any Fire Engineered Solution developed to meet the performance requirements under the Category 2 Fire Safety Provisions.
39. **Site Management Plan** - A Site Management Plan must be submitted with the application for a Construction Certificate, and include the following:

- (a) location of protective site fencing;
- (b) location of site storage areas/sheds/equipment, not within the curtilage of the heritage item;
- (c) location of building materials for construction, e.g. stockpiles not within the curtilage of the heritage item
- (d) provisions for public safety;
- (e) dust control measures;
- (f) method used to provide site access location and materials used;
- (g) details of methods of disposal of any materials off site;
- (h) method used to provide protective measures for tree preservation;
- (i) provisions for temporary sanitary facilities;
- (j) location and size of waste containers/skip bins, not within the curtilage of the heritage item;
- (k) details of proposed sediment and erosion control measures;
- (l) method used to provide construction noise and vibration management;
- (m) traffic management details during construction.

The site management measures are to be implemented prior to the commencement of construction works. The site management measures are to be maintained throughout the works, to maintain reasonable levels of public health, safety and amenity. A copy of the Site Management Plan will be kept on site and is to be made available upon request.

- 40. Car Wash Bay** – Plans and specifications of the car washing system approved by Sydney Water must be submitted with the application for the Construction Certificate. One visitor space shall be designated as a Car wash bay and this space shall be conveniently located in order to serve this purpose.

All car washing bays will be contained within a roofed and bunded car wash bay with pre-treatment approved by Sydney Water. The water from the car wash bay must be graded to a drainage point and connected to sewer.

If alternative water management and disposal options are proposed (i.e. where water is recycled, minimised or reused on the site), detailed plans and specifications of the water recycling system must be submitted with the application for the Construction Certificate for approval by Council's Environmental Health Officers.

- 41. SEPP 65 Design Verification Statement** - A design verification statement, prepared by a qualified designer, must be submitted to the Certifier verifying that the plans and specifications achieve or improve the design quality of the development for which development consent was granted, having regard to the design quality principles set out under Schedule 1 of State Environmental Planning Policy No 65 - Design Quality of Residential Flat Development.
- 42. Council Property Shoring** - Prior to the issue of the Construction Certificate, plans and specifications prepared by a professional engineer specialising in practising structural engineering will detail how Council's property will be supported at all times.

Where any shoring is to be supporting, or located on Council's property, certified structural engineering drawings detailing; the extent of the encroachment, the type of shoring and the method of removal, will be included on the plans. Where the shoring cannot be removed, the plans will detail that the shoring will be cut to 150mm below footpath level and the gap between the shoring and any building will be filled with a 5MPa lean concrete mix.

- 43. BASIX Commitments** - All energy efficiency measures as detailed in the BASIX Certificate No. 1037318M_03 and dated 8 February 2021 must be implemented on the plans lodged with the application for the Construction Certificate.

This condition has been amended as part of MOD2021/0173 (DA2019/0439)

- 44. Acoustic requirements for timber flooring** - If timber flooring is installed within the development, then appropriate insulation between floors shall be implemented to exceed the minimum sound attenuation.
- 45. Acoustic attenuation for apartments adjoining lift core** – Where bedrooms within apartments that adjoin the internal lift core appropriate noise attenuation measures are to be applied to prevent transmission of noise in accordance with the Building Code of Australia (BCA).
- 46. Landscape Plans** - All landscape works shall be carried out in accordance with the approved landscape plans and specifications, drawn by Andrew Prouse Landscape Architecture, Ref No Dwg No 117, Issue D, and dated 3 June 2020. The landscaping shall be maintained in accordance with the approved plans in perpetuity, subject to the following -
- a) Prior to the issue of a Construction Certificate, the total number, quantities of all trees and plants shall be forwarded as per landscape plans – Ground floor plan, level 4 landscape plan, level 6 landscape plan, including all landscape plans for this proposal.
 - b) The proposed trees and plant species, pot/ bag size of plants shall be in accordance with the proposed plant schedule upon the landscape plan. If plant species, pot/ bag size and quantities cannot be sourced, Council shall be contacted for alternatives;
 - c) All trees proposed upon the approved landscape plan shall comply with AS 2303 – 2018, *Tree Stock for Landscape use* and *NATSPEC Specifying Trees: a guide to assessment of tree quality (2003)*, and be planted and maintained in accordance with Councils standard specification;
 - d) If the planted trees and plants are found to be faulty, damaged, dying or dead within twelve (12) months of planting then they must be replaced with the same species. If the trees are found dead before they reach a height where they are protected by Councils Tree Management Controls, they must be replaced with the same species and pot/bag size;
 - e) A certificate of compliance for the planting of all trees and shrubs proposed for the site. An AQF 5 Horticulturist shall be engaged and in writing certify that all trees have been planted as per landscape plan and specifications and forwarded to the PCA – Principal Certifying Authority.
- 47. Compliance with submitted Arborist Report** – The recommendations outlined in the Arborist's Report titled Arboricultural Impact Assessment prepared by Redgum Horticultural dated 3 February, 2020 must be implemented throughout the relevant stages of construction. Details of tree protection measures to be implemented must be detailed and lodged with the Construction Certificate application for approval and shall be in accordance with *Section 4 - Australian Standard AS 4970-2009: Protection of trees on development sites*.

The tree/s to be retained and protected are listed in the table below.

Tree Species	Location of Tree / Tree No.	Tree Protection Zone (metres) TPZ as per AS4970 - 2009
Trees 6, 7 and 8 - <i>Callistemon citrinus</i>	Council's street trees	Trunk wrapping and ground protection as per AS4970 -2009
T15 - <i>Persea Americana</i>	Neighbours tree at rear back fence 182 Princes Highway	4.0 metres radially out from its trunk
T19 – <i>Syagrus romanzoffiana</i>	Rear of 2 Lacey Street Beverley Park	4.0 metres radially out from its trunk
T20 – <i>Cinnamomum camphora</i>	188 Princes Highway Beverley Park	12.0 Metres radially out from its trunk

- (a) The client shall engage a qualified Arborist who holds an AQF Level 5 or above in Arboriculture and who is a current practicing and financial member of an Arboricultural Association or Affiliation.
- (b) A certificate of compliance letter for tree protection measures shall be completed and forwarded to the PCA – Principal Certifying Authority, at three (3) stages being before works, during works and once all building works have been completed, that tree protection measures have been installed and maintained during the building process.

Tree Protection Measures

- (a) The Tree Protection Zone of Tree 20 **must not be** used for any storage of materials, building products or preparation of any building products for the entirety of the project.
- (b) The Tree Protection Plan, Part B within the Arboricultural Impact Assessment completed by Redgum Horticultural shall be overseen by the project Arborist, re - Tree 20 – *Cinnamomum camphora*. The project Arborist shall complete written certificates that all protection measures have been completed and witnessed and forwarded to the PCA, for compliance.
- (c) All trees on Council property, subject site and adjacent sites, to be retained shall be protected before and maintained during demolition, excavation and construction of the site.
- (d) Although trees may be on adjacent sites, the tree protection fencing must be placed on the nominated distances as per table above, out from the trees trunk, within the subject site to minimise impacts to neighbours trees and kept for the entirety of the project.
- (e) The tree protection measures must be in undertaken in accordance AS4970 -2009 Protection of trees on development sites.
- (f) Details of the tree protection measures to be implemented must be provided with the application for a Construction Certificate by a qualified Arborist who holds an AQF Level 5 or above in Arboriculture and who is a current practicing and financial member of an Arboricultural Association or Affiliation.
- (g) The engaged AQF 5 Consulting Project Arborist must be present on-site during the stages of excavation, demolition and construction when works are being undertaken that could impact on the tree canopy or root zone within the tree protection zone of each tree.

- (h) In accordance with AS 4970-2009 *Protection of trees on development sites*, a protective fence consisting of 2.4 x 1.8 metres high, fully supported chainmesh fence shall be used. The distance of the fence from the base of each tree is to be in accordance with the TPZ listed in the table above. A layer of organic mulch 100 millimetres thick shall be placed over the protected area and no soil or fill should be placed within the protection area.
- (i) To preserve the Council's street trees – Trees 6, 7 and 8, no work shall commence nor shall a Construction Certificate be issued (whichever occurs first) until the trunk/ branches are protected, in accordance with AS4970 - 2009, *Protection of trees on development sites*, by the wrapping of geo woven fabric around the trunk 4 / 5 times and the placement of two metre long, lengths of 50mm x 100mm timber battens vertically arranged around the trunk, with 100mm spacing's. The timber battens shall be secured by wire/ hoop straps but not secured into the tree itself. The trunk/ branch protection shall be maintained intact until the completion of all works upon the site

Or

In the case of horizontal branching, tree protection fencing shall encompass the tree, without interfering with pedestrian access.

- (j) The Tree Protection Zone of each tree, to be protected, shall be watered thoroughly and regularly to minimise the effects of construction works.
- (k) No building products/ materials or services shall be installed within the TPZ of the tree/s unless approved by Council. This fence shall be kept in place during demolition, construction and also have a sign displaying 'Tree Protection Zone – DO NOT ENTER' attached to the fence and must also include the name and contact details of the Project Arborist.

Excavation works near tree to be retained – Tree 20 – *Cinnamomum camphora*

- (l) Excavations around the trees to be retained on site or the adjoining properties shall be supervised by the AQF 5 Project Arborist to ensure that the root system will not adversely be affected.
- (m) All stormwater piping and pit installations must be completed by hand or pneumatic air spade type of excavations. No machine excavator bucket type excavations are allowed within the TPZ of Tree 20.
- (n) Where the Tree Protection Zone (TPZ) of trees on site or adjoining sites become compromised by any excavation works, the AQF 5 Project arborist shall be consulted to establish the position of any major roots and determine the necessary measures to protect these roots. The recommendations of the Arborist shall be submitted to Council prior to any further demolition or construction works taking place.
- (o) Tree Protection Zones around the trees to be retained are not to have soil level changes, building product / materials stored or services installed in this area. Any structures proposed to be built in this area of the trees are to utilise pier and beam or cantilevered slab construction.

Pier and Beam/ Cantilever type –

- (a) To preserve Tree 20 – *Cinnamomum camphora*, the footings of the proposed patio of apartments 8, shall be isolated pier and beam/ cantilever type construction within the TPZ of 12 metre radius of the trunk. The piers shall be hand dug and located such that no roots of a diameter greater than 50mm are severed or injured in the process of any site works during the construction period. The beam shall be located on or above the existing soil levels.
- (b) Removal or pruning of any other tree (that would require consent of Council) on the site is not approved. All pruning must be undertaken by a qualified Arborist in accordance with AS4373 -2007 Pruning of Amenity Trees and Amenity Tree Industry, Code of Practice (SafeWork NSW August 1998).

48. Tree Removal & Replacement - Permission is granted for the removal of the following trees:Tree removal

In accordance with Georges River Tree Management Policy 2019, a 2:1 Policy is to be implemented. For every one (1) tree to be removed, two (2) trees shall be planted on the subject site to compensate for the loss of each tree, with exempt Species replacement being 1:1. If Council finds that locations within the site cannot be found for the trees viability, an offset fee shall be forwarded to Council to plant the tree/s elsewhere, within the municipality.

Permission is granted for the removal of the following trees:

Tree Species	Number of trees	Location
Tree 1- <i>Callistemon citrinus</i>	X1	Councils street tree (removed by Council only)
Tree 2/3 – <i>Citrus Spp</i>	X2	Rear of 13 Wyuna Street
Tree 4 – <i>Plumeria rubrum</i>	X1	Rear side fence of 13 Wyuna Street
Tree 5 – <i>Melaleuca bracteata</i>	X1	Rear side fence of 13 Wyuna Street
Tree 9 – <i>Howea forsteriana</i>	X1	Front yard of No 17 Wyuna Street
Tree 10 – <i>Phoenix canariensis</i>	X1	Front yard of No 17 Wyuna Street
Tree 11 – <i>Howea forsteriana</i>	X1	Front yard of No 11 Wyuna Street
Tree 12 – <i>Sedum Spp</i>	X1	Front yard of No 11 Wyuna Street
Tree 13/14 – <i>Citrus Spp</i>	X2	Rear yard of No 17 Wyuna Street
Tree 16 – <i>Persea americana</i>	X1	Rear yard of No 19 Wyuna Street
Tree 17 - <i>Howea forsteriana</i>	X1	Front yard of No 19 Wyuna Street
Tree 18 – <i>Citrus Spp</i>	X1	Rear yard of No 21 Wyuna Street
Tree 21 – <i>Cactus Spp</i>	X1	Rear yard of No 19 Wyuna Street
Tree 22 – <i>Persea Americana</i>	X1	Rear yard of No 19 Wyuna Street
Tree 23 – <i>Howea forsteriana</i>	X1	Rear yard of No 19 Wyuna Street
Tree 24 – <i>Cupressus sempervirens</i>	X2	Front yard of No 21 Wyuna Street

General Tree Removal Requirements

- a) All tree removal shall be carried out by a minimum certificate Level 3, Licenced and insured Tree Surgeon/Arborist to ensure that removal is undertaken in a safe manner and complies with the AS 4373-2007 - Pruning of Amenity Trees and Tree Works Industry Code of Practice (Work Cover NSW 1.8.98).

- b) No trees are to be removed on the site or neighbouring properties without the prior written approval of Council.

49. Street Tree Removal / Replacement by Council –

- a) Three (3) street trees of species to be determined must be provided in the road reserve fronting the site.
- b) Council shall be appointed to remove and plant all tree/s on public land. All costs associated with the removal of the tree/s and the planting of replacement trees shall be met by the applicant. Fees and charges outlined in the table below are subject to change and are set out in the current version of Council's 'Schedule of Fees and Charges', applicable at the time of payment.
- c) The fees must be paid in accordance with the conditions of this consent. The fee payable is to ensure that the development makes adequate provision for the demand it generates for public amenities and public services within the area.
- d) The fees payable will be adjusted at the time of payment to reflect changes in the cost of delivering public amenities and public services, in accordance with the indices provided by the relevant conditions set out in this consent.

Fee Type – Tree planting/ removal on public land	Number of trees	Amount per tree
Administration Fee, tree planting and maintenance	X3	\$452.00, prior to Construction Certificate
Cost of tree removal – T1 – Callistemon Spp	X1	To be determined by Council, prior to Construction Certificate.
Cost of Stump Grinding	X1	To be determined by Council, prior to Construction Certificate

50. Pre-Construction Dilapidation Report – Private Land - A professional engineer specialising in structural or geotechnical engineering shall prepare a Pre-Construction Dilapidation Report detailing the current structural condition of adjoining premises.

