

<u>DRAFT CONDITIONS OF CONSENT FOR 30-40 GEORGE STREET LEICHHARDT – D/2014/646</u>	<u>APPLICANT COMMENTS</u>
DEFERRED COMMENCEMENT CONDITIONS ~~1. The following deferred commencement conditions must be complied with to the satisfaction of Council, prior to the issue of an operational Development Consent.~~ ~~a) The basement carpark must be redesigned to accommodate a garbage truck as shown in the Drawing No S.DA940, Revision A prepared by Nordon Jago Architects and dated 17 April 2015. The design will require significant amendments to the carpark access ramp, Building B and associated central courtyard. The following issues must be addressed in the revised designs:~~	Deferred Commencement Conditions are not accepted. The matters the subject of the proposed deferred commencement conditions are able to be specified in a manner that sets out the terms of the approval subject to confirming compliance with those terms. Specifically, 1 a) Basement Car park Drawing No S.DA 940 Revision A dated 17 April,2015. The presumption that the revision requires significant amendments to the car park access ramp, Building B and associated central courtyard is not correct. This drawing was discussed at the JRPP hearing. It had been provided to Council as part of the package of amendments requested by them but was not provided to the panel-for this reason it was handed up. There are adjustments to drawings that are consequential but these are definable and not significant. Condition 1 a) i) should be inserted as a condition to be satisfied prior to the issue of a construction certificate and included in condition 7.

- i) The waste collection and the driveway access ramp must accommodate the garbage truck as shown in the Drawing No S.DA940, Revision A prepared by Nordon Jago Architects and dated 17 April 2015 and comply with AS 2890.2-2002 Parking Facilities - Off-Street commercial vehicles facilities. ~~The design must be supported by swept path diagrams to demonstrate manoeuvring for entry and exit of these vehicles, longitudinal sections for both sides of the access ramp and show 3300mm headroom is provided throughout the path of travel. The level of the driveway must be 180mm above the adjacent road gutter level for the full width of the vehicle crossing.~~
- ii) ~~Building B and the central courtyard must be redesigned to accommodate the increased height and length of the access ramp. This includes satisfactory resolution and compliance with the following:~~
 - a. ~~Redesign of the central courtyard to the new levels and setback or deletion of the rear courtyards of the ground floor units on the northern side of the central courtyard as required.~~
 - b. ~~Pedestrian access is to be provided between the entry foyer of Building B~~

Condition 1 a) ii) should be amended to read-
That portion of the central courtyard above the basement access ramp shall be a raised terraced landscaped area of approximately 65 m2 incorporated into the central courtyard and the boundaries of the rear secondary courtyards to units C5 and D3 shall be adjusted accordingly, the details of which shall be indicated on a revised plan to the satisfaction of the Principal Certifying Authority prior to the issue of a construction certificate and included in condition 7.

Condition 1 ii) b) to be amended to read -
Pedestrian access to be provided to the central courtyard from Building B via the first floor foyer

~~and central courtyard.~~

c. Natural light and ventilation to all dwellings on the ground floor of Building B in accordance with the Building Code of Australia.

~~d. Deletion of dwelling D5 on the first floor of Building B.~~

~~e. Incorporation of the master bedroom, bathroom and ensuite associated with deleted dwelling D5 into the adjoining dwelling D4. Reconfiguration of D4 is permitted in order to accommodate the additional floor area.~~

iii) The waste collection storage rooms in Basement 1 must be relocated to be immediately adjacent to the proposed loading bay.

~~The Section 94 Contributions required by Condition 3 of this consent may be amended by Council as necessary in response to the above design changes.~~

and the raised terraced courtyard the details of which shall be indicated on a revised plan to the satisfaction of the Principal Certifying Authority prior to the issuing of a construction certificate and included in condition 7.

Condition 1 ii) c) to be included in condition 7.

Conditions 1 ii) d) and e) to be deleted and the following inserted.

The floor level within apartment D5 shall be adjusted for that portion impinged on by the access ramp, provided that no less than 2.7m floor to ceiling clearance is provided details of which shall be provided to the satisfaction of the Principal Certifying Authority prior to the issuing of a construction certificate and be included in condition 7.

