

**46-56 Liverpool Road, SUMMER HILL  
Lot 2 in DP 562023**

The following response relate to comments made to Council's conditions of consent. In each case:-

- The conditions in question are replicated in italics;
- Followed by Council's response to the applicant's commentary; and
- Council's recommendation in the matter.

**Part A – Deferred Commencement**

*The Sydney East Joint Regional Planning Panel as the consent authority Pursuant to Clause 80(3) of the Environmental Planning and Assessment Act 1979 (as amended) grant "Deferred commencement" consent to Development Application (DA) No. 10.2011.66.1*  
Part A (page 1/46)

*Upon Council's written approval of satisfactory compliance with the "Deferred Commencement" matters listed above, the development consent will become operative, subject to the conditions below. The matters stated above shall be submitted to Council within 12 months from the date the deferred commencement being issued.*

Response

Council's stormwater engineer on several occasions has contacted the applicant's stormwater engineer with a view to resolve the outstanding issues. However no response was made by the applicant's engineer to Council's request.

Majority of the issues raised in Part A are of a significant nature warranting the issue of a deferred commencement. It is Council's view that these issues cannot be confidently resolved at the Construction Certificate stage.

Recommendation

Deferred Commencement consent be issued with modifications as indicated below:-

Condition (1):                      *O.S.D. calculations shall be submitted to the satisfaction of Ashfield Council. The entire site needs to be catered for when designing the O.S.D.*  
Part A (page 1/46)

Response

Providing calculations for only part of the site does not comply with Council's "Stormwater Management Code".

Without stormwater calculations and details which incorporate the entire site it is not feasible to determine what impact on the surrounding area this site may cause which is one of the main objectives of Council's Stormwater Management Code.

#### Recommendation

This condition shall remain unchanged.

*Condition (2): This development will be required to drain directly to a street pipe network as stated in section 4.9 of Council's stormwater code. The current proposal indicates a connection to a pit in Liverpool Road, however no connection detail to an existing pipe network has been provided. Council will require a long section which shows invert and surface level details, as well as grade and length of the proposed pipe extension in order to prove its feasibility.*  
Part A (page 1/46)

#### Response

Any new stormwater infrastructure to be built on Liverpool Road needs the approval of both the R.T.A. and Council, without the appropriate details described above being submitted now neither the R.T.A. nor Council would be in a position to justify its feasibility or recommend suitable modifications.

#### Recommendation

This condition shall remain unchanged.

*Condition (3): Separate calculation of stormwater flows for outlet in Gower Street shall be supplied as this discharge point may need to be connected into the proposed pipe network as well.*  
Part A (page 1/46)

#### Response

Council's "Stormwater Management Code" requires that the proposed Gower Street discharge point shall connect directly into Council's pipe network (Section 4.9), in order for Council to amend this requirement the applicant needs to submit details now and not at the Construction Certificate stage.

#### Recommendation

This condition shall remain unchanged.

*Condition (4): Calculations for the rate of stormwater discharge from the existing building connecting to Grosvenor Crescent shall be supplied.*  
Part A (page 1/46)

#### Response

Supplying details for the full site is a requirement of Council's "Stormwater Management Code".

This information is required to be provided now as it has the potential to impact on the final drainage design so it is crucial that all the drainage information for the site is forthcoming now.

#### Recommendation

This condition shall remain unchanged.

*Condition (5): Details of the capacity for the sump and pipe network shown to be built over the line of the basement shall be submitted.*  
Part A (page 1/46)

#### Response

Agreed that the required information has been provided

#### Recommendation

Condition No. 5 in Part A can be deleted

*Condition (6): Details of how all internal pipe and pit network are able to cope with a 1:100 ARI shall be submitted.*  
Part A (page 1/46)

#### Response

The site does not naturally drain to the O.S.D tank therefore the site's pipe network will need to be increased to allow the O.S.D. tank to function as it is intended too.

The site would be permitted to design its pipe network for a 1:20 ARI if appropriate flow paths to cater for the pipe's network which were in excess of a 1:20 ARI were designed to flow to the O.S.D tank.

#### Recommendation

This condition shall remain unchanged.

*Condition (7): The car park basement pumpout is to be included in the overall site's stormwater discharge. As it is proposed not to pump the basement discharge to the OSD tank the OSD,s tank discharge must be reduced to allow for this.*  
Part A (page 1/46)

#### Response

The car park basement pumpout is part of the sit's stormwater discharge and all stormwater discharge details are required to be submitted now so the site's stormwater discharge can be adequately determined.