The report shall be prepared at the expense of the applicant and submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate.

A copy of the pre-construction dilapidation report is to be provided to the adjoining properties (subject of the dilapidation report), a minimum of 5 working days prior to the commencement of work. Evidence confirming that a copy of the pre-construction dilapidation report was delivered to the adjoining properties must be provided to the PCA.

Should the owners of properties (or their agents) refuse access to carry out inspections, after being given reasonable written notice, this shall be reported to Council to obtain Council's agreement to complete the report without access. Reasonable notice is a request for access in no sooner than 14 days between 8.00am-6.00pm.

51. Stormwater System –The submitted stormwater plan has been assessed as a concept plan only. Final detailed plans of the drainage system, prepared by a professional engineer specialising in hydraulic engineering, shall be submitted for approval with the Construction Certificate.

- (a) All stormwater shall drain by gravity to Council's kerb and gutter in the street as indicated on the approved plan in accordance with the Australian/New Zealand Standard AS/NZS 3500.3: 2015 (as amended).
- (b) The PCA shall ensure that the approved drainage design levels are to be surveyed during construction by a registered surveyor.
- (c) Prior to the commencement of works, the registered surveyor shall ensure to the PCA that the stormwater discharge pipe across the footpath shall be RHS at an angle and is laid with minimum disturbance at a minimum 1% grade to the kerb and gutter in the street and is made in good working condition.
- (d) The RHS galvanised pipe must have a minimum of 50mm of cover along its length through the road reserve. A detailed section of the connection through the road reserve is to be prepared and shown on the drainage plan prior to the commencement of works.
- (e) There shall be no damage to the adjoining driveway crossing. All damages are to be rectified to its original condition at the cost of the applicant.
- (f) The stormwater drainage plans including pipe sizes, type, grade, length, invert levels, dimensions and types of drainage pits prepared by a professional engineer who specialises in Hydraulic Engineering in accordance with the Australian Institute of Engineers Australian Rainfall and Runoff (1987) and Council's Stormwater Drainage Guidelines, shall accompany the application for the Construction Certificate.

Stormwater Systems with Basement

- (a) The underground basement car park must pump to and all other stormwater must drain by gravity to:
 - i. the drainage system within the site via a silt trap pit .

The design of the proposed drainage system must be prepared by a professional engineer who specialises in hydraulic engineering and be submitted for approval with the Construction Certificate application.

Protection of basement from inundation of stormwater waters

- (b) The protection of the underground basement shall be protected from possible inundation by surface waters from the street.

Evidence from a professional engineer who specialises in hydraulic engineering that this design requirement has been adhered to shall be submitted with the Construction Certificate application.

52. On Site Detention – The submitted stormwater plan has been assessed as a concept plan only. Final detailed plans of the drainage system, prepared by a professional engineer specialising in hydraulic engineering is to be constructed with capacity as shown on the approved plan in this case.

- (a) Provide the OSD system with at least one access for future maintenance and show on plan.
- (b) Provide the OSD system with sufficient ventilation and show on plan.

- (c) The OSD tank shall be certified to be structurally adequate to carry the designated loads to the satisfaction of the PCA.

The OSD facility shall be designed to meet all legislated safety requirements and childproof safety fencing around the facility must be provided where the OSD facility is open or above ground when the design peak storage depth is greater than 300mm. A durable metal plate or similar sign is to be placed at the OSD facility and must bear the words:

"BEWARE: This is an on-site detention basin/tank for rainwater which could overflow during heavy storms."

Full details shall accompany the application for the Construction Certificate.

- 53. Pump-Out System Design for Stormwater Disposal** – The design of the pump-out system for storm water disposal will be permitted for drainage of basement areas only, and must be designed in accordance with the following criteria:

- (a) The pump system shall consist of two pumps, connected in parallel, with each pump being capable of emptying the holding tank at the rate equal to the rate of inflow for the one-hour duration storm. The holding tank shall be capable of holding one hour's runoff from a one-hour duration storm of the 1 in 20 year storm;
- (b) The pump system shall be regularly maintained and serviced, every six (6) months; and
- (c) Any drainage disposal to the street gutter from a pump system must have a stilling sump provided at the property line, connected to the street gutter by a suitable gravity line.

Details and certification of compliance from a professional engineer specialising in civil engineering shall be provided for approval with the Construction Certificate application.

- 54. Driveway Construction Plan Details** - Detailed engineering plans for the driveway shall be submitted with the Construction Certificate application for approval that show:

- (a) Longitudinal and cross sections, gradients, access onto the proposed lots, type of construction materials designed in accordance with Council's Subdivision standards and AS/NZS2890.1-2004.
- (b) Suitable underground provision for the supply of all relevant services to the proposed lots (proposed position of pipes and conduits).
- (c) The full length of the driveway designed with a minimum 150mm thick reinforced concrete and minimum of 2.7m wide pavement/kerb face to kerb face width, and a non-slip surface.

PRIOR TO COMMENCEMENT OF WORKS

- 55. Erosion & Sedimentation Control** - Erosion and sediment controls must be in place prior to commencement of any work on the site. These measures include:

- (a) Compliance with the approved Erosion & Sediment Control Plan
- (b) Removal or disturbance of vegetation and top soil is confined to within 3m of the approved building area (no trees to be removed without approval)
- (c) All clean water runoff is diverted around cleared or exposed areas
- (d) Silt fences, stabilised entry/exit points or other devices are installed to prevent sediment from entering drainage systems or waterways

- (e) All erosion and sediment controls are fully maintained for the duration of excavation and construction works
- (f) Controls are put into place to prevent tracking of sediment by vehicles onto adjoining roadway
- (g) All disturbed areas are rendered erosion-resistant by turfing, mulching, paving or similar
- (h) Compliance with Managing Urban Stormwater - Soils and Construction (Blue Book) produced by Landcom 2004.

These measures are to be implemented prior to the commencement of work (including excavation) and will remain until works are completed and all exposed surfaces are landscaped/sealed.

- 56. Demolition & Asbestos** - The demolition work shall comply with the provisions of Australian Standard AS2601:2001 – Demolition of Structures, NSW [Work Health & Safety Act 2011](#) and the NSW [Work Health & Safety Regulation 2011](#). The work plans required by AS2601:2001 shall be accompanied by a written statement by a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the safety statement shall be submitted to the PCA prior to the commencement of works.

For demolition work which involves the removal of asbestos, the asbestos removal work must be carried out by a licensed asbestos removalist who is licensed to carry out the work in accordance with the NSW [Work Health & Safety Act 2011](#) and the NSW [Work Health & Safety Regulation 2011](#) unless specified in the Act and/or Regulation that a license is not required.

All demolition work including the removal of asbestos, shall be undertaken in accordance with the [Demolition Code of Practice](#) (NSW Work Cover July 2015).

Note: Copies of the Act, Regulation and Code of Practice can be downloaded free of charge from the SafeWork NSW website: www.SafeWork.nsw.gov.au.

- 57. Demolition Notification Requirements** - The following notification requirements apply to this consent:

- (a) The developer /builder must notify adjoining residents five (5) working days prior to demolition. Such notification is to be a clearly written note giving the date demolition will commence, contact details of the developer/builder, licensed asbestos demolisher and the appropriate regulatory authority. Notification is to be placed in the letterbox of every premises (including every residential flat or apartments, if any) either side and immediately at the rear of the demolition site.
- (b) Five (5) working days prior to demolition, the developer/builder is to provide written notification to Council advising of the demolition date, details of the SafeWork licensed asbestos demolisher and the list of residents advised of the demolition.

- (c) On demolition sites where buildings to be demolished contain asbestos, a standard commercially manufactured sign containing the words “DANGER ASBESTOS REMOVAL IN PROGRESS” measuring not less than 400mm x 300mm is to be erected in a prominent visible position (from street frontage) on the site. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos material has been removed from the site to an approved waste facility.

58. Site Management - The site management measures are to be implemented prior to the commencement of construction works. The site management measures are to be maintained throughout the works, to maintain reasonable levels of public health, safety and amenity. A copy of the Site Management Plan will be kept on site and is to be made available upon request.

59. Site Safety Fencing - Site fencing will be erected in accordance with SafeWork Guidelines, to exclude public access to the site throughout the construction work, except in the case of alterations to an occupied dwelling. The fencing will be erected before the commencement of any work and maintained throughout all construction work.

A high risk work license may be required from SafeWork NSW (see www.SafeWork.nsw.gov.au).

60. Dilapidation Report on Public Land – Prior to the commencement of works (including excavation), a dilapidation report must be prepared for the Council infrastructure adjoining the development site.

The report must include the following:

- (a) Photographs showing the existing condition of the road pavement fronting the site,
- (b) Photographs showing the existing condition of the kerb and gutter fronting the site,
- (c) Photographs showing the existing condition of the footpath pavement fronting the site,
- (d) Photographs showing the existing condition of any retaining walls within the footway or road, and
- (e) Closed circuit television/video inspection (in DVD format) of public stormwater drainage systems fronting, adjoining or within the site, and
- (f) The full name and signature of the structural engineer.

The Dilapidation Report must be prepared by a qualified structural engineer. The Dilapidation Report must be prepared by a professional engineer. The report must be provided to the PCA and a copy provided to the Council.

The report is to be supplied in electronic format in Word or PDF. Photographs are to be in colour, digital and date stamped.

Note: Council will use this report to determine whether to refund the damage deposit after the completion of works.

61. Registered Surveyor's Report - During Development Work - A report will be submitted to the Certifier at each of the following applicable stages of construction:

- (a) Set out before commencing excavation.
- (b) Floor slabs or foundation wall, before formwork or commencing brickwork.

- (c) Completion of Foundation Walls - Before any construction of flooring, detailing the location of the structure relative to adjacent boundaries and floor levels relative to the datum shown on the approved plans.
- (d) Completion of Floor Slab Formwork - Before pouring of concrete/walls construction, detailing the location of the structure relative to adjacent boundaries and floor levels relative to the datum shown on the approved plans. In multi-storey buildings a further survey will be provided at each subsequent storey.
- (e) Completion of any Roof Framing - Before roof covered detailing eaves/gutter setback from boundaries.
- (f) Completion of all Work - Detailing the location of the structure (including eaves/gutters) relative to adjacent boundaries and its height relative to the datum shown on the approved plans. A final Check Survey will indicate the reduced level of the main ridge.

Work will not proceed beyond each stage until the Principal Certifier is satisfied that the height and location of the building is proceeding in accordance with the approved plans.

- 62. Utility Arrangements** - Arrangements are to be made with utility authorities in respect to the services supplied by those authorities to the development. The cost associated with the provision or adjustment of services within the road and footway areas is to be at the applicant's expense.
- 63. Structural Engineer's Details - Supporting Council road/footway** - Prior to the commencement of work in connection with the excavation of the site associated with the basement carpark, structural engineer's details relating to the method of supporting Council's roadways/footways and the Heritage Item on site will be submitted to the satisfaction of Council.
- 64. Notification Requirements** - The following notification requirements apply to this consent:
 - (a) The developer/builder will notify adjoining residents five (5) working days prior to excavation. Such notification is to be a clearly written note giving the date works will commence, contact details of the developer/builder and the appropriate regulatory authority. Notification is to be placed in the letterbox of every premises (including every residential flat or apartment, if any) either side and immediately at the rear of the site.
 - (b) Five (5) working days prior to excavation, the developer/builder is to provide written notification to Council advising of the commencement date, and details of the list of residents advised of the works.
- 65. Notice of Commencement** - The beneficiary of the development consent must give at least two (2) days' notice to the Council and the Principal Certifier of their intention to commence the erection of a building.
- 66. Notification of Critical Stage Inspections** - No later than two (2) days before the building work commences, the Principal Certifier must notify:
 - (a) the consent authority and the Council (if not the consent authority) of his or her appointment; and
 - (b) the beneficiary of the development consent of the critical stage inspections and other inspections that are to be carried out with respect to the building work.

- 67. Structural Engineer's Details - Supporting excavations and adjoining land** - Prior to the commencement of work in connection with the excavation of the site associated with the basement car park, structural engineer's details relating to the method of supporting the excavation will be submitted.

DURING CONSTRUCTION

- 68. Archaeology** - As required by the National Parks and Wildlife Service Act 1974 and the Heritage Act 1977, in the event that Aboriginal cultural heritage or historical cultural fabric or deposits are encountered/discovered where they are not expected, works must cease immediately and Council and Heritage NSW must be notified of the discovery.

In the event that archaeological resources are encountered, further archaeological work may be required before works can re-commence, including the statutory requirement under the Heritage Act 1977 to obtain the necessary approvals/permits from Heritage NSW. Note: The National Parks and Wildlife Service Act 1974 and the Heritage Act 1977 impose substantial penalty infringements and / or imprisonment for the unauthorised destruction of archaeological resources, regardless of whether or not such archaeological resources are known to exist on the site.

- 69. Hazardous or Intractable Waste – Removal and Disposal** - Hazardous or intractable waste arising from the excavation or construction process shall be removed and disposed of in accordance with the requirements of SafeWork NSW and the NSW Environment Protection Authority and with the provision of:

- Work Health and Safety Act 2011 (NSW) (as amended);
- Work Health and Safety Regulation 2011 (as amended);
- Protection Of the Environment Operations Act 1997 (NSW) (as amended); and
- Protection of the Environment Operations (Waste) Regulation 2014 (as amended)

- 70. Site Contamination – During Construction** - Any new information that identified during demolition, excavation or construction which has the potential to alter previous conclusions about site contamination and remediation, must be notified to the Principal Certifying Authority (and Council if Council is not the principal certifying authority) immediately.

All works must cease and a qualified Land Contamination Consultant, certified under the consultant certification schemes recognised by the NSW EPA, is engaged to assess and provide documentation on the management of the contamination in accordance with any relevant NSW EPA adopted guidelines.

Works on site must not recommence until such time as Council has reviewed the documentation and has accepted the contamination management in writing to the applicant.

- 71. Critical Stage Inspections** - The last critical stage inspection must be undertaken by the Principal Certifier. The critical stage inspections required to be carried out vary according to Building Class under the Building Code of Australia and are listed in Clause 162A of the Environmental Planning and Assessment Regulation 2000.

