

Our Ref: 23.001
Your Ref: DA23/9236

16 February 2024

Trent Wink
A/Director- Regional Assessments
Department of Planning and Environment
Via Email: Trent.Wink@planning.nsw.gov.au

Dear Trent,

**Re: DA23/9236, 100 Old Castlereagh Road, Castlereagh
Further Response to Draft Conditions of Consent**

I refer to our recent correspondence in relation to the Draft Conditions for DA23/9236 and thank you for your patience.

The Draft Conditions issued by the Department triggered works that were considered unnecessary in the context of the application that was lodged and the information provided in the Statement of Environmental Effects. We have since obtained further BCA and Access advice (attached for your review) and note the following.

Access Audit by Ergon Consulting

1. Point 4 details an access audit that details works that will need to be carried out prior to the commencement of use.
2. Point 5 details the performance solutions that can be, and will be, provided at the CC design stage.
3. Point 6 details the suggested amendments to the Draft Conditions in respect of access compliance.

BCA Review by Urban Approvals

The BCA review by Urban Approvals details compliance in respect to the toilet facilities. The review acknowledges there would be a maximum of 56 people in the venue, which is a figure that can be enshrined in a condition of consent. The review makes the following recommendations.

1. The recommendation in the Ergon Consulting Report are carried out.
2. It is appropriate, given the age and proposed function of the building, to rely on Clause F4P1 of the Building Code.
3. Based on the assessment, even though the current facilities do not meet the Deemed to Satisfy provision of the current Building Code, the facilities (with access upgrades) are more than adequate to service the development.

Recommended Amendments to the Draft Conditions

Based on the advice received, we would suggest the following changes be made to Draft Conditions

1. The Department may choose to include '(limited to 50 patrons)' in the Development Description in Schedule 1 of the Notice of Determination, or as an addition to condition A6.
2. Delete B3(b) and B3(c).
3. Delete B4(b) and (c).

4. The Notice of Determination now needs to reference the two pieces of advice attached, presumably in condition A2.

We trust this assists the Department in being able to finalise this matter. Please contact me on 0401 449 101 should you have any questions or wish to discuss.

Sincerely

Stimson Urban & Regional Planning



Warwick Stimson RPIA
Director

Email: warwick@stimson.com.au

Attached: *Statement of Access Design Compliance, by Ergon Consulting, dated 29 January 2024*
 BCA Assessment, by Urban Approvals, dated 10 February 2024