Condition 1 a) iii) be included with the following addition

This is to be achieved by reversing the positions of the garbage store and the bulky goods store. with the reference to S94 adjustment deleted.

b) The communal change room/toilet amenities associated with the communal swimming pool shall be relocated from Basement 1 to the Ground Floor Level.

~~e) The proposed through-site link shall be redesigned to apply the Safer By Design principles. Specially, the revised link should provide clear sight lines from the public street at each side of the link; the landscape treatment is to clearly delineate publicly accessible and private spaces and provide for surveillance; and be free of potential entrapment points.~~

d) The ground level communal open space shall be designed to be accessed via a secure entrance from the through-site link.

~~e) The proposed spiral staircases and adjacent / associated projecting fin walls to the rooftop terraces are to be deleted and replaced with internalised staircases.~~

~~f) Amended plans are to be provided that includes the following information and / or clearly details the following:~~

- ~~i) A full western elevation of Building B (the George Street fronting building).~~
- ~~ii) Walls / fencing to all boundaries are to be shown on the architectural drawings.~~

This condition is accepted with the following addition-

These are to be relocated to an area adjacent to the swimming pool in the west side of the courtyard.

c) Condition to be deleted, this matter was discussed in the JRPP meeting and subsequently re-designed, the access path was moved towards the courtyards and landscaping was redesigned.

d) Accepted with addition to be included in condition 7

Such access to be via a gate to be included at the west side of the through site link details of which is to be provided to the satisfaction of the Principal Certifying Authority prior to the issue of a construction certificate.

e) Condition to be deleted; this matter was not discussed at the JRPP or a stated requirement in its resolution. This condition if retained would have a significant adverse impact, requiring all units with rooftop terraces to be redesigned.

f) This condition is to be deleted; this information has been submitted to council previously.

iii) ~~Letterbox locations to all apartments, including communal letterbox locations.~~ iv) ~~A strata subdivision plan.~~ ~~The operational Development Consent will be issued by Council (in writing) after the applicant provides sufficient information to satisfy Council in relation to the conditions of the deferred commencement consent. If the applicant fails to satisfy Council as to the above matters within 5 years from the date of determination this consent will lapse.~~	This condition is not accepted; it would be a redundant condition if our submissions above are accepted.
GENERAL CONDITIONS OF CONSENT	
The following conditions apply to this consent. Conditions imposed by Sydney Water and Ausgrid also apply to this consent and are attached to this consent document as Attachment A and Attachment B.	Accepted
2.	Accepted
3. <u>Section 94 contributions</u> The following Section 94 Contributions are to be paid in full prior to release of any Construction Certificate. The VPA excludes the six affordable units from any Section 94 levy. Of the remaining 117 units any dwelling in excess of 53sqm would exceed the \$20,000 cap imposed by the State Government. Council has identified three units of less than 53sqm in area (not including the affordable units). These three units would generate a Section 94 levy of	Accepted

\$46,657.61 as demonstrated in the below table:

Contribution Plan	Contribution
Community Facilities	\$6,126.00
Open Space	\$40,071.00
Local Area Traffic Management	\$419.66
Bicycle	\$40.95
Commercial Carparking	\$0.00
Total	\$46,657.61

The remaining 114 units are capped at \$20,000 per dwelling, being \$2,280,000 as demonstrated in the below table:

Contribution Plan	Adjusted Contribution
Community Facilities	\$292,895.68
Open Space	\$1,977,208.72
Local Area Traffic	\$7,869.86
Bicycle	\$2,025.74
Total	\$2,280,000.00

Therefore the payable Section 94 levy is **\$2,326,657.60**

Payment will only be accepted in the form of cash, bank cheque or EFTPOS / Credit Card (to a maximum of \$10,000). It should be noted that personal cheques or bank guarantees cannot be accepted for Section 94 Contributions. Contribution Plans may be inspected on Council's website www.leichhardt.nsw.gov.au or a copy purchased at the Customer Service counter in Council's Administration Centre, 7-15 Wetherill Street, Leichhardt, during business hours.