- 72. Site sign** - A clearly legible Site Management Sign is to be erected and maintained throughout the course of the works. The sign is to be centrally located on the main street frontage of the site and is to clearly state in legible lettering the following:
- a) The builder's name, builder's telephone contact number both during work hours and after hours.
 - b) That no works are to be carried out in Council's Road Reserve without prior application and approval of a Road Opening Permit from Council.
 - c) That a Road Opening Permit issued by Council must be obtained for any road openings or excavation within Council's Road Reserve associated with development of the site, including stormwater drainage, water, sewer, electricity, gas and communication connections. During the course of the road opening works the Road Opening Permit must be visibly displayed at the site.
 - d) That no skip bins or materials are to be stored on Council's Road Reserve.
 - e) That the contact number for Council for permits is 9970 1111.
- 73. Soil & Erosion Control Measures** - Prior to the commencement of works (including excavation), a durable site sign, issued by Council in conjunction with this consent, will be erected in a prominent location on site. The site sign warns of the penalties which apply to pollution, storing materials on road or footpath and breaches of the conditions relating to erosion and sediment controls. The sign will remain in a prominent location on site up until the completion of all site and building works.
- 74. Physical Connection of Stormwater to Site** - No work is permitted to proceed above the ground floor slab level of the building until there is physical connection of the approved stormwater drainage system from the land the subject of this consent to street kerb and gutter as indicated on the approved plan. The site stormwater discharge pipes across the footpath shall be RHS type, laid at minimum 1% grade as reflected on the drainage plan.
- 75. Cost of work to be borne by the applicant** – The applicant shall bear the cost of all works associated with the construction of the development that occurs on Council property. Care must be taken to protect Council's roads, including the made footway, kerbs, etc., and, where plant and vehicles enter the site, the footway shall be protected against damage by deep-sectioned timber members laid crosswise, held together by hoop iron straps and chamfered at their ends.
- This construction shall be maintained in a state of good repair and condition throughout the course of construction.
- 76. Obstruction of Road or Footpath** – The use of the road or footpath for the storage of any building materials, waste materials, temporary toilets, waste or skip bins, or any other matter is not permitted unless separately approved by Council under Section 138 of the Roads Act 1993 and/or under Section 68 of the Local Government Act 1993. Penalty infringement Notices may be issued for any offences and severe penalties apply.
- 77. Hours of Construction and Building Work** - Any work activity or activity associated with the development consent that requires the use of any tools (including hand tools) or any power operated plant and machinery must not be performed, or permitted to be performed, except between the hours of 7.00am to 5.00pm, Monday to Saturday inclusive. No work or ancillary activity is permitted on Sundays, or Public Holidays.

- 78. Hazardous or Intractable Waste – Removal and Disposal** – Hazardous or intractable waste arising from the excavation or construction process must be removed and disposed of in accordance with the requirements of SafeWork NSW and the NSW Environment Protection Authority and all applicable legislation.
- 79. Structural Certificate During Construction** – The proposed building must be constructed in accordance with details designed and certified by the practising qualified structural engineer and endorsed by the Geotechnical Engineer. All structural works associated with the foundations, piers, footings and slabs for the proposed building must be inspected and structurally certified for compliance by an independent practising geotechnical and structural engineer. In addition, a Compliance or Structural Certificate, to the effect that the building works have been carried in accordance with the structural design; will be submitted to the Principal Certifying Authority at each stage of Construction.
- 80. Redundant Driveway** - All existing vehicular crossings adjacent to the subject premises that have become redundant will be removed and the footway and kerb and gutter reinstated at the developer/applicant's expense.
- 81. Damage within Road Reserve & Council Assets** - The owner will bear the cost of restoring any footpath, roadway and any other Council assets damaged due to works at, near or associated with the site. This may include works by Public Utility Authorities in the course of providing services to the site.
- 82. Public Utility & Telecommunication Assets** - The owner will bear the cost of any relocation or modification required to any Public Utility Authority assets including telecommunication lines & cables and restoring any footpath, roadway and any other Council assets damaged due to works at, near or associated with the site.
- 83. Works Zone** - The installation of a "Works Zone" for the site will require the approval from the Traffic Advisory Committee and/or RMS. As a result, the applicant will provide a formal request to Council's Traffic Section with the duration and exact location of the required "Works Zone" at least 6 weeks prior to its required installation date. All costs associated with the installation of a "Works Zone" will be at the applicant's expense.
- 84. Waste Management Facility** - All materials removed from the site as a result of site clearing, site preparation and, or excavation will be disposed of at a suitable Waste Management Facility. No vegetation, article, building material, waste or the like will be ignited or burnt.
- Copies of all receipts for the disposal, or processing of all such materials will be submitted to the Principal Certifier and Council, where Council is not the Principal Certifier.
- 85. Site Safety Fencing** - Site fencing will be erected in accordance with SafeWork Guidelines, to exclude public access to the site throughout the excavation and construction work, except in the case of alterations to an occupied dwelling. The fencing will be erected before the commencement of any work and maintained throughout any building work.

PRIOR TO ISSUE OF THE OCCUPATION CERTIFICATE

- 86. Section 73 Compliance Certificate** – A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be submitted to the Certifier prior to the issue of the Occupation Certificate.
- 87. Completion of Landscape Works** - All landscape works and Street tree (3) planting fees must be completed before the issue of the Final Occupation Certificate and to the satisfaction of Councils Tree Management Officers. In accordance with approved landscape plans and specifications, drawn by Andrew Prouse Landscape Architecture, Ref No Dwg No 117, Issue D, and dated 3 June 2020. The landscaping shall be maintained in accordance with the approved plans in perpetuity, subject to the following -
- a) Prior to the issue of a Construction Certificate, the total number, quantities of all trees and plants shall be forwarded as per landscape plans – Ground floor plan, level 4 landscape plan, level 6 landscape plan, including all landscape plans for this proposal.
 - b) The proposed trees and plant species, pot/ bag size of plants shall be in accordance with the proposed plant schedule upon the landscape plan. If plant species, pot/ bag size and quantities cannot be sourced, Council shall be contacted for alternatives;
 - c) All trees proposed upon the approved landscape plan shall comply with AS 2303 – 2018, *Tree Stock for Landscape use* and *NATSPEC Specifying Trees: a guide to assessment of tree quality (2003)*, and be planted and maintained in accordance with Councils standard specification;
 - d) If the planted trees and plants are found to be faulty, damaged, dying or dead within twelve (12) months of planting then they must be replaced with the same species. If the trees are found dead before they reach a height where they are protected by Councils Tree Management Controls, they must be replaced with the same species and pot/bag size;
 - e) A certificate of compliance for the planting of all trees and shrubs proposed for the site. An AQF 5 Horticulturist shall be engaged and in writing certify that all trees have been planted as per landscape plan and specifications and forwarded to the PCA – Principal Certifying Authority.
- 88. Tree Protection Measures** - A final certificate of compliance letter, once all building and landscape works have been completed, from the engaged AQF 5 Consulting Arborist, that tree protection measures have been installed and maintained for the entirety of the project and report on the condition of the trees that as part of this Consent, were to be protected and retained.
- 89. Tree Replacement within subject site**
- a) The required number of trees and plants must be planted as requested prior to the Construction Certificate upon the plan view of the proposed landscape plans. All trees must attain a minimum mature height of nine (9) metres and shall be planted within the property. The trees are to conform to AS2303 – 2018, *Tree stock for landscape use*.

- b) If the planted trees are found to be faulty, damaged, dying or dead within twelve (12) months of planting then they must be replaced with the same species. If the trees are found dead before they reach a height where they are protected by Councils Tree Management Controls, they must be replaced with the same species and pot/bag size.
- c) A copy of the Hurstville City Council's Tree Removal and Pruning Guidelines and Kogarah City Council, Street Tree Management Strategy, Masterplan, and Tree Management Policy 2019, can be downloaded from Council's website www.georgesriver.nsw.gov.au.

90. **Consolidation of Site** - The site shall be consolidated into one allotment and by a Plan of Consolidation being prepared by a Registered Surveyor. This Plan shall be registered at the NSW Land and Property Information prior to the issue of an occupation certificate.
91. **BASIX Certificate** - All energy efficiency measures as detailed in the approved BASIX Certificate in the plans approved with the Development Consent must be implemented before issue of any Occupation Certificate.
92. **BASIX Compliance Certificate** - A Compliance Certificate must be provided to the PCA regarding the implementation of all energy efficiency measures as detailed in the approved BASIX Certificate before any Occupation Certificate is issued.
93. **Post Construction Dilapidation report (Private Land)** - At the completion of the construction works, a suitably qualified person is to be engaged to prepare a post-construction dilapidation report. This report is to ascertain whether the construction works associated with the subject development created any structural damage to the adjoining premises.

The report is to be prepared at the expense of the applicant and submitted to the PCA prior to the issue of the Occupation Certificate. In ascertaining whether adverse structural damaged has occurred to the adjoining premises, the PCA, must compare the post-construction dilapidation report with the pre-construction dilapidation report required by conditions in this consent.

Evidence confirming that a copy of the post-construction dilapidation report was delivered to the adjoining properties subject of the dilapidation report must be provided to the PCA prior to the issue of any Occupation Certificate.

94. **Major Development** - Internal driveways and parking spaces are to be adequately paved with concrete or bitumen, or interlocking pavers to provide a dust-free surface. All car parking spaces are to be line marked in accordance with AS1742, 'Australian Standard Manual of Uniform Traffic Control Devices' and the relevant guidelines published by the RMS.
95. **Traffic Control Devices** - The internal road network, pedestrian facilities and parking facilities (including visitor parking and employee parking) shall be designated and line marked in accordance with Australian Standard - AS1742, Manual of Uniform Traffic Control Devices.

If an exit from car park utilises a pedestrian footpath, then a warning system such as flashing light and/or 'alarm sound' must be installed on the subject property to alert pedestrians of vehicles exiting the car park. The Alarm System must be designed and installed in accordance with AS2890.1 -2004.

96. **Occupation Certificate** - A person must not commence occupation or use of the whole or any part of a new building unless an Occupation Certificate has been issued in relation to the building. Only the Principal Certifier appointed for the building work can issue the Occupation Certificate.
97. **SEPP 65 Design Verification Statement** - The Principal Certifier will not issue an Occupation Certificate to authorise a person to commence occupation of the residential flat development unless the he/she has received a design verification from a qualified designer, being a statement in which the qualified designer verifies that the residential flat development achieves the design quality of the development as shown in the plans and specifications in respect of which the construction certificate was issued, having regard to the design quality principles set out in Part 2 of State Environmental Planning Policy No 65 Design Quality of Residential Flat Development.
98. **Requirements prior to the issue of the Occupation Certificate** - The following will be completed and or submitted to the PCA prior to the issue of the Occupation Certificate:
 - (a) All the stormwater/drainage works shall be completed in accordance with the approved Construction Certificate plans prior to the issue of the Occupation Certificate.
 - (b) The internal driveway construction works, together with the provision for all services (conduits and pipes laid) shall be completed in accordance with the approved Construction Certificate plans prior to the issue of the Occupation Certificate.
 - (c) Construct any new vehicle crossings required.
 - (d) Replace all redundant vehicle crossing laybacks with kerb and guttering, and replace redundant concrete with turf.
 - (f) Work as Executed Plans prepared by a Chartered Professional Engineer or a Registered Surveyor when all the site engineering works are complete shall be submitted to the PCA prior to the issue of the Occupation Certificate.
99. **Completion of Major Works** - Prior to the issue of a Final Occupation Certificate, the following works must be completed at the applicant's expense to the satisfaction of Council's Engineering Services section:
 - (a) If applicable Stormwater pipes, pits and connections to public stormwater systems within the road related area;
 - (b) Driveways and vehicular crossings within the road related area;
 - (c) Removal of redundant driveways and vehicular crossings;
 - (d) New footpaths within the road related area;
 - (e) Relocation of existing power/light pole if applicable
 - (f) Relocation/provision of street signs
 - (g) New footway verges, where a grass verge exists, the balance of the area between the footpath and the kerb or site boundary over the full frontage of the proposed development must be turfed. The grass verge must be constructed to contain a uniform minimum 75mm of friable growing medium and have a total cover of turf predominant within the street.
 - (h) New or reinstated kerb and guttering within the road related area and New or reinstated road surface pavement within the road where it is applicable.

Council's Engineering Services Section must advise in writing that the works have been completed to their satisfaction prior to the issue of the Occupation Certificate. [Note: The damage deposit paid to Council will not be released until the works have been completed to Council's satisfaction.]

100. Vehicular Crossing and Frontage Work – Major development – The following road frontage works shall be constructed in accordance with Council's Specification for Vehicular Crossings and Associated Works together with the Vehicular Crossing Approval issued by Council's Engineering Services Division:

- (a) Construct footpath for the full length of the frontage of the site in accordance with Council's Specifications for footpaths.
- (b) Construct the vehicular crossing in accordance with Council's Specifications for vehicular crossings.
- (c) Construct a new 150mm high concrete kerb with 450mm wide gutter for the full frontage(s) of the site in accordance with Council's Specifications for kerb and guttering.
- (d) Any existing vehicular crossing and/or laybacks which are redundant must be removed. The kerb and gutter, any other footpath and turf areas shall be restored at the expense of the applicant and in accordance with Council's Specification for Vehicular Crossings and Associated Works.

The above works shall be carried out at the expense of the applicant and in accordance with Council's Specification for Vehicular Crossings and Associated Works.

The driveway and road frontage works are to be completed before the issue of the Occupation Certificate.

101. Restriction to User and Positive Covenant for On-Site Detention Facility – A Restriction on Use of the Land and Positive Covenant shall be created and registered on the title of the property, which places the responsibility for the maintenance of the on-site stormwater management system on the owners of the land. The terms of the instrument are to be in accordance with Council's standard terms and restrictions which are as follows;

Restrictions on Use of Land

The registered proprietor shall not make or permit or suffer the making of any alterations to any on-site stormwater management system which is, or shall be, constructed on the lot(s) burdened without the prior consent in writing of Georges River Council. The expression "on-site stormwater management system" shall include all ancillary gutters, pipes, drains, walls, kerbs, pits, grates, tanks, chambers, basins and surfaces designed to manage stormwater quantity or quality including the temporary detention or permanent retention of stormwater storages. Any on-site stormwater management system constructed on the lot(s) burdened is hereafter referred to as "the system."