### Recommendation

This condition shall remain unchanged.

*Condition (8): Details of the proposed location of the required sixteen (16) car wash bays.*  
Part A (page 1/46)

### Response

Council's DCP requires this development to provide 16 car wash bays; however justification can be made pursuant to Part C11, Section 3.6 of Council's DCP for a variation on this amount. It is noted that no justification has been made to date.

Notwithstanding the above it is considered that two (2) dedicated car wash bays be provided inside the basement car park and in addition two of the proposed visitor parking bays have dual use for the purposes of a car wash bay as well as visitor car parking space.

The proposed two (2) external car wash bays are considered to be inappropriate and shall be located inside the car park level.

### Recommendation

The revised condition should therefore read as follows:

**Condition (8)** Two (2) car wash bays shall be provided inside the proposed basement car parking level. In addition, two (2) of the proposed visitor car spaces shall be converted for dual use being a car wash bay as well as visitor parking.

All vehicle wash bays shall be provided with a tap connected to a continuous supply of water and the wash bays shall be bunded and graded to a floor waste connected to the sewer.

*Condition (9): The minimum clear headroom over driveways, aisles or car parking areas must be 2.3m at any point. In addition, car parking spaces provided for disabled parking shall have a vertical minimum clearance of 2.5m as per AS2890.1.2004. Details shall be submitted with the revised plans.*  
Part A (page 1/46)

### Response

Agreed that Part A Condition 9 be deleted and a new condition be incorporated into Part B Section C of the consent.

Recommendation:

That a new condition be inserted into Part B Section C [Conditions that must be satisfied prior to issuing/releasing a Construction Certificate] as follows

**Condition C (28) Minimum head height clearance**

The minimum clear headroom over driveways, aisles or car parking areas must be 2.3m at any point. In addition, car parking spaces provided for disabled parking shall have a vertical minimum clearance of 2.5m as per AS2890.1.2004. Detail to be submitted to Council or PCA prior to the issue of a Construction Certificate.

Condition (10): A waste collection management plan shall be submitted for approval.  
Part A (page 2/46)

Response

Agreed that this condition can be deleted and that a new condition be reworded

Recommendation:

The revised condition should therefore read as follows:

Condition (10) Appropriate provision shall be made for an external presentation area that will accommodate 35 X 240L Mobile Garbage Bins and 35 X 240L mobile recycling bins within the property at the front of the site adjacent to the proposed driveway at Gower Street frontage. This area shall be appropriately screened with low fencing and landscaping.

Condition (11): An acoustic consultant shall report on the measures to be undertaken to prevent offensive noise interfering with residents from waste collection and traffic movement along Liverpool Road.  
Part A (page 2/46)

Response

Agreed that this condition can be deleted and that a new condition be inserted into Part C [Conditions that must be satisfied prior to issuing/releasing a Construction Certificate]

Recommendation:

The revised condition should therefore read as follows:

**Condition C (29) Acoustic report**

An acoustic consultant shall report on the measures to be undertaken to prevent offensive noise interfering with residents from traffic movement along Liverpool Road.

Condition (12): Each apartment building should be provided with a storage room (min 15sq m area) for the storage of unwanted furniture; mattresses etc prior to removal.  
Part A (page 2/46)

Response

Agreed that this condition can be deleted and that a new condition be inserted into Part B condition B6 be altered.

Recommendation:

The revised condition should therefore read as follows:

**Condition B (6) Store room**

A minimum of 8 cubic metres of storage space shall be provided for each residential apartment in accordance with Council's development control plan.

Details of bulky garbage store for the storage of unwanted furniture; mattress etc prior to removal to be submitted to Council or PCA prior to the issue of a Construction Certificate.

**Part B – Conditions of Consent**

**A General Conditions**

Condition A (4) *Provision of public Art*

*A public art feature shall be designed and constructed/installed at the applicants cost along the Liverpool Road and Gower Street frontage. This feature shall provide visual interest for pedestrians and interpret or reflect the local setting and/or landscape character and/or the cultural setting of the area. The feature shall be designed to ensure long-term durability and be resistant to vandalism. Details shall be approved by Ashfield Council prior to issue of Occupation Certificate, and the applicant is advised to liaise with Council during design stages.  
Part B (page 4/46)*

Response

Council's LEP and DCP does not require the provision of public art, however the subject site has important heritage value which needs to be highlighted. In this instance the condition can be revised to require the provision of interpretive signage.