A receipt demonstrating compliance with the

requirements of this condition are to be submitted to the satisfaction of the Certifying Authority prior to the issue of any Construction Certificate. ~~Note: The final Section 94 Contributions payable may be amended in response to the design changes required in 'Deferred Commencement' Consent Condition 1(a).~~	This condition to be deleted as indicated with strike through, refer previous comments in 1) a) iii).
4. <u>Voluntary Planning Agreement obligations</u> Four one-bedroom dwelling units are to be dedicated and transferred to an affordable housing provider, and two one bedroom units leased to an affordable housing provider for a minimum 10 years in accordance with the commitments of the Voluntary Planning Agreement. ~~These affordable housing units shall be equitable distributed throughout the development.~~ These arrangements are to be made prior to the issue of any interim or final occupation certificate and registered to the certificate of title.	Condition 4 is to be amended as indicated with strike through. The location of the affordable units was discussed at the JRPP and there was no requirement to redistribute the units throughout the development. By way of background when the VPA arrangements were discussed with the proposed Community Housing manager their stated preference was for the units to be housed as proposed in this DA.
5.	Accepted
6.	Accepted
CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE <i>(note: staged construction certificates may be issued pertaining to differing components of the works subject to all documentation requirements, certification requirements being fully undertaken as</i>	Accepted

<i>pertinent to the scope of works covered by the staged construction certificate – in this regard reference to “before the issue of a construction certificate” – or similar wording- in any condition may be taken by the Principal Certifying Authority to mean a staged construction certificate pertaining to part only of the physical works encompassed within this development consent. This allowance does not preclude the issuance of a construction certificate pertaining to the entirety of the development consent.)</i> Note: Payment of all bonds, levies and deposits must be made in FULL prior to the release of the first construction certificate for any works on site under the terms of this consent.	
7. Amended plans are to be submitted incorporating the following amendments: a. The ground floor courtyards associated with Building A (the Upward Street building) that encroach within the pedestrian through-site link are to be deleted. b. The dwelling entries of the ground floor apartments shall have a door that is clearly delineated. c. The high timber picket fencing to the	Condition 7 is accepted, subject to deletion of sections as indicated with strike through. Condition 7 can be satisfied and approved by the Principal Certifier prior to the issue of the Construction Certificate. a) To be amended to require that section of the courtyards that encroach within the through site link to be deleted. b) Accepted

George and Upward Street frontages shall have a density not exceeding 50%. d. Proposed pergolas and / or shading devices fronting George Street shall not extend more than one (1) metre into the building setback areas prescribed in the George and Upward Street Development Control Plan 2014. e. ~~All glass balustrades to apartment balconies on Levels 1 and above of both Buildings A and B shall be deleted and replaced with balustrades of solid non-see through materials (may be metal or steel panels) to a height of 750mm, and have horizontal metal or steel louvres above to a height of 350mm. The louvres are to consist of slats fixed into a horizontal position with the gap between the slats being no greater than 50mm.~~ f. ~~All swimming pools located on the roof top terraces are to be deleted and replaced with rooftop gardens.~~ g. The rooftop terrace glass balustrades as shown on Drawing D.DA930A, prepared by Nordon Jago Architects and dated 17/4/2015 shall be deleted and replaced with a 1m depth planter bed with screen	c) Accepted d) Accepted e) This condition is to be deleted. This matter was not raised by the JRPP as a matter of contention and should be deleted. These proposed amendments to the balustrade design would have significant detrimental impacts upon the design quality of the proposal as well as decreasing the amenity for the occupants. f) This condition is to be deleted. This matter was not raised by the JRPP as a matter of contention and should be deleted. The swimming pools have no impact on the design quality of the proposal and deletion would decrease the amenity for the occupants. g) Accepted
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planting to a height of 1.6m above the terrace floor levels. Details demonstrating compliance with the requirements of this condition are to be marked on the plans and be submitted to the Principal Certifying Authority's satisfaction prior to the issue of any Construction Certificate.	
7A. An application must be made to Council for the issue of a Levels Certificate. The certificate, issued by Council, must be provided prior to the issue of a Construction Certificate. The certificate specifies the surface levels in the road reserve adjacent to the property that must be used as the basis for the design of vehicle or pedestrian accesses, finished floor levels, fences, vents and any structures in the vicinity of the property boundary. Note that the Levels Certificate may specify that levels in the adjacent road reserve are to be changed from those existing.	Condition 7A is accepted subject to; that within 30 days of the applicant applying for a level certificate as a consequence of this consent, council is to issue the Levels Certificate to enable incorporation into construction certificate documentation
8. The proposed footpath adjacent to the northern property boundary, between George Street and Upward Street must be lowered and regraded to ensure a minimum 150mm step down is provided from all entries to Building B Ground Floor and a continuous overland flowpath is provided to Upward Street.	Condition 8 can be satisfied and approved by the Principal Certifier prior to the issue of the Construction Certificate.