Name of Authority having the power to release, vary or modify the Restriction referred to is Georges River Council."

Positive Covenants

1. *The registered proprietor of the lot(s) hereby burdened will in respect of the system:*

- (a) *keep the system clean and free from silt, rubbish and debris*
- (b) *maintain and repair at the sole expense of the registered proprietors the whole of the system so that it functions in a safe and efficient manner*
- (c) *permit the Council or its authorised agents from time to time and upon giving reasonable notice (but at any time and without notice in the case of an emergency) to enter and inspect the land for the compliance with the requirements of this covenant*
- (d) *comply with the terms of any written notice issued by the Council in respect of the requirements of this covenant within the time stated in the notice.*

2. *Pursuant to Section 88F(3) of the Conveyancing Act 1919 the Council shall have the following additional powers:*

- (a) *in the event that the registered proprietor fails to comply with the terms of any written notice issued by the Council as set out above the Council or its authorised agents may enter the land with all necessary materials and equipment and carry out any work which the Council in its discretion considers reasonable to comply with the said notice referred to in part 1(d) above*
- (b) *the Council may recover from the registered proprietor in a Court of competent jurisdiction:*
 - (i.) *any expense reasonably incurred by it in exercising its powers under subparagraph (i) hereof. Such expense shall include reasonable wages for the Council's employees engaged in effecting the work referred to in (i) above, supervising and administering the said work together with costs, reasonably estimated by the Council, for the use of materials, machinery, tools and equipment in conjunction with the said work.*
 - (ii.) *legal costs on an indemnity basis for issue of the said notices and recovery of the said costs and expenses together with the costs and expenses of registration of a covenant charge pursuant to section 88F of the Act or providing any certificate required pursuant to section 88G of the Act or obtaining any injunction pursuant to section 88H of the Act. Name of Authority having the power to release vary or modify the Positive Covenant referred to is Georges River Council.*

102. Completion of Major Works - Prior to the issue of the Occupation Certificate, the following works will be completed at the applicant's expense to the satisfaction of Council's Engineering Services section:

- a) If applicable Stormwater pipes, pits and connections to public stormwater systems within the road related area;
- b) Driveways and vehicular crossings within the road related area;
- c) Removal of redundant driveways and vehicular crossings;
- d) New footpaths within the road related area;
- e) Relocation of existing power/light pole if applicable
- f) Relocation/provision of street signs
- g) New footway verges, where a grass verge exists, the balance of the area between the footpath and the kerb or site boundary over the full frontage of the proposed development must be turfed. The grass verge must be constructed to contain a uniform minimum 75mm of friable growing medium and have a total cover of turf predominant within the street.
- h) New or reinstated kerb and guttering within the road related area and new or reinstated road surface pavement within the road where it is applicable.

Council's Engineering Services Section will advise in writing that the works have been completed to their satisfaction prior to the issue of the Occupation Certificate. [Note: The damage deposit paid to Council will not be released until the works have been completed to Council's satisfaction].

103. Stormwater Drainage Works - Works As Executed - Prior to the issue of the Occupation Certificate, storm water drainage works are to be certified by a professional engineer specialising in hydraulic engineering, with Works-As-Executed drawings supplied to Council detailing:

- (a) Compliance with conditions of development consent relating to stormwater;
- (b) The structural adequacy of the On-Site Detention system (OSD);
- (c) That the works have been constructed in accordance with the approved design and will provide the detention storage volume and attenuation in accordance with the submitted calculations;
- (d) Pipe invert levels and surface levels to Australian Height Datum;

A Works As Executed plan of Council's Stormwater system extension as constructed including all levels will be submitted and approved by Council.

Council's Engineering Services section will advise in writing that they are satisfied with the Works-As-Executed prior to the issue of an Occupation Certificate.

104. Fire Safety Certificate before Occupation or Use - In accordance with Clause 153 of the Environmental Planning and Assessment Regulation 2000, on completion of building works and prior to the issue of an Occupation Certificate, the owner will cause the issue of a Final Fire Safety Certificate in accordance with Clause 170 of the aforesaid Regulation. The Fire Safety Certificate will be in the form or to the effect of Clause 174 of the Environmental Planning and Assessment Regulation, 2000. In addition, in relation to each essential fire or other safety measure implemented in the building or on the land on which the building is situated, such a Certificate is to state:

- (a) That the measure has been assessed by a person (chosen by the owner of the building) who is properly qualified to do so.
- (b) That as at the date of the assessment the measure was found to be capable of functioning at a standard not less than that required by the attached Schedule.

A copy of the certificate is to be given by the applicant to the Commissioner of Fire & Rescue NSW and a further copy is to be displayed in a frame and fixed to a wall inside the building's main entrance.

OPERATIONAL CONDITIONS (ONGOING)

105. Intensity of car park lighting – Prior to occupation, the intensity of lighting at the entrance to the basement carpark is to be designed to allow for progressive adjustment of light.

106. Removal and collection – Bins are to be taken to the kerbside for collection and garbage bins and recycling bins are to be collected on a weekly basis. They are to be collected from the kerbside and removed from the kerbside as soon as possible after collection.

- 107. Acoustic Compliance – General Operation of Premises** - The proposed use of the premises and the operation of all plant and equipment shall not give rise to an 'offensive noise' as defined in the [Protection of the Environment Operations Act 1997](#) (as amended) and [Regulations](#).

A suitably qualified person shall certify that the operation of the plant equipment shall not give rise to sound pressure level at any affected premises that exceeds the background LA90, 15 min noise level, measured in the absence of the noise sources under consideration by more than 5dB. The source noise level shall be assessed as an LAeq, 15 min in accordance with the [NSW Environment Protection Authority's "NSW industrial Noise Policy"](#).

Certification must be submitted to the PCA prior to the issue of any Occupation Certificate.

- 108. Acoustic Certification** - Prior to the issue of any Occupation Certificate, a suitably qualified acoustic consultant will certify that the operation of the premises and plant equipment will not give rise to a sound pressure level at any affected premises that exceeds the relevant acoustic criteria. The development will at all times comply with these noise levels post occupation.
- 109. BASIX Certificate** - All energy efficiency measures as detailed in the approved BASIX Certificate in the plans approved with the Development Consent will be implemented before issue of any Occupation Certificate. A Compliance Certificate will be provided to the Principal Certifier regarding the implementation of all energy efficiency measures as detailed in the approved BASIX Certificate before any Occupation Certificate is issued.
- 110. Allocation of Car Parking Spaces** – A total of 109 car parking spaces, and a minimum of thirty (30) bicycle parking spaces associated with the development is to be allocated as follows, sign posted and/or line marked accordingly:
- ~~Ninety six (96)~~ 101 residential spaces, including eight (8) accessible spaces.
 - Thirteen (13) dedicated visitor spaces.
 - One (1) of the visitor spaces is to also be a shared as a wash bay.
 - Twenty two (22) bicycle spaces for residents.
 - Eight (8) bicycle spaces for visitors.

This condition has been amended by MOD2022/0204 (DA2019/0439)

- 111. Electricity Supply** - Evidence will be provided demonstrating that the development has been connected to the electricity network.
- 112. Structural Certificates** - The proposed structure will be constructed in accordance with details designed and certified by the practising qualified structural and geotechnical engineer. In addition, Compliance or Structural Certificates, to the effect that the building works have been carried in accordance with the structural design; will be submitted to the PCA prior to the issue of the Occupation Certificate.

- 113. Stormwater & Ancillary Works** - Applications under Section 138 of the Roads Act and/or Section 68 Local Government Act 1993, the applicant must obtain all necessary approvals. An approval for a new or modified vehicular crossing will contain the approved access and/or alignment levels which will be required to construct the crossing and/or footpath. Once approved, all work will be carried out by a private contractor in accordance with Council's specifications prior to the issue of an Occupation Certificate.

The developer must meet all costs of the extension, relocation or reconstruction of any part of Council's drainage system (including design drawings and easements if applicable) required to carry out the approved development.

The preparation of all engineering drawings (site layout plans, cross sections, longitudinal sections, elevation views together with a hydraulic grade analysis) and specifications for the new storm water drainage system to be arranged by the applicant. The design plans must be lodged and approved by Council prior to the issue of a Construction Certificate.

NOTE: A minimum of four weeks should be allowed for assessment.

- 114. Maintenance of Landscaping** - All trees and plants forming part of the landscaping must be maintained. Maintenance includes watering, weeding, removal of rubbish from tree bases, fertilizing, pest and disease control, replacement of dead or dying plants and any other operations required to maintain healthy trees, plants and turfed areas.
- 115. Allocation of street addresses** – In order to comply with AS/NZS 4819:2011 Rural and Urban Addressing, the NSW Addressing User Manual (Geographical Names Board of NSW) and Georges River Council's requirements, the street address for the subject development is allocated as follows:

Primary Address

- 17 Wyuna Street, Beverley Park NSW 2217

Apartments Addresses

- Refer to the list of apartment addresses for the subject development:

Unit Addresses at 17 Wyuna Street BEVERLEY PARK NSW 2217						
Unit numbers on DA Plans		Floor Number	Unit numbers and addresses allocated by Council			
Level	Unit No.		Unit No	Street No	Street Name	COMPLETE ADDRESS
Basement 1	-	B1	Basement Carpark - B1			
Basement 2	-	B2	Basement Carpark - B2			
Ground floor	6	G	001	17	Wyuna Street	001/17 Wyuna Street BEVERLEY PARK NSW 2217
Ground floor	5	G	002	17	Wyuna Street	002/17 Wyuna Street BEVERLEY PARK NSW 2217
Ground floor	4	G	003	17	Wyuna Street	003/17 Wyuna Street BEVERLEY PARK NSW 2217
Ground floor	3	G	004	17	Wyuna Street	004/17 Wyuna Street BEVERLEY PARK NSW 2217
Ground floor	5	G	005	17	Wyuna Street	005/17 Wyuna Street BEVERLEY PARK NSW 2217
Ground floor	1	G	006	17	Wyuna Street	006/17 Wyuna Street BEVERLEY PARK NSW 2217
Ground floor	11	G	007	17	Wyuna Street	007/17 Wyuna Street BEVERLEY PARK NSW 2217
Ground floor	10	G	008	17	Wyuna Street	008/17 Wyuna Street BEVERLEY PARK NSW 2217
Ground floor	9	G	009	17	Wyuna Street	009/17 Wyuna Street BEVERLEY PARK NSW 2217
Ground floor	8	G	010	17	Wyuna Street	010/17 Wyuna Street BEVERLEY PARK NSW 2217
Ground floor	7	G	011	17	Wyuna Street	011/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 1 Plan	106	1	101	17	Wyuna Street	101/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 1 Plan	105	1	102	17	Wyuna Street	102/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 1 Plan	104	1	103	17	Wyuna Street	103/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 1 Plan	103	1	104	17	Wyuna Street	104/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 1 Plan	102	1	105	17	Wyuna Street	105/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 1 Plan	101	1	106	17	Wyuna Street	106/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 1 Plan	111	1	107	17	Wyuna Street	107/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 1 Plan	110	1	108	17	Wyuna Street	108/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 1 Plan	109	1	109	17	Wyuna Street	109/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 1 Plan	108	1	110	17	Wyuna Street	110/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 2 Plan	107	1	111	17	Wyuna Street	111/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 2 Plan	206	2	201	17	Wyuna Street	201/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 2 Plan	205	2	202	17	Wyuna Street	202/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 2 Plan	204	2	203	17	Wyuna Street	203/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 2 Plan	203	2	204	17	Wyuna Street	204/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 2 Plan	202	2	205	17	Wyuna Street	205/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 2 Plan	201	2	206	17	Wyuna Street	206/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 2 Plan	211	2	207	17	Wyuna Street	207/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 2 Plan	210	2	208	17	Wyuna Street	208/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 2 Plan	209	2	209	17	Wyuna Street	209/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 2 Plan	208	2	210	17	Wyuna Street	210/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 2 Plan	207	2	211	17	Wyuna Street	211/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 3 Plan	306	3	301	17	Wyuna Street	301/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 3 Plan	305	3	302	17	Wyuna Street	302/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 3 Plan	304	3	303	17	Wyuna Street	303/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 3 Plan	303	3	304	17	Wyuna Street	304/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 3 Plan	302	3	305	17	Wyuna Street	305/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 3 Plan	301	3	306	17	Wyuna Street	306/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 3 Plan	311	3	307	17	Wyuna Street	307/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 3 Plan	310	3	308	17	Wyuna Street	308/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 3 Plan	309	3	309	17	Wyuna Street	309/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 3 Plan	308	3	310	17	Wyuna Street	310/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 3 Plan	307	3	311	17	Wyuna Street	311/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 4 Plan	404	4	401	17	Wyuna Street	401/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 4 Plan	403	4	402	17	Wyuna Street	402/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 4 Plan	402	4	403	17	Wyuna Street	403/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 4 Plan	401	4	404	17	Wyuna Street	404/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 4 Plan	408	4	405	17	Wyuna Street	405/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 4 Plan	407	4	406	17	Wyuna Street	406/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 4 Plan	406	4	407	17	Wyuna Street	407/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 4 Plan	405	4	408	17	Wyuna Street	408/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 5 Plan	504	5	501	17	Wyuna Street	501/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 5 Plan	503	5	502	17	Wyuna Street	502/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 5 Plan	502	5	503	17	Wyuna Street	503/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 5 Plan	501	5	504	17	Wyuna Street	504/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 5 Plan	508	5	505	17	Wyuna Street	505/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 5 Plan	507	5	506	17	Wyuna Street	506/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 5 Plan	506	5	507	17	Wyuna Street	507/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 5 Plan	505	5	508	17	Wyuna Street	508/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 6 Plan	603	6	601	17	Wyuna Street	601/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 6 Plan	602	6	602	17	Wyuna Street	602/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 6 Plan	601	6	603	17	Wyuna Street	603/17 Wyuna Street BEVERLEY PARK NSW 2217
Level 6 Plan	604	6	604	17	Wyuna Street	604/17 Wyuna Street BEVERLEY PARK NSW 2217

NOTE: Unit numbers on plan are not the same order as units allocated by council

Details indicating compliance with this condition must be shown on the plans lodged with any Construction Certificate for approval.

Additional comments

Please note that the allocated apartment addresses are different to what was on the plan.

If there are modifications or changes to the number of apartments during the DA process, please advise the GIS team before the final approval. The list is attached to the consent. Apartments Address Table is provided at the end of the set of conditions.

