

## Amended draft conditions - DA.343/12 - 2102SYE097

### Acoustic Privacy for Residents

- C20. A certificate from an appropriately qualified Acoustic Engineer is to be submitted with the Construction Certificate certifying that noise levels within dwellings, with windows closed, will not exceed the following:

<u>Location</u>	<u>Control</u>
Recreation/work area	40dB(A)*
Sleeping areas	35dB(A)*

(\* Readings are to be  $L_{Aeq}$  (1 hour), when measured during the noisiest 1 hour period between Day – 7am to 6pm; Evening – 6pm to 10pm and Night – 10pm to 7am.)

All walls and floors separating units must have a weight sound reduction index ( $R_w$ ) of not less than 55, and an impact isolation class (IIC) of not less than 50 excluding wet areas.

Materials with low noise penetration properties are to be used and detailed, and the location of mechanical equipment such as lift plant, air conditioning plant and pumps immediately adjacent to bedrooms is not permitted.

(Reason: To comply with best practice standards for residential acoustic amenity)

### Security Bond Schedule

- C28. All fees and security bonds in accordance with the schedule below must be paid or in place prior to the issue of the required Construction Certificate:

<b>SECURITY BONDS</b>	<b>AMOUNT (\$)</b>
Completion of required infrastructure works	86,000.00
Damage security	68,000.00
Tree Damage	5,000.00
<b>TOTAL BONDS</b>	<b>\$159,000.00</b>
<b>FEES</b>	
Section 94 contribution	\$2,684,390.09

(Reason: Compliance with the development consent)

## **Parking for People with Disabilities**

- C33. A minimum of four (4) car-parking spaces for use by persons with a disability shall be provided as part of the total car-parking requirements. Consideration must be given to the means of access from the car-parking spaces to adjacent buildings, to other areas within the building and to footpath and roads and shall be clearly shown on the plans submitted to the Certifying Authority for approval with the Construction Certificate. All details shall be prepared in consideration of, and construction completed in accordance with Australian Standard AS2890.1 to achieve compliance with the Disability Discrimination Act, and the relevant provisions of AS1428.1 and AS1428.4.

(Reason: To ensure equity of access and appropriate facilities are available for people with disabilities in accordance with Federal legislation)

## **Tree Bond for Public Trees**

- C40. A Security Bond of \$5,000.00 for protection of trees in public places shall be deposited with Council prior to the issue of a Construction Certificate. (See schedule below).

If any tree is removed or damaged Council shall deduct from this Bond the reasonable cost of replacement with a tree of the same species and to a similar stage of growth it would have attained at the completion of the work

In the case of any tree, which cannot be replaced with a similar specimen, the Security Bond for that tree will be forfeited to Council and used to provide replacement street plantings.

### **SCHEDULE**

- London Plane Tree 5 metres to the south of the most northerly of the existing London Plane Trees, growing in the footpath area of the Pacific Highway outside the property.

(Reason: Protection of existing environment public infrastructure, community assets and significant trees)

## **Approved Materials**

- E1. The colour, texture and substance of all external materials shall be generally as detailed in the application as shown on facade details – drawings numbered A305B to A307B and external finishes – drawing numbered A480B, all dated 25 January 2013 prepared by Koichi Takada Architects.

(Reason: To ensure compliance with the terms of this development consent)

## **Easements, Rights-of-Way and Restrictions-as-to-User**

J6. All easements, rights-of-way, right- of-carriageway, and restrictions-as-to-user as indicated on the plans submitted with the application for a Subdivision Certificate are to be registered on the title of the relevant lots, together with the following additional easements/ rights-of-way/restrictions, naming North Sydney Council as the sole authority empowered to release or modify the same: -

- a) a right of footway a minimum of 3m wide as shown on the submitted plans (plan A100 Revision B).
- b) A right of footway a minimum of 1.5m along Angelo Street.

(Reason: To ensure proper management of land)