Recommendation:

The revised condition should therefore read as follows:

**Condition A (4)                      Provision of Interpretive Signage**

An interpretive sign shall be designed and constructed/installed at the applicants cost along the Liverpool Road Street frontage. This feature shall provide visual interest for pedestrians and interpret or reflect the heritage significance and character and/or the cultural setting of the site. The feature shall be designed to ensure long-term durability and be resistant to vandalism. Details shall be approved by Ashfield Council prior to issue of Occupation Certificate.

Condition A (5)                      SEPP 65 – Design Verification

The original designer shall project manage the entire construction and confirm that the development is in accordance with the approved plans and details and continues to satisfy the design quality principles in State Environmental Planning Policy No – 65 Design Quality of Residential Flat Building Development.  
Part B (page 4/46)

Response

The intention of this condition was to ensure that the original designer provide construction detail for the architectural documentation. This condition can be deleted and a revised condition be imposed in Part C of the consent.

Recommendation:

The revised condition in Part C should therefore read as follows:

**Condition C (27)      SEPP 65 – Design Verification Documentation**

The original design shall ensure with any construction detail for the architectural documentation of the building that continues to satisfy the design quality principles in State Environmental Planning Policy No – 65 Design Quality of Residential Flat Building Development.

***B      Design Changes***

**Condition B (1)      Garbage bin storage**

*Each garbage bin storage room shall be provided with a floor waste connected to the sewer together with hot and cold water taps for bin cleansing.*

Part B (page 4/46)

**Response**

The provision of hot water will ensure that bins are thoroughly cleaned for instance if a bin has grease stains it is almost impossible to clean with cold water. However notwithstanding the above the condition can be revised to require only cold water.

**Recommendation:**

The revised condition should therefore read as follows:

**Condition B (1)      Garbage bin storage**

Each garbage bin storage room shall be provided with a floor waste connected to the sewer together with cold water taps for bin cleansing.

**Condition B (3)      Basement head height**

*The ceiling height for the internal waste and recycling collection areas shall be a minimum 4.3 metres and free from suspended pipes, ducts etc. Details are to be provided on revised plans with the submission of Construction Certificate.*

Part B (page 4/46)

**Response**

Agreed, that a temporary garbage standing area (bin presentation area) should be provided within the property adjacent to the street boundary for the location of bins on collection days. In this case this condition can be deleted as condition No. 10 in Part A of the deferred commencement consent requires the provision of a bin presentation area.

**Recommendation:**

This condition to be deleted.

**Condition B (4)      Vehicle wash bays**

*All vehicle wash bays shall be provided with a tap connected to a continuous supply of water and the wash bays shall be bunded and graded to a floor waste connected to the sewer.*

Part B (page 5/46)

**Response**



Agreed, that this condition can be deleted. However this condition will be incorporated in Part A Condition No. 8 requiring the provision of a tap connected to a continuous supply of water and the wash bays be bunded and graded to a floor waste connected to the sewer.

Recommendation:

This condition be deleted and incorporated in Part A Condition No. 8

**Condition B (5)**

**Landscape**

The landscape plan prepared by Zenith Landscape Design shall be revised as follows:-

- (a) The *Corymbia Citriodora* is to be substituted for *Corymbia maculate*.
  - (b) The *Eucalyptus robusta* is to be substituted for *Syncarpia glomulifera*.
  - (c) The *Eucalyptus Scoparia* is to be substituted for The *Eucalyptus saligna*.
  - (d) The *hymenosporum flavum* is to be substituted for *Stenocarpus sinuatus*.
  - (e) The *Melaleuca bractiata* is to be substituted for *Melaleuca linnarifolia*.
  - (f) All trees are to be planted from 200 litre containers.
  - (g) All palms are to be planted with a 2 – 3 metre clear trunk.
- Part B (page 5/46)

Response

The objective of this condition is to ensure that advanced trees are planted replacing the significant amount of trees removed. However this condition can be revised.

Recommendation:

The revised condition should therefore read as follows:

**Condition B (5)**

**Landscape**

The landscape plan prepared by Zenith Landscape Design shall be revised as follows:-

- (a) The *Corymbia Citriodora* is to be substituted for *Corymbia maculate*.
- (b) The *Eucalyptus robusta* is to be substituted for *Syncarpia glomulifera*.
- (c) The *Eucalyptus Scoparia* is to be substituted for The *Eucalyptus saligna*.
- (d) The *hymenosporum flavum* is to be substituted for *Stenocarpus sinuatus*.
- (e) The *Melaleuca bractiata* is to be substituted for *Melaleuca linnarifolia*.