Details indicating compliance with this condition must be shown on the plans lodged with and Construction Certificate for approval.

116. Dilapidation Report on Public Land for Major Development Only – Upon completion of works, a follow up dilapidation report must be prepared for the items of Council infrastructure adjoining the development site.

The dilapidation report must be prepared by a professional engineer specialising in structural engineering, and include:

- a) Photographs showing the condition of the road pavement fronting the site
- b) Photographs showing the condition of the kerb and gutter fronting the site
- c) Photographs showing the condition of the footway including footpath pavement fronting the site
- d) Photographs showing the condition of retaining walls within the footway or road
- e) The full name and signature of the professional engineer.

The report must be provided to the PCA and a copy provided to the Council. The reports are to be supplied in electronic format in Word or PDF. Photographs are to be in colour, digital and date stamped.

NOTE: Council will use this report to determine whether or not to refund the damage deposit.

Council's Assets and Infrastructure Division must advise in writing that the works have been completed to their satisfaction prior to the issue of an Occupation Certificate.

117. Stormwater drainage works - Works As Executed – Prior to the issue of the Occupation Certificate, storm water drainage works are to be certified by a professional engineer specialising in hydraulic engineering, with Works-As-Executed drawings supplied to Council detailing:

- a. Compliance with conditions of development consent relating to stormwater;
- b. The structural adequacy of the On-Site Detention system (OSD);
- c. That the works have been constructed in accordance with the approved design and will provide the detention storage volume and attenuation in accordance with the submitted calculations; and
- d. Pipe inverts levels and surface levels to Australian Height Datum.

118. Lighting - Any outdoor/security lighting must be located, designed, oriented and shielded in a manner that does not cause disturbance to surrounding premises and/or passing vehicular traffic. This requirement also applies to external lighting within the rooftop communal open space area.

Any lighting on the site shall be designed so as not to cause a nuisance to other residences in the area or to motorists on nearby roads and to ensure no adverse impact on the amenity of the surrounding area by light overspill or glare.

Flashing, moving or intermittent lights or signs are prohibited.

119. Activities and Storage of Goods Outside Buildings - There will be no activities including storing or depositing of any goods or maintenance to any machinery external to the building with the exception of waste receptacles.

- 120. Boundary fencing** - Any new boundary fencing erected along the side and rear boundaries shall not exceed a height of 1.8m unless specified by any other conditions.
- 121. Disability Discrimination Act** – The applicant is responsible to ensure compliance with this and other anti-discrimination legislation.
- 122. Electrical connection** - Any new electrical and telecommunication connections to the site are to be carried out using underground cabling.
- 123. Finishes** - Any materials or surfaces addressing the public domain on the ground and first floor (where accessible by members of the public) shall utilise graffiti-resistant materials.
- 124. Safety** - All communal entrances for the building will be capable of being secured. Entry doors are to be self-closing and signs are to be displayed requesting that building occupants not wedge doors open.
- 125. Security** - If any security screens/grilles are installed, they are to be openable from within the building.
- 126. Building identification** numbering that presents to public areas (ie the adjoining road reserve) are to be at least 7cm high and are to be situated 1-1.5m above ground level on the street frontage. The numbering is to be constructed from durable materials and shall not be obscured by vegetation.
- 127. Noise Control** - The use of the premises will not give rise to the transmission of offensive noise to any place of different occupancy. Offensive noise is defined in the Protection of the Environment Operations Act 1997 (as amended).
- 128. Amenity of the Neighbourhood** - The implementation of this development will not adversely affect the amenity of the neighbourhood or interfere unreasonably with the comfort or repose of a person who is outside the premises by reason of the emission or discharge of noise, fumes, vapour, odour, steam, soot, dust, waste water, waste products, grit, oil or other harmful products.
- 129. Maintenance of Landscaping** - All trees and plants forming part of the landscaping will be maintained. Maintenance includes watering, weeding, removal of rubbish from tree bases, fertilising, pest and disease control, replacement of dead or dying plants and any other operations required to maintain healthy trees, plants and turfed areas.

The maintenance of the landscaping shall be undertaken in perpetuity. Should any plants or trees die, then they shall be replaced with the same species (ie like for like).

- 130. Annual Fire Safety Statement** - The owner of the building premises will ensure the Council is given an annual fire safety statement in relation to each essential fire safety measure implemented in the building. The annual fire safety statement will be given:
- (a) Within 12 months after the date on which the fire safety certificate was received.
 - (b) Subsequent annual fire safety statements are to be given within 12 months after the last such statement was given.
 - (c) An annual fire safety statement is to be given in or to the effect of Clause 181 of the Environmental Planning and Assessment Regulation 2000.

- (d) A copy of the statement is to be given to the Commissioner of Fire & Rescue NSW, and a further copy is to be prominently displayed in the building.

131. Responsibility of Owners Corporation - The Owners Corporation will be responsible for presenting all approved waste and recycling receptacles for collection, and returning all receptacles to the waste collection room, as soon as practicable after they have been serviced.

The Owners Corporation will also be responsible for maintaining all equipment, systems, facilities and storage areas used in conjunction with the provision of waste management services in accordance with all applicable regulatory requirements, relevant health and environmental standards, and to the satisfaction of Council.

132. Management of Waste Facilities – The ongoing management of onsite waste facilities shall be undertaken in accordance with the following requirements:

- (a) Occupational Health and Safety issues such as slippery floors in waste rooms and the weight of the waste and recycling receptacles will need to be monitored.
- (b) Any cleaners will monitor the bin storage area and all spills will be attended to immediately by cleaners.

133. Waste - The ongoing operation of recycling and waste management services is to be undertaken in accordance with the Waste Management Plan.

134. Air conditioning - Any external plant/air-conditioning system must not exceed a noise level of 5dBA above the background noise level when measured at the boundaries of the property. Any proposed air conditioning systems or mechanical ventilation shall be appropriately screened from view and not located so that it can be seen from the street.

135. Graffiti - Any graffiti on the site is to be removed within forty eight (48) hours.

OPERATIONAL REQUIREMENTS UNDER THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

136. Requirement for a Construction Certificate - The erection of a building must not commence until a Construction Certificate has been issued.

Should Council be appointed as the Principal Certifying Authority, the Construction Certificate Application must be accompanied by details, with plans prepared and certified by an appropriately qualified person demonstrating compliance with the BCA.

In this regard, detailed construction plans and specifications that demonstrate compliance with the above requirements of the BCA, must be submitted to the Principal Certifying Authority with the Construction Certificate Application.

Should there be any non-compliance, an alternative method of fire protection and structural capacity must be submitted, with all supporting documents prepared by a suitably qualified person.

In the event that full compliance with the BCA cannot be achieved and the services of a fire engineer are obtained to determine an alternative method of compliance with the BCA, such report must be submitted to and endorsed by the Principal Certifying Authority prior to issue of the Construction Certificate.

137. Appointment of a PCA - The erection of a building must not commence until the applicant has:

- (a) appointed a PCA for the building work; and
- (b) if relevant, advised the PCA that the work will be undertaken as an Owner -Builder.

If the work is not going to be undertaken by an Owner - Builder, the applicant must:

- (c) appoint a Principal Contractor to undertake the building work. If residential building work (within the meaning of the Home Building Act 1989) is to be undertaken, the Principal Contractor must be a holder of a contractor licence; and
- (d) notify the PCA of the details of any such appointment; and
- (e) notify the Principal Contractor of any critical stage inspections or other inspections that are required to be carried out in respect of the building work.

An Information Pack is attached for your convenience should you wish to appoint Georges River Council as the PCA for your development.

138. Notification Requirements of Principal Certifier - No later than two days before the building work commences, the Principal Certifier must notify:

- a) the consent authority and the Council (if not the consent authority) of his or her appointment; and
- b) the applicant of the critical stage inspections and other inspections that are to be carried out with respect to the building work.

139. Notice of Commencement - The applicant must give at least two days notice to the Council and the Principal Certifier of their intention to commence the erection of a building.

140. Critical Stage Inspections - The last critical stage inspection must be undertaken by the Principal Certifier. The critical stage inspections required to be carried out vary according to Building Class under the Building Code of Australia and are listed in Clause 162A of the Environmental Planning and Assessment Regulation 2000.

141. Occupation Certificate - A person must not commence occupation or use of the whole or any part of a new building unless an Occupation Certificate has been issued in relation to the building or part. Only the Principal Certifier appointed for the building work can issue the Occupation Certificate.

PRESCRIBED CONDITIONS

142. Clause 97A - BASIX Commitments - This Clause requires the fulfilment of all BASIX Commitments as detailed in the BASIX Certificate to which the development relates.

143. Clause 98 – Building Code of Australia & Home Building Act 1989 - Requires all building work to be carried out in accordance with the Building Code of Australia. In the case of residential building work to which the Home Building Act 1989 relates, there is a requirement for a contract of insurance to be in force before any work commences.

- 144. Clause 98A – Erection of Signs** - Requires the erection of signs on site and outlines the details which are to be included on the sign. The sign must be displayed in a prominent position on site and include the name and contact details of the Principal Certifier and the Principal Contractor.
- 145. Clause 98B – Home Building Act 1989** - If the development involves residential building work under the Home Building Act 1989, no work is permitted to commence unless certain details are provided in writing to Council. The name and licence/permit number of the Principal Contractor or Owner Builder and the name of the Insurer by which work is insured under Part 6 of the Home Building Act 1989.
- 146. Clause 98E - Protection & support of adjoining premises** - If the development involves excavation that extends below the level of the base of the footings of a building on adjoining land, this prescribed condition requires the person who benefits from the development consent to protect and support the adjoining premises and where necessary underpin the adjoining premises to prevent any damage.
- 147. Clause 98E - Site Excavation** - Excavation of the site is to extend only to that area required for building works depicted upon the approved plans. All excess excavated material shall be removed from the site.

All excavations and backfilling associated with the erection of a building must be executed safely and in accordance with appropriate professional standards.

All excavations associated with the erection of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

If the soil conditions require it, retaining walls associated with the erection of a building or other approved methods of preventing movement of the soil shall be provided and adequate provision shall be made for drainage.

END CONDITIONS

NOTES/ADVICES

- 148. Review of Determination** - Section 8.2 of the Environmental Planning and Assessment Act confers on an applicant who is dissatisfied with the determination of the application the right to lodge an application with Council for a review of such determination. Any such review must however be completed within 6 months from its determination. Should a review be contemplated sufficient time should be allowed for Council to undertake public notification and other processes involved in the review of the determination.

Note: Review provisions do not apply to Complying Development, Designated Development, State Significant Development, Integrated Development or any application determined by the Sydney South Planning Panel or the Land & Environment Court.

- 149. Appeal Rights** - Part 8 (Reviews and appeals) of the Environmental Planning and Assessment Act 1979 confers on an applicant who is dissatisfied with the determination of the application a right of appeal to the Land and Environment Court of New South Wales.

- 150. Lapsing of Consent** - This consent will lapse unless the development is physically commenced within 5 years from the Date of Operation of this consent, in accordance with Section 4.53 of the Environmental Planning and Assessment Act 1979 as amended.
- 151. Access to NSW Legislations (Acts, Regulations and Planning Instruments)** - NSW legislation can be accessed free of charge at www.legislation.nsw.gov.au
- 152. Principal Certifier** - Should the Council be appointed as the Principal Certifier in determining the Construction Certificate, the building must comply with all the applicable deemed to satisfy provision of the BCA. However, if an alternative solution is proposed it must comply with the performance requirements of the BCA, in which case, the alternative solution, prepared by an appropriately qualified fire consultant, accredited and having specialist qualifications in fire engineering, must justifying the non-compliances with a detailed report, suitable evidence and expert judgement. Council will also require if deemed necessary, for the alternative solution to undergo an independent peer review by either the CSIRO or other accredited organisation. In these circumstances, the applicant must pay all costs for the independent review.
- 153. Fire and Rescue NSW comments.** Prior to the issue of a Construction Certificate the applicant may be required, under Clause 144 of the Environmental Planning & Assessment Regulation 2000 to seek written comment from FR NSW about any Fire Engineered Solution developed to meet the performance requirements under Category 2 Fire Safety Provisions.
- 154. Referral to Fire and Rescue NSW** - Prior to the issue of an Occupation Certificate the applicant may be required, under Clause 152A of the Environmental Planning & Assessment Regulation, 2000 to seek written comment from FR NSW about the construction and location of any hydrant/booster system, developed to meet the performance requirements of the Building Code of Australia.
- 155. Building - Energy Efficiency Provisions** - Should Council be appointed as the Principal Certifying Authority, a report prepared and endorsed by an Energy Efficiency Engineer or other suitably qualified person must be submitted, detailing the measures that must be implemented in the building to comply with Section J of the BCA. The proposed measures and feature of the building that facilitate the efficient use of energy must be identified and detailed on the architectural plans. At completion of the building and **before the issue of an Occupation Certificate**, a certificate certifying that the building has been erected to comply with the energy efficiency provisions must be submitted to the Certifying Authority.
- 156. Land Contamination** - Note: A Certified Contaminated Land Consultant is a Certified Environmental Practitioner (Site Contamination) (CENVP(SC)) or certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM)

Information relating to certified contaminated land consultant or accredited site auditors can be found in EPA webpage: <https://www.epa.nsw.gov.au/your-environment/contaminated-land/>

- 157. Energy Efficiency Provisions - Energy Efficiency Provisions** - Should Council be appointed as the Principal Certifier, a report prepared and endorsed by an Energy Efficiency Engineer or other suitably qualified person must be submitted, detailing the measures that must be implemented in the building to comply with Section J of the BCA. The proposed measures and feature of the building that facilitate the efficient use of energy must be identified and detailed on the architectural plans. At completion of the building and before the issue of an Occupation Certificate, a certificate certifying that the building has been erected to comply with the energy efficiency provisions must be submitted to the Principal Certifier.
- 158. Compliance with Access, Mobility and AS4299** - Adaptable Housing - Should the Council be appointment as the PCA, the Construction Certificate Application must be accompanied by detailed working plans and a report or a Certificate of Compliance from an Accredited Access Consultant certifying that the building design and access to the adaptable apartments complies with Council's DCP and AS 4299 Adaptable Housing.
- 159. Noise** - Noise related conditions - Council will generally enforce noise related conditions in accordance with the Noise Guide for Local Government (<http://www.environment.nsw.gov.au/noise/nqlg.htm>) and the Industrial Noise Guidelines (<http://www.environment.nsw.gov.au/noise/industrial.htm>) publish by the Department of Environment and Conservation. Other state government authorities also regulate the Protection of the Environment Operations Act 1997.

