

**PREMISES: 48 & 50 SMITH STREET, 2-18 MACK STREET, 18 & 20 DAWES STREET, 410, 412, 414, 428, 430 & 430A GREAT WESTERN HIGHWAY, WENTWORTHVILLE
SECTION 96(2) MODIFICATION TO DEVELOPMENT CONSENT NO. 2009/381/1
S96(2) MODIFICATION NO. 2009/381/3**

Development Consent 2009/381/1 is amended as follows:-

Condition 2 is amended to include the following: -

- Drawing No. A110, Interim Ground Floor Design Arrangement, Revision D, dated July 2009, prepared by Altis Architecture;
- Drawing No. A113, Interim Lower Ground Floor Design Arrangement, Revision A, dated July 2011 and prepared by Altis Architecture;
- Drawing No.A115, Floor Plans, Revision C, dated July 2011 and prepared by Altis Architecture;
- Drawing No. A203, Elevations and Sections, Revision B, dated July 2011 and prepared by Altis Architecture; and
- Acoustic Report prepared by Renzo Tonin & Associates (Ref: TE191-07F02(Rev 0) Section 96 Letter.doc) dated 8 August 2011.

Condition 49 is amended to read: -

49. Notwithstanding the interim use of the western atrium / terrace, due to its location in proximity to nearby residential premises, the noise attenuation measures for the western atrium / terrace recommended in the Acoustic Statement by Renzo Tonin & Associates titled 'Wentworthville Leagues Club – Stage 2 Section 96' (TE191-07F02 (rev 0)) and dated 8 August 2011 are to be implemented during the detailed design and construction of the atrium/terrace. Further, the maximum patronage of the terrace between midnight and 7.00am is not to exceed 20 persons.

Condition 238a is inserted as follows: -

- 238a. A noise compliance report shall be submitted to Council prior to the issuing of the Occupation Certificate. The report shall state that the recommendations detailed in the Acoustical Assessment report prepared by Renzo Tonin & Associates (NSW) Pty Ltd (Ref: TE191-07F02(Rev 0) Section 96 Letter.doc) dated 8 August 2011 have been implemented, and confirm that the noise emissions from the premises complies with Council's noise criteria specified in Conditions 248 to 252 of this consent.

Condition 247 is amended to read: -

247. A Noise Compliance Report must be completed by a suitably qualified acoustical consultant within **3 months** from the commencement of operation of each relevant stage. The Noise Compliance Report must certify that all noise goals as outlined in the report prepared by Renzo Tonin & Associates (NSW) Pty Ltd (Ref: TE191-01F05 (Rev 1) Acoustic Assessment Report.Doc) dated July 2009; as well as the Acoustic Statement prepared by Renzo Tonin & Associates (NSW) Pty Ltd (Ref: TE191-07F02(Rev 0) Section 96 Letter.doc) dated 8 August 2011 and subsequent noise reports concerning the mechanical plant and plant room have achieved the required

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goals. The Noise Compliance Report is required to be submitted to Council for assessment and comment. If the report demonstrates non-compliance, Council will require prescribed measures to be installed to achieve compliance.

Condition 256a is inserted as follows: -

256a. The interim use of the western atrium/terrace shall be restricted to a maximum patronage of 20 persons between the hours of midnight and 7am.

All other conditions of Development Consent 2009/381 remain unchanged.