- (f) All deciduous and feature trees to be planted at 100L - 200 litre containers as available and all indigenous/native trees to be planted at 75L containers.
- (g) All palms are to be planted with a 2 – 3 metre clear trunk.

**C Conditions that must be satisfied prior to issuing/releasing a Construction Certificate**

**Condition C (2)**

**Services adjustment or relocation**

The applicant shall meet the full cost for Telstra, Sydney Electricity, Sydney Water or Natural Gas Company to adjust/relocate their services as required. The applicant shall make the necessary arrangements with the service authority. (For information on the location of these services contact the “Dial before you Dig” service on 1100.)

Documentary evidence from the public utility authorities confirming that all of their requirements have been satisfied shall be submitted to Council with the Construction Certificate under Section 68 of the Local Government Act, 1993, for construction of the development. Part B (page 5/46)

Response

This condition can be revised.

Recommendation:

The revised condition should therefore read as follows:

**Condition C (2)**

**Services adjustment or relocation**

The applicant shall meet the full cost for Telstra, Sydney Electricity, Sydney Water or Natural Gas Company to adjust/relocate their services as required. The applicant shall make the necessary arrangements with the service authority. (For information on the location of these services contact the “Dial before you Dig” service on 1100.)

Documentary evidence from the public utility authorities confirming that all of their requirements have been satisfied shall be submitted to Council prior to the issuing of an Occupation Certificate.

*Condition C (3)*

*Stormwater disposal-calculations*

- (a) *Calculations and details of the proposed method of stormwater disposal shall be prepared by a suitably qualified professional civil engineer in accordance with **Council’s Stormwater Management Code** and submitted to, and approved by, Council prior to the release of the Construction Certificate.*

The Construction Certificate plan to be submitted to Council must consist of the following items:

Separate catchment areas within the site draining to each collection point or surface pit classified into the following categories:

- (i) Roof areas.
  - (ii) Paved areas.
  - (iii) Grassed areas.
  - (iv) Garden areas.
  - (v) The percentages of Pre-development and Post-development impervious areas
- (b) At each pit and or bend, a level of pipe is to be shown (the minimum grade for pipes is 1%).
- (c) All flowpaths both internal and external, which pass through or around the proposed development site, are to be shown on the Construction Certificate plan
- (d) Calculations and details are to be provided to Council showing that provisions have been made to ensure runoff from all storms up to the 100 year ARI, which cannot be conveyed within the piped drainage system (including pits and including overflows from roof gutters) is safely conveyed within formal or informal overland flow paths to the detention storage facility. Where it is not practicable to provide paths for overland flows the piped drainage system should be sized to accept runoff up to and including the 100-year ARI.
- (e) Each drainage leg leading to the detention tank shall have a silt arrestor pit installed immediately upstream from the detention tank.
- (f) The depth and location of all services within the area affected by the development (i.e. gas, water, sewer, electricity, Telstra, etc) shall be confirmed by the applicant on site prior to the release of the Construction Certificate. This work shall include the new Council pipeline to be installed in Liverpool Road.
- (g) All garbage and waste areas must drain to the sewer and not the stormwater system.
- Part B (page 6/46)

### Response

As discussed under Part A, Council is not in a position to accept any of the applicant's recommendations regarding this condition.

### Recommendation:

This condition shall remain unchanged.

Condition C (4) Stormwater detention storage facility

- (a) On-site Stormwater Detention storage shall be provided in conjunction with the stormwater disposal. This storage shall be designed in accordance with Council's Stormwater Management Code. Details of the storage shall be submitted

to and approved by Council prior to the release of the Construction Certificate.

- (b) All on-site stormwater detention pits must be located on Common Property and not on private property.
- (c) Prior to the release of the Construction Certificate, a maintenance schedule is to be prepared which clearly outlines the routine maintenance necessary to keep the OSD system working, this information is to be included in the Positive Covenant required for this development. Some of the issues that will need to be addressed are:
- where the storage and silt arrestor pits are located
  - which parts of the system need to be accessed for cleaning and how access is obtained
  - description of any equipment needed (such as keys and lifting devices) and where they can be obtained
  - the location of screens and how they can be removed for cleaning
  - who should do the maintenance (i.e. commercial cleaning company)
  - how often should it be done

The abovementioned maintenance schedule is to be submitted to and approved by Ashfield Municipal Council prior to the release of the Occupation Certificate.