Useful links relating to Noise:

- (a) Community Justice Centres - free mediation service provided by the NSW Government (www.cjc.nsw.gov.au).
 - (b) Department of Environment and Conservation NSW, Noise Policy Section web page (www.environment.nsw.gov.au/noise).
 - (c) New South Wales Government Legislation home page for access to all NSW legislation, including the Protection of the Environment Operations Act 1997 and the Protection of the Environment Noise Control Regulation 2000 (www.legislation.nsw.gov.au).
 - (d) Australian Acoustical Society - professional society of noise-related professionals (www.acoustics.asn.au/index.php).
 - (e) Association of Australian Acoustical Consultants - professional society of noise related professionals (www.aaac.org.au).
 - (f) Department of Gaming and Racing - (www.dgr.nsw.gov.au).
- 160. Acoustical Engineer Contacts & Reference Material** - Further information including lists of Acoustic Engineers can be obtained from:
- (a) Australian Acoustical Society - professional society of noise-related professionals (www.acoustics.asn.au)
 - (b) Association of Australian Acoustical Consultants - professional society of noise related professionals (www.aaac.org.au)
 - (c) NSW Industrial Noise Policy - Office of Environment & Heritage (www.environment.nsw.gov.au)

161. Strata Subdivisions

- (a) Council will check the consent conditions on the relevant Strata Subdivision consent. Failure to submit the required information will delay endorsement of the plan of subdivision.
- (b) Council will undertake the required inspections to satisfy the requirements of the Strata Schemes Development Regulation 2016 to determine the Strata Certificate.
- (c) Strata Plans, Administration Sheets, 88B Instruments and copies must not be folded.
- (d) All Strata Plans, Strata Plan Administration Sheets and 88B Instruments shall be submitted to Council enclosed in a protective cardboard tube (to prevent damage during transfer).

162. Sydney Water Section 73 Certificates - The Section 73 Certificate must be a separate certificate that relates specifically to this development consent. For example, if the development consent relates to the subdivision of the land, a Section 73 Certificate for the construction of the building that is subject to a different development consent will not suffice.

163. Electricity Supply - This development may need a connection to the Ausgrid network which may require the network to be extended or its capacity augmented. You are advised to contact Ausgrid on 13 13 65 or www.ausgrid.com.au (Business and Commercial Services) for further details and information on lodging your application to connect to the network.

164. Disability Discrimination Act - This application has been assessed in accordance with the Environmental Planning and Assessment Act 1979. No guarantee is given that the proposal complies with the Disability Discrimination Act 1992. The applicant is responsible to ensure compliance with this and other anti-discrimination legislation. The Disability Discrimination Act 1992 covers disabilities not catered for in the minimum standards called up in the Building Code of Australia which refers to AS1428.1-Design for Access and Mobility.

165. Council as PCA - Total Conformity with BCA - Accompanying Information - Should the Council be appointed as the Principal Certifier, the Construction Certificate Application must be accompanied by the following details, with plans prepared and certified by an appropriately qualified person demonstrating compliance with the BCA:

- a) Mechanical ventilation to bathroom, laundry and basement areas not afforded natural ventilation.
- b) Fire-fighting services and equipment including hydrant systems and booster assembly location, sprinkler and valve room systems, hose reels, portable fire extinguishers, smoke hazard management systems, sound and warning systems.
- c) Emergency lighting and exit signs throughout, including communal open space areas, lobby/foyer and basement areas.
- d) Construction of all fire doors including warning and operational signage to required exit and exit door areas.
- e) Egress travel distances to exits and the discharge from fire isolated exits including the swing of exit doors.
- f) The spandrel protection of openings in external walls
- g) The protection of paths of travel from a fire isolated exit when passing within 6m of an opening within the external wall of the building.
- h) Fire compartmentation and fire wall separation details including all stairway, lift and service shaft areas.

- i) The location and construction of an electricity substation, including the location and smoke separation of electrical distribution boards.
- j) Sound transmission and insulation details.
- k) Window schedule is to include the protection of openable windows.

In this regard, detailed construction plans and specifications that demonstrate compliance with the above requirements of the BCA must be submitted to the Principal Certifier with the Construction Certificate Application. Should there be any non-compliance, an alternative method of fire protection and structural capacity must be submitted, with all supporting documents prepared by a suitably qualified person.

In the event that full compliance with the BCA cannot be achieved and the services of a fire engineer are obtained to determine an alternative method of compliance with the BCA, such report must be submitted to and endorsed by the Principal Certifier prior to issue of the Construction Certificate.

- 166. Long Service Levy** - The Long Service Corporation administers a scheme which provides a portable long service benefit for eligible workers in the building and construction industry in NSW. All benefits and requirements are determined by the Building and Construction Industry Long Service Payments Act 1986. More information about the scheme and the levy amount you are required to pay to satisfy a condition of your consent can be found at <http://www.longservice.nsw.gov.au>.

The required Long Service Levy payment can be direct to the Long Service Corporation via their web site <https://online.longservice.nsw.gov.au/bci/levy>. Payments can only be processed on-line for the full levy owing and where the value of work is between \$25,000 and \$6,000,000. Payments will be accepted for amounts up to \$21,000, using either MasterCard or Visa.

- 167. Security deposit administration & compliance fee** - Under Section 97 (5) of the Local Government Act 1993, a security deposit (or part) if repaid to the person who provided it is to be repaid with any interest accrued on the deposit (or part) as a consequence of its investment.

Council must cover administration and other costs incurred in the investment of these monies. The current charge is \$50.00 plus 2% of the bond amount per annum.

The interest rate applied to bonds is set at Council's business banking facility rate as at 1 July each year. Council will accept a bank guarantee in lieu of a deposit.

All interest earned on security deposits will be used to offset the Security Deposit Administration and Compliance fee. Where interest earned on a deposit is not sufficient to meet the fee, it will be accepted in full satisfaction of the fee.

- 168. Site Safety Fencing** - Site fencing must be erected in accordance with SafeWork Guidelines, to exclude public access to the site throughout the demolition and/or construction work, except in the case of alterations to an occupied dwelling. The fencing must be erected before the commencement of any work and maintained throughout any demolition and construction work.

A demolition licence and/or a high risk work license may be required from SafeWork NSW (see www.SafeWork.nsw.gov.au).

169. Stormwater & Ancillary Works - Applications under Section 138 Roads Act and/or Section 68 Local Government Act 1993 - To apply for approval under Section 138 of the Roads Act 1993:

- (i) Complete the Driveway Crossing on Council Road Reserve Application Form which can be downloaded from Georges River Council's Website at www.georgesriver.nsw.gov.au
- (ii) In the Application Form, quote the Development Consent No. (eg. DA2018/0580)
- (iii) Lodge the application form, together with the associated fees at Council's Customer Service Centre, during business hours. Refer to Council's adopted Fees and Charges for the administrative and inspection charges associated with Vehicular Crossing applications.

An approval for a new vehicular crossing will contain the approved access and/or alignment levels which will be required to construct the crossing and/or footpath. Once approved, all work shall be carried out by a private contractor in accordance with Council's specifications prior to the issue of an Occupation Certificate.

The developer must meet all costs of the extension, relocation or reconstruction of any part of Council's drainage system (including design drawings and easements) required to carry out the approved development.

The preparation of all engineering drawings (site layout plans, cross sections, longitudinal sections, elevation views together with a hydraulic grade analysis) and specifications for the new storm water drainage system to be arranged by the applicant. The design plans must be lodged and approved by Council prior to the issue of a Construction Certificate.

Note: A minimum of four weeks should be allowed for assessment.

170. Council Appointed as the CA. Should the Council be appointed as the Certifying Authority in determining the Construction Certificate, the building must comply with all the applicable deemed to satisfy provision of the BCA. However, if an alternative solution is proposed it must comply with the performance requirements of the BCA, in which case, the alternative solution, prepared by an appropriately qualified fire consultant, accredited and having specialist qualifications in fire engineering, must justify the non-compliances with a detailed report, suitable evidence and expert judgement.

In this regard, detailed construction plans and specifications that demonstrate compliance with the above requirements of the BCA, must be submitted to the Certifying Authority **with the Construction Certificate Application**.

Should there be any non-compliance, an alternative method of fire protection and structural capacity must be submitted, with all supporting documents prepared by a suitably qualified person.

In the event that full compliance with the BCA cannot be achieved and the services of a fire engineer are obtained to determine an alternative method of compliance with the BCA, such report must be submitted to and endorsed by the Certifying Authority **prior to issue of the Construction Certificate**.

- 171. Energy Efficiency Provisions** - Should Council be appointed as the Principal Certifying Authority, a report prepared and endorsed by an Energy Efficiency Engineer or other suitably qualified person must be submitted, detailing the measures that must be implemented in the building to comply with Section J of the BCA. The proposed measures and feature of the building that facilitate the efficient use of energy must be identified and detailed on the architectural plans. At completion of the building and before the issue of an Occupation Certificate, a certificate certifying that the building has been erected to comply with the energy efficiency provisions must be submitted to the Principal Certifying Authority.
- 172. Compliance with Access, Mobility and AS4299 - Adaptable Housing** - Should the Council be appointment as the PCA, the Construction Certificate Application must be accompanied by detailed working plans and a report or a Certificate of Compliance from an Accredited Access Consultant certifying that the building design and access to the adaptable apartments complies with Council's DCP and AS 4299 Adaptable Housing.

ATTACHMENTS

Attachment [↓](#)1  Elevations



DA-15

DESIGN CORP ARCHITECTS

PROPOSED RESIDENTIAL FLAT BUILDING
13-21 WYUNA STREET BEVERLEY PARK

WYUNA GROUP

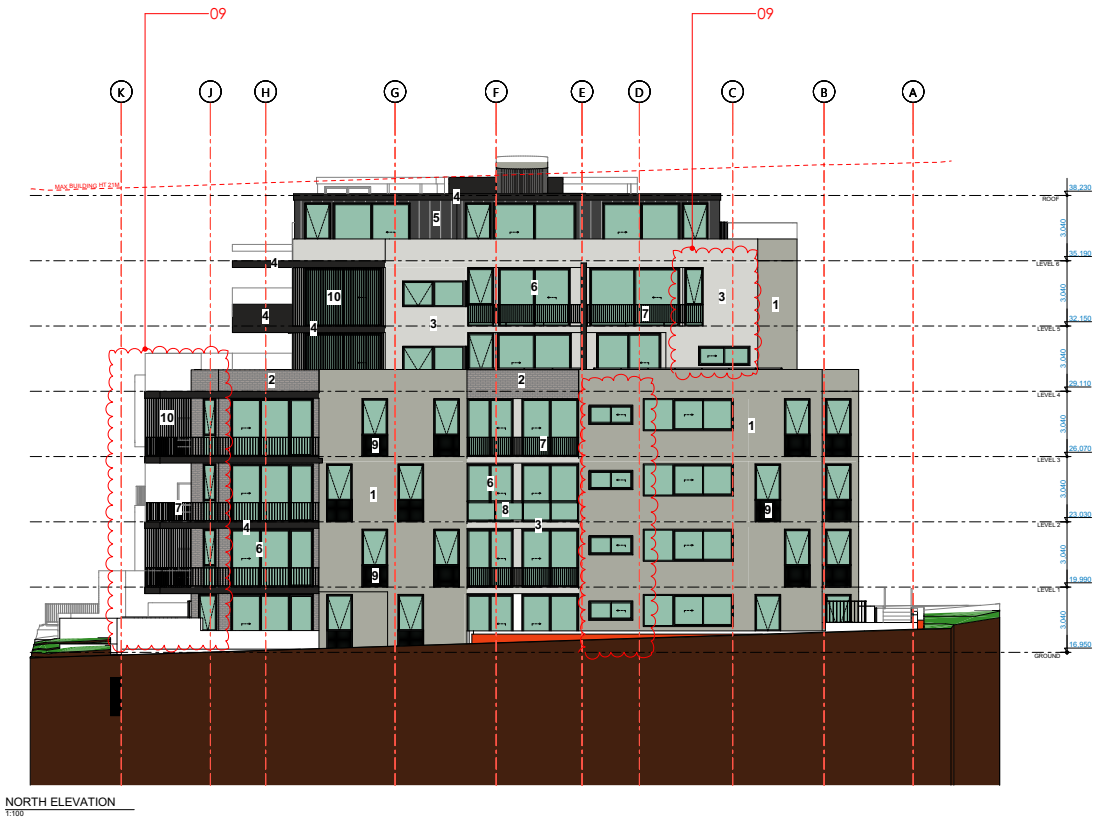
EAST ELEVATION

20/10/2022

2021-232

DA-15

All dimensions in millimetres unless otherwise stated. All dimensions are to the face of the work unless otherwise stated. All dimensions are to the face of the work unless otherwise stated. All dimensions are to the face of the work unless otherwise stated.



NORTH ELEVATION
1:100

- SCHEDULE OF AMENDMENTS:**
- 01. The adaptable unit layouts have been updated and livable units have been introduced as per DA condition. Thus, the units layouts have been altered. Adaptable parking spaces altered.
 - 02. Fit booster assembly have been introduced. (Fit pump room is introduced in high ceiling area above the lower 8). Garbage rooms updated.
 - 03. Basement carpark R/Ls have been modified to minimise the bulk excavation volume.
 - 04. Minor increase in the total number of approved parking spaces from 109 to 112, whilst retaining the approved basement footprint.
 - 05. Minor changes to materials and finishes.
 - 06. Relocation & reconfiguration of storage units.
 - 07. Changes to the internal layouts as a result of refinement and improving accessibility.
 - 08. Minor changes to external stairs and levels.
 - 09. Resizing/removal of openings.