~~9. An engineering design of road and stormwater drainage works in Upward Street, George Street, Treadgold Street North and South and Flood Street must be prepared by a qualified practicing Civil Engineer. The applicant must bear the cost of construction of these works. The design must make provision for the following:~~

~~a. The George Street, Flood Street and Treadgold Street North and South intersections and roadways in between, must be modified to incorporate the following:~~

~~i. A roundabout must be constructed at the Treadgold Street North/ Flood Street intersection. The design must address all expected vehicle, pedestrian and cycle movements and street lighting upgrade.~~

~~ii. Treadgold Street South is to be converted to a one way westbound restriction and Treadgold Street North to a one way eastbound restriction.~~

~~iii. Installation of traffic control measures at all associated intersections and mid block roadways, to ensure safe controlled movements for pedestrians, cyclists and vehicles. Works are to include signposting,~~

Condition 9 is accepted in part, subject to deletion of sections as indicated with strike through.

Condition 9. a. is deleted as there is no reasonable nexus between the development and road works / civil works outlined with much of the work being required as a substitution for maintenance.

Furthermore, advice received from our expert traffic engineer Paul Corbett of Traffix Pty Ltd confirms:

"Condition 9(a) – The modelling undertaken by TRAFFIX and GTA confirms that these intersections will operate satisfactorily, with no upgrades necessary. Accordingly, I recommend seeking to have this condition removed."

And further

"The impacts associated with the subject orcumulative developments warrant any changes to the existing arrangements along Treadgold St North /South or the intersection of Treadgold St North/Flood St."

~~linemarking, kerb realignments, kerb ramps, landscaping, traffic calming, and median treatments as required.~~

~~iv. The design must ensure minimal loss of on street parking occurs.~~

~~b. Reconstruction of George Street for the full frontage of the site, including transitions beyond. The design is to include:~~

~~i. Grass verges and street trees, including water sensitive urban design elements such as rain gardens.~~

~~ii. Concrete kerb and gutter and footpath for the full property frontage.~~

~~iii. Swept path diagrams for the proposed vehicle access to the site.~~

~~c. Construction and reconstruction of sandstone kerb and concrete gutter and footpath for the full Upward Street frontage.~~

~~d. Resheeting of the full width of the George Street road pavement for the full property frontage.~~

~~e. Resheeting of half road width of the Upward Street road pavement for the full property frontage.~~

~~f. Closure of all redundant vehicle crossings at all property frontages of the site.~~

b) This should be deleted as this work is not as a consequence of the proposed development. The Council's interests are protected by the requirement to carry out a dilapidation report on Council's assets and the holding of a security deposit against a possible claim.

c) d) e) As Above in b).

d) e) Resheeting of roads is a council maintenance requirement.

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| <ul style="list-style-type: none">g. Construction of concrete vehicular crossing at the George Street frontage of the site.h. Construction of kerb ramps in association with all new works at all intersections.i. All stormwater inlet pits must be constructed/ reconstructed with a minimum clear lintel length of 2400mm and the stormwater pipelines must be constructed/ reconstructed with a minimum 375mm in diameter.j. All utility services must be shown on the engineering plans and stormwater drainage long sections. Where there is a conflict with existing services, test holes must be undertaken as part of the design process.k. Relocation/ installation of parking/ traffic signs and linemarking as required.l. The plans must show existing and proposed on street parking, signposting and linemarking for all affected roads.m. Video inspection must be carried out on completed stormwater drainage works that are to revert to Council ownership and a copy provided to Council to support the certification of the works.n. The design must be in accordance with the | |
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relevant requirements of Austroads and all Australian Standards.

- ~~o. The applicant must consult with Council's Manager Parks and Assets and Manager Traffic in relation to the design of all works in the public road reserve, including those lands to be dedicated as public road.~~

~~The design must be certified by a suitably qualified Civil Engineer and be submitted to and approved by Council prior to this consent becoming operable~~

~~The design must be submitted to Council's Local Traffic Committee and approved by Council.~~

Development Consent does NOT give approval to undertake any works on Council property. An application must be made to Council for a Roadworks Permit under Section 138 of the Roads Act 1993 for approval to construct these works. Detailed engineering drawings (plans, sections and elevation views) and specifications of the works required by this Condition must accompany the Application form.