Part B (page 6/46)

## Response

As discussed under Part A, Council is not in a position to accept any of the applicant's recommendations regarding this condition.

## Recommendation:

This condition shall remain unchanged.

## **Condition C (8)      Section 94 Development Contributions**

In accordance with Section 80A(1) of the Environmental Planning and Assessment Act 1979 and the Ashfield Council Development Contributions Plan, the following monetary contributions shall be paid to Council Prior to issue of a Construction Certificate to cater for the increased demand for community infrastructure resulting from the development:

	CONTRIBUTIONS (NEW DEVELOPMENT)				Sub-Total
	Residential Accommodation less than 60sqm GFA	Residential Accommodation between 60-84sqm GFA	Residential Accommodation greater than 84sqm GFA		
Number of Dwellings / Beds or GFA	8	14	56		N/A
Number of deficient car parking spaces					0
Local Roads	\$1,102.45	\$1,929.30	\$9,860.85		\$12,892.60

Local Public Transport Facilities	\$3,526.65	\$9,516.57	\$54,272.70		\$67,315.91
Local Car Parking Facilities	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Local Open Space and Recreation Facilities	\$62,018.10	\$167,354.20	\$954,416.01		\$1,183,788.32
Local Community Facilities	\$3,830.96	\$10,337.75	\$58,955.88		\$73,124.60
Plan Preparation and Administration	\$2,817.82	\$7,603.81	\$43,364.32		\$53,785.95
<b>TOTAL</b>	<b>\$73,295.99</b>	<b>\$196,741.62</b>	<b>\$1,120,869.76</b>	<b>\$0.00</b>	<b>\$1,390,907.37</b>

*If the contributions are not paid within the financial quarter that this consent is granted, the contributions payable will be adjusted in accordance with the provisions of the Ashfield Development Contributions Plan and the amount payable will be calculated on the basis of the contribution rates applicable at the time of payment in the following manner:*

$$\text{\$CC} = \frac{\text{\$CP} \times \text{CPIC}}{\text{CPIP}}$$

Where:

*\\$ CC is the amount of the contribution for the current financial quarter*

*\\$ CP is the amount of the original contribution as set out in this development consent*

*CPIC is the Consumer Price Index (Sydney – All Groups) for the current financial quarter as published by the ABS.*

*CPIP is the Consumer Price Index for the financial quarter at the time of the original consent.*

*Prior to payment of the above contributions, the applicant is advised to contact Council's Development Services on 9716 1800. Payment may be made by cash, money order or bank cheque.*

*Council's Development Contributions Plan may be viewed at [www.ashfield.nsw.gov.au](http://www.ashfield.nsw.gov.au) or a copy may be inspected at Council's Administration Centre.*

*Part B (page 8/46)*

## Response

The applicant has requested that allowance should be made for existing development when determining the Section 94 contribution.

It has been suggested that a 'commercial development' rate should be applied to the existing development, using the rate in the S94 plan, thereby achieving a 'credit' of \$952,480.67 for the project.

The subject site has been used as a hospital since the early 1920's. It is clearly not a commercial use nor has the site ever been used for commercial purposes. Most recently the former facility has provided accommodation for clients (children and adults) with complex health care needs – this included 20 permanent and 17 respite beds (37 in total).

In September 2007, Council approved the construction of a new facility on the Grosvenor Crescent portion of the site comprising two new buildings containing 20 permanent and 10 respite beds (30 in total). The new buildings split the adults from the children and also included rooms for recreation, support staff, and administration use. This new facility opened in 2008.

So in net terms, the former hospital use has been scaled back by the equivalent of seven (7) beds. In February 2010, the JRPP approved the subdivision of the subject land which split the new facility from the former facility to create the site which is the subject of this development application.

In Council's current Section 94 Development Contributions Plan contribution rates for hospitals are set at (as of 8.8.11) \$1,016.87 per hospital bed. As there has been a net reduction of 7 beds through the development of the new adjacent facility Council is prepared to accept this as an allowance for the existing development. This would therefore equate to a credit of \$7,118.09.