EXTERNAL MATERIALS & FINISHES

- 1. FACE CONCRETE RENDERED
- 2. FACE BRICK
Austral Brick
Everyday Life Engage
- 3. PAINTED RENDER
Dulux - Silver Tea Set
- 4. PAINTED RENDER
Dulux - Black
- 5. METAL CLADDING
Colorbond - Monument
- 6. DOOR & WINDOW FRAME
Powder coated aluminium frame
Colorbond - Monument
- 7. METAL BALUSTRADE
Colorbond - Monument
- 8. GLASS BALUSTRADE
Metal frame and handrail
with clear glass infill
Colorbond - Monument
- 9. METAL MESH
BALUSTRADE
Colorbond - Monument
- 10. FIXED VERTICAL
METAL LOUVER
Colorbond - Monument

**\$4.55
MODIFICATIONS**

DA-16

DESIGN CORP ARCHITECTS

PROPOSED RESIDENTIAL FLAT BUILDING
@ 17 WYUNA ST BEVERLEY PARK

WYUNA GROUP

NORTH ELEVATION

20/10/2022

2021-232

DA-16

DA-16

DESIGN CORP ARCHITECTS

PROPOSED RESIDENTIAL FLAT BUILDING
@ 17 WYUNA ST BEVERLEY PARK

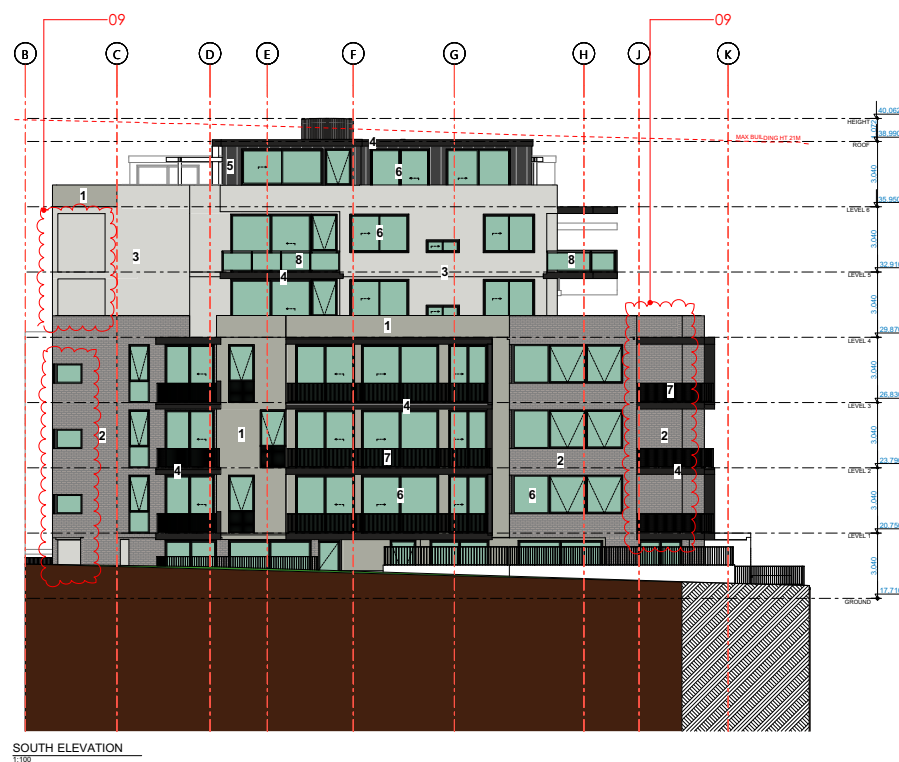
WYUNA GROUP

NORTH ELEVATION

20/10/2022

2021-232

DA-16



SOUTH ELEVATION
1:100

SCHEDULE OF AMENDMENTS:

SCHEDULE OF AMENDMENTS:

01. The adaptable unit layout units have been updated and livable units have been introduced per DA condition. Thus, the units layouts have been updated. Adaptable parking spaces altered.
02. FH booster assembly have been introduced. FH pump room is introduced in high ceiling area above the lower B1. Garbage room is introduced.
03. Basement carpark B1s have been modified to minimise the bulk excavation volume.
04. Minor increase in the total number of approved parking spaces from 109 to 112, whilst retaining the approved basement footprint.
05. Minor changes to materials and finishes.
06. Relocation & reconfiguration of storage units.
07. Changes to the internal layouts as a result of refinement and improving accessibility.
08. Minor changes to external stairs and levels.
09. Resting/removal of openings.

EXTERNAL MATERIALS & FINISHES

- 1
FACE CONCRETE RENDERED

- 2
FACE BRICK
Austral Brick
Everyday Life Engage

- 3
PAINTED RENDER
Dulux - Silver Tree Sand

- 4
PAINTED RENDER
Dulux - Black

- 5
METAL GLASSING
Colobond - Monument

- 6
DOOR & WINDOW FRAME
Powder coated aluminium frame
Colobond - Monument



- 7
METAL BALLISTRATE
Colobond - Monument

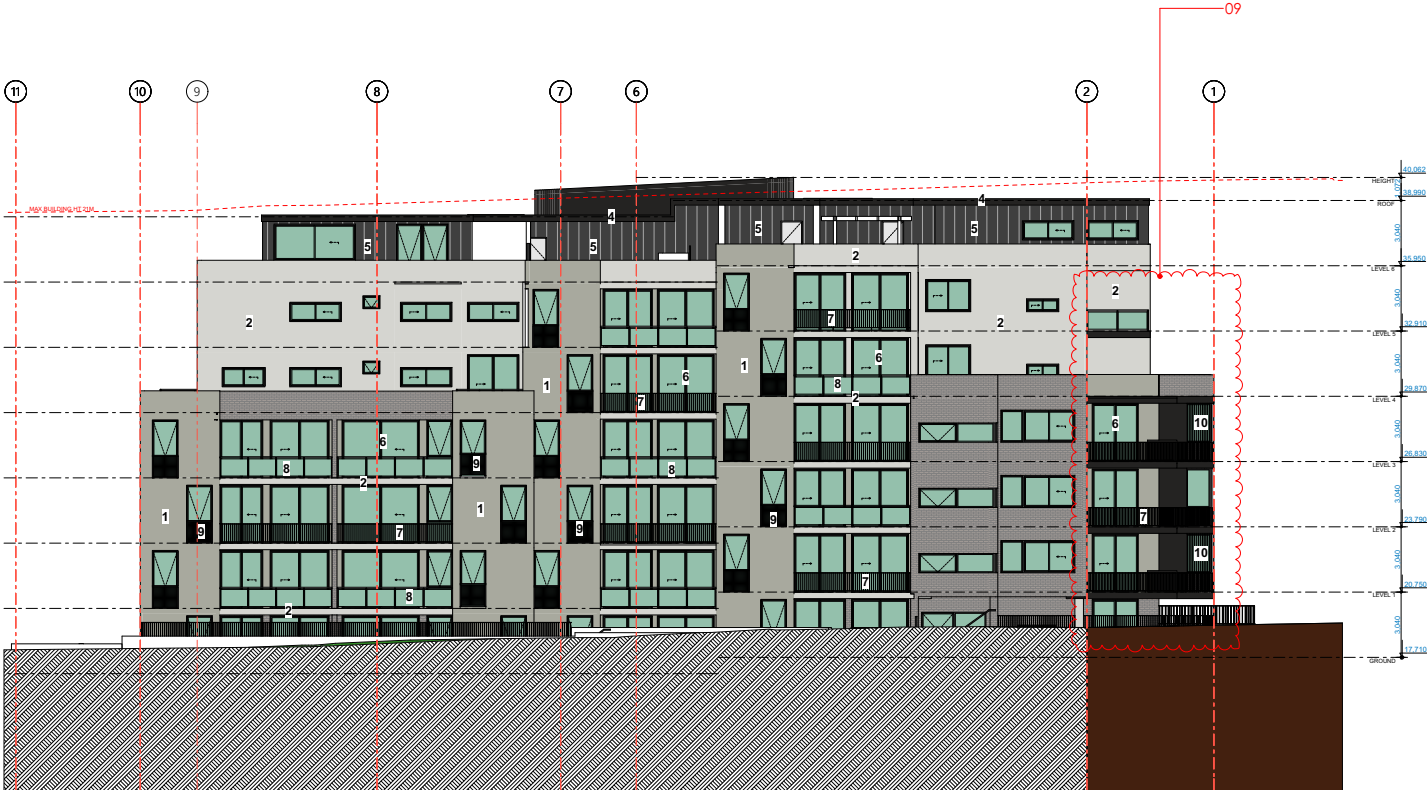
- 8
GLASS BALLISTRATE
Metal frame and handrail
with clear glass infill
Colobond - Monument

- 9
METAL MESH BALLISTRATE
Colobond - Monument

- 10
FIXED VERTICAL METAL LOUVER
Colobond - Monument


S4.55 MODIFICATIONS

SA 54-02 Modification Date: 	<div style="text-align: right;"> PROJECT NO. DATE </div>
 <div style="display: inline-block; vertical-align: middle; text-align: left;"> DESIGN CORP ARCHITECT </div>	
104 Irving Street South Pasadena CA 91030 PH (818) 799-1101 FAX (818) 799-1102 www.designcorparchitect.com e-mail: info@designcorparchitect.com or info@rtdesigns.com	
PROPOSED RESIDENTIAL PLAT BUILDING AT 17 WYUNA ST BEVERLY PARK	
WYUNA GROUP	
Drawing title: 	
SOUTH ELEVATION	
Date: 25/10/2012	Checked: J.S. Approved: J.S.
Project number: 2011-232	Scale: As Shown
Status: 	
SA 55 MODIFICATIONS	
	



SCHEDULE OF AMENDMENTS:
01. The adaptable unit layouts have been updated and brevidle units have been introduced as per DA condition. Thus, the units layouts have been altered. Adaptable parking spaces altered.
02. Fit booster assembly have been introduced. Fit pump room is introduced in high ceiling area above the lower fit. Garbage rooms updated.
03. Basement carpark R/Ls have been modified to minimise the bulk excavation volume.
04. Minor changes in the total number of approved parking spaces from 109 to 112, whilst retaining the approved basement footprint.
05. Minor changes to materials and finishes.
06. Relocation & reconfiguration of storage units.
07. Changes to the internal layouts as a result of refinement and improving accessibility.
08. Minor changes to external stairs and levels.
09. Resizing/removal of openings.

EXTERNAL MATERIALS & FINISHES

- | | |
|---|--|
| 1
FACE CONCRETE
Rendered | 7
METAL BALUSTRADE
Colorbond - Monument |
| 2
FACE BRICK
Antique Brick
Everyday Life Engage | 8
GLASS BALUSTRADE
Metal frame and handrail, with clear glass infill
Colorbond - Monument |
| 3
PAINTED RENDER
Dulux - Silver Top Sol | 9
METAL MESH
BALUSTRADE
Colorbond - Monument |
| 4
PAINTED RENDER
Dulux - Black | 10
FIXED VERTICAL
METAL DOWNPIES
Colorbond - Monument |
| 5
METAL CLADDING
Colorbond - Monument | |
| 6
DOOR & WINDOW FRAME
Powder coated aluminium frame
Colorbond - Monument | |