The Roadworks Permit must be provided [and] ~~prior to the issue of a Construction Certificate.~~

~~These~~ works must be constructed in accordance with the conditions of the Roadworks Permit and be completed prior to the issue of an Occupation Certificate.

Note: The cost of adjustment or relocation of any

- o) There is no dedication for a public road and in our submission no works required by the applicant on public roads. If this is agreed this condition and the following two paragraphs would be deleted

This would have the effect of the consent being a deferred commencement consent and should be deleted.

public utility service shall be borne by the owner/applicant. Where the finished levels of the new works will result in changes to the existing surface levels, the cost of all necessary adjustments or transitions beyond the above scope of works shall be borne by the owner/applicant.	
10.	Accepted
11.	Accepted
12.	Accepted
13. The design of the vehicular access and off street parking facilities must be amended to address the relevant provisions of Australian Standards, including but not limited to <i>AS/NZS 2890.1-2004 Parking Facilities - Off-Street Car Parking</i>, <i>AS/NZS 2890.6-2009 Off-street parking for people with disabilities</i> and <i>AS 2890.3-1993 Parking Facilities - Bicycle parking facilities</i>. The following specific issues must be addressed in the design: a) ~~The design must be in accordance with the plans approved under~~ Deferred Commencement Condition No 1. b) Longitudinal sections must be provided along each edge of all ramps to demonstrate that the longitudinal profiles comply with the Ground Clearance and grade requirements of AS/NZS 2890.1-2004 for a B99 design vehicle. The vehicular access ramps must comply with the ramp grade requirements of Section 3.3 of <i>AS/NZS 2890.1-2004</i>.	Condition 13 is accepted, subject to deletion of sections as indicated with strike through. This Condition can be satisfied and approved by the Principal Certifier prior to the issue of the Construction Certificate a) This condition is not accepted, it would be a redundant condition if our submissions above are accepted.

The floor/finished levels within the property must be adjusted to ensure that the levels at the boundary comply with those obtained in the Levels Certificate issued by Council for the full width of the vehicle crossing.

- c) Minimum Headroom of 2200mm must be provided throughout the access and parking facilities associated with the Residential Parking Areas.

Minimum Headroom of 2500mm must be provided above accessible parking spaces.

Minimum Headroom of 3300mm must be provided throughout the path of travel of the ~~Medium Rigid Vehicle~~ and garbage truck.

Note that the Headroom must be measured to the lowest projection from the ceiling, such as lighting fixtures, sprinklers, ducts, etc, and at any open garage door.

Headroom at a 'sag' type grade change must be measured in accordance with Figure 5.3 of AS/NZS 2890.1-2004.

- d) Accessible parking spaces must comply with the dimensional requirements of Figure 2.1 of AS/NZS 2890.6-2009 Off-street parking for people with disabilities, including the provision of Shared Area.

- c) A medium Rigid vehicle is over 3300mm so must be deleted.

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| <ul style="list-style-type: none">e) Parking aisles must comply with the Blind Aisle requirements of the Standard, as defined by Clause 2.4.2(c) of AS/NZS 2890.1-2004.f) The car parking facilities must be appropriately line marked and signposted in accordance with the requirements of Section 4 of AS/NZS 2890.1-2004.g) The bicycle storage area must be provided to accommodate the numerical requirements of DCP 2013 and be designed in accordance with relevant provisions of AS 2890.3-1993.h) Adequate sight lines to the pedestrian and vehicles must be provided at the access driveway. In this regard, the sight lines must comply with the requirements of both AS/NZS 2890.1-2004 and AS 2890.2-2002.i) All bends and ramps within the carpark must be designed to comply with sight distance requirements of Clause 2.5 of AS/NZS 2890.1:2004.j) Access aisles and ramps must be designed as circulation roadways where required in accordance with Clauses 2.5.1 and 2.3.3 of AS/NZS 2890.1-2004.k) Accessible and visitor parking spaces for residents must be distributed throughout and be located in close proximity to the lift shaft of the | |
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units and must include the building adjacent to Upward Street.