### Recommendation:

The revised condition should therefore read as follows:

### **Condition C (8)                      Section 94 Development Contributions**

In accordance with Section 80A(1) of the Environmental Planning and Assessment Act 1979 and the Ashfield Council Development Contributions Plan, the following monetary contributions shall be paid to Council Prior to issue of a Construction Certificate to cater for the increased demand for community infrastructure resulting from the development:

<b>Development Application Number:</b>								
<b>Property Address:</b>								
	CONTRIBUTIONS (NEW DEVELOPMENT)				CREDIT (EXISTING DEVELOPMENT)			TOTAL
	Residential Accommodation less than 60sqm GFA	Residential Accommodation between 60-84sqm GFA	Residential Accommodation greater than 84sqm GFA	Sub-Total	Boarding Schools/ Colleges/ Hostels/ Boarding Houses/ Hospitals		Sub-Total	
Number of Dwellings / Beds or GFA	8	14	56	N/A	7		N/A	N/A
Number of deficient car parking spaces				0	N/A	N/A	N/A	0
Local Roads	\$1,102.45	\$1,929.30	\$9,860.85	\$12,892.60	\$321.55		\$321.55	\$12,571.05
Local Public Transport Facilities	\$3,526.65	\$9,516.57	\$54,272.70	\$67,315.91	\$2,355.59		\$2,355.59	\$64,960.32
Local Car Parking Facilities	\$0.00	\$0.00	\$0.00	\$0.00	N/A	N/A	N/A	\$0.00
Local Open Space and Recreation Facilities	\$62,018.10	\$167,354.20	\$954,416.01	\$1,183,788.32	\$0.00		\$0.00	\$1,183,788.32
Local Community Facilities	\$3,830.96	\$10,337.75	\$58,955.88	\$73,124.60	\$2,558.85		\$2,558.85	\$70,565.75
Plan Preparation and Administration	\$2,817.82	\$7,603.81	\$43,364.32	\$53,785.95	\$1,882.13		\$1,882.13	\$51,903.82

TOTAL	\$73,295.99	\$196,741.62	\$1,120,869.76	\$1,390,907.37	\$7,118.12		\$7,118.12	\$1,383,789.26
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If the contributions are not paid within the financial quarter that this consent is granted, the contributions payable will be adjusted in accordance with the provisions of the Ashfield Development Contributions Plan and the amount payable will be calculated on the basis of the contribution rates applicable at the time of payment in the following manner:

$$\text{\$CC} = \frac{\text{\$ CP} \times \text{CPIC}}{\text{CPIP}}$$

Where:

\$ CC is the amount of the contribution for the current financial quarter  
\$ CP is the amount of the original contribution as set out in this development consent

CPIC is the Consumer Price Index (Sydney – All Groups) for the current financial quarter as published by the ABS.

CPIP is the Consumer Price Index for the financial quarter at the time of the original consent.

Prior to payment of the above contributions, the applicant is advised to contact Council's Development Services on 9716 1800. Payment may be made by cash, money order or bank cheque. Council's Development Contributions Plan may be viewed at [www.ashfield.nsw.gov.au](http://www.ashfield.nsw.gov.au) or a copy may be inspected at Council's Administration Centre.

Condition C (26)

SEPP 65 – Design Verification

*Prior to release of the Construction Certificate design verification is required to be submitted from the original designer to confirm the development is in accordance with the approved plans and details and continues to satisfy the design quality principles in State Environmental Planning Policy No – 65 Design Quality of Residential Flat Building Development.*  
Part B (page 12/46)

### Response

As indicated previously Condition A 5 in Part B of the consent relating to SEPP 65 – Design Verification has been deleted and the revised condition incorporated in Section C. The new conditions are not a duplicate but rather ensure that the proposal continues to satisfy the design quality principles in State Environmental Planning Policy No – 65 Design Quality of Residential Flat Building Development.

Recommendation:

The revised conditions should therefore read as follows:

**Condition C (26)      SEPP 65 – Design Verification**

Design verification is required from the original designer prior to the release of the Construction Certificate and with the application for Occupation Certificate to confirm the development is in accordance with the approved plans and details and continues to satisfy the design quality principles in State Environmental Planning Policy No – 65 Design Quality of Residential Flat Building Development.

**Condition C (27)      SEPP 65 – Design Verification Documentation**

The original design shall ensure with any construction detail for the architectural documentation of the building that continues to satisfy the design quality principles in State Environmental Planning Policy No – 65 Design Quality of Residential Flat Building Development.