**\$4.55
MODIFICATIONS**

DA-18 Modification 2023/22

DC DESIGN CORP ARCHITECTS

10/100 WYUNA STREET, BEVERLEY PARK, NSW 1501
TEL: 02 9412 8411, 02 9412 8412, 02 9412 8413, 02 9412 8414, 02 9412 8415, 02 9412 8416, 02 9412 8417, 02 9412 8418, 02 9412 8419, 02 9412 8420, 02 9412 8421, 02 9412 8422, 02 9412 8423, 02 9412 8424, 02 9412 8425, 02 9412 8426, 02 9412 8427, 02 9412 8428, 02 9412 8429, 02 9412 8430, 02 9412 8431, 02 9412 8432, 02 9412 8433, 02 9412 8434, 02 9412 8435, 02 9412 8436, 02 9412 8437, 02 9412 8438, 02 9412 8439, 02 9412 8440, 02 9412 8441, 02 9412 8442, 02 9412 8443, 02 9412 8444, 02 9412 8445, 02 9412 8446, 02 9412 8447, 02 9412 8448, 02 9412 8449, 02 9412 8450, 02 9412 8451, 02 9412 8452, 02 9412 8453, 02 9412 8454, 02 9412 8455, 02 9412 8456, 02 9412 8457, 02 9412 8458, 02 9412 8459, 02 9412 8460, 02 9412 8461, 02 9412 8462, 02 9412 8463, 02 9412 8464, 02 9412 8465, 02 9412 8466, 02 9412 8467, 02 9412 8468, 02 9412 8469, 02 9412 8470, 02 9412 8471, 02 9412 8472, 02 9412 8473, 02 9412 8474, 02 9412 8475, 02 9412 8476, 02 9412 8477, 02 9412 8478, 02 9412 8479, 02 9412 8480, 02 9412 8481, 02 9412 8482, 02 9412 8483, 02 9412 8484, 02 9412 8485, 02 9412 8486, 02 9412 8487, 02 9412 8488, 02 9412 8489, 02 9412 8490, 02 9412 8491, 02 9412 8492, 02 9412 8493, 02 9412 8494, 02 9412 8495, 02 9412 8496, 02 9412 8497, 02 9412 8498, 02 9412 8499, 02 9412 8500, 02 9412 8501, 02 9412 8502, 02 9412 8503, 02 9412 8504, 02 9412 8505, 02 9412 8506, 02 9412 8507, 02 9412 8508, 02 9412 8509, 02 9412 8510, 02 9412 8511, 02 9412 8512, 02 9412 8513, 02 9412 8514, 02 9412 8515, 02 9412 8516, 02 9412 8517, 02 9412 8518, 02 9412 8519, 02 9412 8520, 02 9412 8521, 02 9412 8522, 02 9412 8523, 02 9412 8524, 02 9412 8525, 02 9412 8526, 02 9412 8527, 02 9412 8528, 02 9412 8529, 02 9412 8530, 02 9412 8531, 02 9412 8532, 02 9412 8533, 02 9412 8534, 02 9412 8535, 02 9412 8536, 02 9412 8537, 02 9412 8538, 02 9412 8539, 02 9412 8540, 02 9412 8541, 02 9412 8542, 02 9412 8543, 02 9412 8544, 02 9412 8545, 02 9412 8546, 02 9412 8547, 02 9412 8548, 02 9412 8549, 02 9412 8550, 02 9412 8551, 02 9412 8552, 02 9412 8553, 02 9412 8554, 02 9412 8555, 02 9412 8556, 02 9412 8557, 02 9412 8558, 02 9412 8559, 02 9412 8560, 02 9412 8561, 02 9412 8562, 02 9412 8563, 02 9412 8564, 02 9412 8565, 02 9412 8566, 02 9412 8567, 02 9412 8568, 02 9412 8569, 02 9412 8570, 02 9412 8571, 02 9412 8572, 02 9412 8573, 02 9412 8574, 02 9412 8575, 02 9412 8576, 02 9412 8577, 02 9412 8578, 02 9412 8579, 02 9412 8580, 02 9412 8581, 02 9412 8582, 02 9412 8583, 02 9412 8584, 02 9412 8585, 02 9412 8586, 02 9412 8587, 02 9412 8588, 02 9412 8589, 02 9412 8590, 02 9412 8591, 02 9412 8592, 02 9412 8593, 02 9412 8594, 02 9412 8595, 02 9412 8596, 02 9412 8597, 02 9412 8598, 02 9412 8599, 02 9412 8600, 02 9412 8601, 02 9412 8602, 02 9412 8603, 02 9412 8604, 02 9412 8605, 02 9412 8606, 02 9412 8607, 02 9412 8608, 02 9412 8609, 02 9412 8610, 02 9412 8611, 02 9412 8612, 02 9412 8613, 02 9412 8614, 02 9412 8615, 02 9412 8616, 02 9412 8617, 02 9412 8618, 02 9412 8619, 02 9412 8620, 02 9412 8621, 02 9412 8622, 02 9412 8623, 02 9412 8624, 02 9412 8625, 02 9412 8626, 02 9412 8627, 02 9412 8628, 02 9412 8629, 02 9412 8630, 02 9412 8631, 02 9412 8632, 02 9412 8633, 02 9412 8634, 02 9412 8635, 02 9412 8636, 02 9412 8637, 02 9412 8638, 02 9412 8639, 02 9412 8640, 02 9412 8641, 02 9412 8642, 02 9412 8643, 02 9412 8644, 02 9412 8645, 02 9412 8646, 02 9412 8647, 02 9412 8648, 02 9412 8649, 02 9412 8650, 02 9412 8651, 02 9412 8652, 02 9412 8653, 02 9412 8654, 02 9412 8655, 02 9412 8656, 02 9412 8657, 02 9412 8658, 02 9412 8659, 02 9412 8660, 02 9412 8661, 02 9412 8662, 02 9412 8663, 02 9412 8664, 02 9412 8665, 02 9412 8666, 02 9412 8667, 02 9412 8668, 02 9412 8669, 02 9412 8670, 02 9412 8671, 02 9412 8672, 02 9412 8673, 02 9412 8674, 02 9412 8675, 02 9412 8676, 02 9412 8677, 02 9412 8678, 02 9412 8679, 02 9412 8680, 02 9412 8681, 02 9412 8682, 02 9412 8683, 02 9412 8684, 02 9412 8685, 02 9412 8686, 02 9412 8687, 02 9412 8688, 02 9412 8689, 02 9412 8690, 02 9412 8691, 02 9412 8692, 02 9412 8693, 02 9412 8694, 02 9412 8695, 02 9412 8696, 02 9412 8697, 02 9412 8698, 02 9412 8699, 02 9412 8700, 02 9412 8701, 02 9412 8702, 02 9412 8703, 02 9412 8704, 02 9412 8705, 02 9412 8706, 02 9412 8707, 02 9412 8708, 02 9412 8709, 02 9412 8710, 02 9412 8711, 02 9412 8712, 02 9412 8713, 02 9412 8714, 02 9412 8715, 02 9412 8716, 02 9412 8717, 02 9412 8718, 02 9412 8719, 02 9412 8720, 02 9412 8721, 02 9412 8722, 02 9412 8723, 02 9412 8724, 02 9412 8725, 02 9412 8726, 02 9412 8727, 02 9412 8728, 02 9412 8729, 02 9412 8730, 02 9412 8731, 02 9412 8732, 02 9412 8733, 02 9412 8734, 02 9412 8735, 02 9412 8736, 02 9412 8737, 02 9412 8738, 02 9412 8739, 02 9412 8740, 02 9412 8741, 02 9412 8742, 02 9412 8743, 02 9412 8744, 02 9412 8745, 02 9412 8746, 02 9412 8747, 02 9412 8748, 02 9412 8749, 02 9412 8750, 02 9412 8751, 02 9412 8752, 02 9412 8753, 02 9412 8754, 02 9412 8755, 02 9412 8756, 02 9412 8757, 02 9412 8758, 02 9412 8759, 02 9412 8760, 02 9412 8761, 02 9412 8762, 02 9412 8763, 02 9412 8764, 02 9412 8765, 02 9412 8766, 02 9412 8767, 02 9412 8768, 02 9412 8769, 02 9412 8770, 02 9412 8771, 02 9412 8772, 02 9412 8773, 02 9412 8774, 02 9412 8775, 02 9412 8776, 02 9412 8777, 02 9412 8778, 02 9412 8779, 02 9412 8780, 02 9412 8781, 02 9412 8782, 02 9412 8783, 02 9412 8784, 02 9412 8785, 02 9412 8786, 02 9412 8787, 02 9412 8788, 02 9412 8789, 02 9412 8790, 02 9412 8791, 02 9412 8792, 02 9412 8793, 02 9412 8794, 02 9412 8795, 02 9412 8796, 02 9412 8797, 02 9412 8798, 02 9412 8799, 02 9412 8800, 02 9412 8801, 02 9412 8802, 02 9412 8803, 02 9412 8804, 02 9412 8805, 02 9412 8806, 02 9412 8807, 02 9412 8808, 02 9412 8809, 02 9412 8810, 02 9412 8811, 02 9412 8812, 02 9412 8813, 02 9412 8814, 02 9412 8815, 02 9412 8816, 02 9412 8817, 02 9412 8818, 02 9412 8819, 02 9412 8820, 02 9412 8821, 02 9412 8822, 02 9412 8823, 02 9412 8824, 02 9412 8825, 02 9412 8826, 02 9412 8827, 02 9412 8828, 02 9412 8829, 02 9412 8830, 02 9412 8831, 02 9412 8832, 02 9412 8833, 02 9412 8834, 02 9412 8835, 02 9412 8836, 02 9412 8837, 02 9412 8838, 02 9412 8839, 02 9412 8840, 02 9412 8841, 02 9412 8842, 02 9412 8843, 02 9412 8844, 02 9412 8845, 02 9412 8846, 02 9412 8847, 02 9412 8848, 02 9412 8849, 02 9412 8850, 02 9412 8851, 02 9412 8852, 02 9412 8853, 02 9412 8854, 02 9412 8855, 02 9412 8856, 02 9412 8857, 02 9412 8858, 02 9412 8859, 02 9412 8860, 02 9412 8861, 02 9412 8862, 02 9412 8863, 02 9412 8864, 02 9412 8865, 02 9412 8866, 02 9412 8867, 02 9412 8868, 02 9412 8869, 02 9412 8870, 02 9412 8871, 02 9412 8872, 02 9412 8873, 02 9412 8874, 02 9412 8875, 02 9412 8876, 02 9412 8877, 02 9412 8878, 02 9412 8879, 02 9412 8880, 02 9412 8881, 02 9412 8882, 02 9412 8883, 02 9412 8884, 02 9412 8885, 02 9412 8886, 02 9412 8887, 02 9412 8888, 02 9412 8889, 02 9412 8890, 02 9412 8891, 02 9412 8892, 02 9412 8893, 02 9412 8894, 02 9412 8895, 02 9412 8896, 02 9412 8897, 02 9412 8898, 02 9412 8899, 02 9412 8900, 02 9412 8901, 02 9412 8902, 02 9412 8903, 02 9412 8904, 02 9412 8905, 02 9412 8906, 02 9412 8907, 02 9412 8908, 02 9412 8909, 02 9412 8910, 02 9412 8911, 02 9412 8912, 02 9412 8913, 02 9412 8914, 02 9412 8915, 02 9412 8916, 02 9412 8917, 02 9412 8918, 02 9412 8919, 02 9412 8920, 02 9412 8921, 02 9412 8922, 02 9412 8923, 02 9412 8924, 02 9412 8925, 02 9412 8926, 02 9412 8927, 02 9412 8928, 02 9412 8929, 02 9412 8930, 02 9412 8931, 02 9412 8932, 02 9412 8933, 02 9412 8934, 02 9412 8935, 02 9412 8936, 02 9412 8937, 02 9412 8938, 02 9412 8939, 02 9412 8940, 02 9412 8941, 02 9412 8942, 02 9412 8943, 02 9412 8944, 02 9412 8945, 02 9412 8946, 02 9412 8947, 02 9412 8948, 02 9412 8949, 02 9412 8950, 02 9412 8951, 02 9412 8952, 02 9412 8953, 02 9412 8954, 02 9412 8955, 02 9412 8956, 02 9412 8957, 02 9412 8958, 02 9412 8959, 02 9412 8960, 02 9412 8961, 02 9412 8962, 02 9412 8963, 02 9412 8964, 02 9412 8965, 02 9412 8966, 02 9412 8967, 02 9412 8968, 02 9412 8969, 02 9412 8970, 02 9412 8971, 02 9412 8972, 02 9412 8973, 02 9412 8974, 02 9412 8975, 02 9412 8976, 02 9412 8977, 02 9412 8978, 02 9412 8979, 02 9412 8980, 02 9412 8981, 02 9412 8982, 02 9412 8983, 02 9412 8984, 02 9412 8985, 02 9412 8986, 02 9412 8987, 02 9412 8988, 02 9412 8989, 02 9412 8990, 02 9412 8991, 02 9412 8992, 02 9412 8993, 02 9412 8994, 02 9412 8995, 02 9412 8996, 02 9412 8997, 02 9412 8998, 02 9412 8999, 02 9412 9000, 02 9412 9001, 02 9412 9002, 02 9412 9003, 02 9412 9004, 02 9412 9005, 02 9412 9006, 02 9412 9007, 02 9412 9008, 02 9412 9009, 02 9412 9010, 02 9412 9011, 02 9412 9012, 02 9412 9013, 02 9412 9014, 02 9412 9015, 02 9412 9016, 02 9412 9017, 02 9412 9018, 02 9412 9019, 02 9412 9020, 02 9412 9021, 02 9412 9022, 02 9412 9023, 02 9412 9024, 02 9412 9025, 02 9412 9026, 02 9412 9027, 02 9412 9028, 02 9412 9029, 02 9412 9030, 02 9412 9031, 02 9412 9032, 02 9412 9033, 02 9412 9034, 02 9412 9035, 02 9412 9036, 02 9412 9037, 02 9412 9038, 02 9412 9039, 02 9412 9040, 02 9412 9041, 02 9412 9042, 02 9412 9043, 02 9412 9044, 02 9412 9045, 02 9412 9046, 02 9412 9047, 02 9412 9048, 02 9412 9049, 02 9412 9050, 02 9412 9051, 02 9412 9052, 02 9412 9053, 02 9412 9054, 02 9412 9055, 02 9412 9056, 02 9412 9057, 02 9412 9058, 02 9412 9059, 02 9412 9060, 02 9412 9061, 02 9412 9062, 02 9412 9063, 02 9412 9064, 02 9412 9065, 02 9412 9066, 02 9412 9067, 02 9412 9068, 02 9412 9069, 02 9412 9070, 02 9412 9071, 02 9412 9072, 02 9412 9073, 02 9412 9074, 02 9412 9075, 02 9412 9076, 02 9412 9077, 02 9412 9078, 02 9412 9079, 02 9412 9080, 02 9412 9081, 02 9412 9082, 02 9412 9083, 02 9412 9084, 02 9412 9085, 02 9412 9086, 02 9412 9087, 02 9412 9088, 02 9412 9089, 02 9412 9090, 02 9412 9091, 02 9412 9092, 02 9412 9093, 02 9412 9094, 02 9412 9095, 02 9412 9096, 02 9412 9097, 02 9412 9098, 02 9412 9099, 02 9412 9100, 02 9412 9101, 02 9412 9102, 02 9412 9103, 02 9412 9104, 02 9412 9105, 02 9412 9106, 02 9412 9107, 02 9412 9108, 02 9412 9109, 02 9412 9110, 02 9412 9111, 02 9412 9112, 02 9412 9113, 02 9412 9114, 02 9412 9115, 02 9412 9116, 02 9412 9117, 02 9412 9118, 02 9412 9119, 02 9412 9120, 02 9412 9121, 02 9412 9122, 02 9412 9123, 02 9412 9124, 02 9412 9125, 02 9412 9126, 02 9412 9127, 02 9412 9128, 02 9412 9129, 02 9412 9130, 02 9412 9131, 02 9412 9132, 02 9412 9133, 02 9412 9134, 02 9412 9135, 02 9412 9136, 02 9412 9137, 02 9412 9138, 02 9412 9139, 02 9412 9140, 02 9412 9141, 02 9412 9142, 02 9412 9143, 02 9412 9144, 02 9412 9145, 02 9412 9146, 02 9412 9147, 02 9412 9148, 02 9412 9149, 02 9412 9150, 02 9412 9151, 02 9412 9152, 02 9412 9153, 02 9412 9154, 02 9412 9155, 02 9412 9156, 02 9412 9157, 02 9412 9158, 02 9412 9159, 02 9412 9160, 02 9412 9161, 02 9412 9162, 02 9412 9163, 02 9412 9164, 02 9412 9165, 02 9412 9166, 02 9412 9167, 02 9412 9168, 02 9412 9169, 02 9412 9170, 02 9412 9171, 02 9412 9172, 02 9412 9173, 02 9412 9174, 02 9412 9175, 02 9412 9176, 02 9412 9177, 02 9412 9178, 02 9412 9179, 02 9412 9180, 02 9412 9181, 02 9412 9182, 02 9412 9183, 02 9412 9184, 02 9412 9185, 02 9412 9186, 02 9412 9187, 02 9412 9188, 02 9412 9189, 02 9412 9190, 02 9412 9191, 02 9412 9192, 02 9412 9193, 02 9412 9194, 02 9412 9195, 02 9412 9196, 02 9412 9197, 02 9412 9198, 02 9412 9199, 02 9412 9200, 02 9412 9201, 02 9412 9202, 02 9412 9203, 02 9412 9204, 02 9412 9205, 02 9412 9206, 02 9412 9207, 02 9412 9208, 02 9412 9209, 02 9412 9210, 02 9412 9211, 02 9412 9212, 02 9412 9213, 02 9412 9214, 02 9412 9215, 02 9412 9216, 02 9412 9217, 02 9412 9218, 02 9412 9219, 02 9412 9220, 02 9412 9221, 02 9412 9222, 02 9412 9223, 02 9412 9