- l) The carpark must be designed to allow for the safe and convenient movement of rubbish between the collection points within each building, particularly the Upward Street building and the proposed waste storage area(s).
- m) The proposed two car wash bays must be widened sufficient to allow adequate access around the vehicles for cleaning and to minimise overspray.
- n) The south western bicycle parking area in Basement 2 must be reconfigured to ensure that adequate access is provided. Additional bicycle parking area(s) must be provided within the basement carpark to provide convenient access for visitors.
- o) Parking throughout the two levels of the basement carpark must include a hierarchy of security accesses to the areas allocated for residential and visitor parking. Residential parking areas must be secured to prevent the entry of unauthorised persons and vehicles at all times. All associated security doors, gates, fences, etc., must be included on the plans. Turning bays must be provided in the sections of the carpark open to the public, where applicable in accordance with Clause 2.4.2(c) of AS/NZS 2890.1- 2004.

p) Security doors to the basement carpark must be set back a minimum of 11 metres from the property boundary. ~~The design must be certified by a suitably qualified Civil Engineer and be provided prior to the issue of a Construction Certificate.~~	Details demonstrating compliance with the requirements of this condition are to be marked on the plans and be submitted to the Principal Certifying Authority's satisfaction prior to the issue of any Construction Certificate.
14. A dilapidation report on the visible and structural condition of the following public infrastructure must be provided to Council prior to the issue of a Construction Certificate. a. Full width of George Street, including road pavement, stormwater drainage infrastructure, kerb and gutter and footpath, between Parramatta Road and Treadgold Street South. b. Full width of Treadgold Street South, including road pavement, stormwater drainage infrastructure, kerb and gutter and footpath. ~~c. Full width of Flood Street, including road pavement, stormwater drainage infrastructure, kerb and gutter and footpath, between Parramatta Road and Treadgold Street South.~~ d. Full width of Upward Street at the property frontage. The dilapidation report is to be prepared by a	Condition 14 is accepted, subject to deletion of sections as indicated with strike through. c) There is no reasonable nexus between the development and Flood Street and this condition should be deleted. Flood St is a major road carrying significant through traffic unconnected with the proposed development.

practising Structural/Civil Engineer ~~agreed to by both the applicant and Council~~. All costs incurred in achieving compliance with this condition shall be borne by the applicant. The liability of any damage to public infrastructure in the vicinity of the site, where such damage is not accurately recorded by the requirements of this condition will be borne by the applicant.	This is a condition that can be satisfied and approved by the Principal Certifier prior to the issue of the Construction Certificate
15.A structural engineering report and plans that address the proposed works in the vicinity of the George Street and Upward Street frontages, prepared by a qualified practicing Structural Engineer, must be provided prior to the issue of a Construction Certificate. The report and plans must be prepared/ amended to make provision for the following: a. All components of any retaining walls, including subsoil drainage, must be located entirely within the property boundary. b. Any proposed retaining walls that provide support to the road reserve must be adequate to withstand the loadings that could be reasonably expected from within the constructed road and footpath area, including normal traffic and heavy construction and earth moving equipment, based on a design life of 50 years. c. Retaining walls must be entirely self-supporting in the event that excavation is undertaken within the road reserve adjacent to the property	Condition 15 can be satisfied and approved by the Principal Certifier prior to the issue of the Construction Certificate.

boundary to the depth of the proposed structure. d. Provide relevant geotechnical/ subsurface conditions of the site, as determined by full geotechnical investigation.	
16.	Accepted
17.	Accepted
18. ~~Any south facing windows (i.e directly facing neighbouring properties to the south) are to be acoustically treated to manage noise impacts from existing and anticipated development. Details to be included on the construction certificate documents.~~	Condition 18 is to be deleted as no relevant DA has been approved at the adjoining site, all window glazing to comply with BCA and Australian Standards.
19.	Accepted
20.	Accepted
21.	Accepted
21A.	Accepted
21B.	Accepted
22	Accepted
23	Accepted
24	Accepted
25.	Accepted
26.	Accepted
27.	Accepted
28.	Accepted
29.	Accepted
30.	Accepted

~~31. An application must be made to Council for the issue of a Levels Certificate. The certificate, issued by Council, must be provided prior to the issue of a Construction Certificate.~~ ~~The certificate specifies the surface levels in the road reserve adjacent to the property that must be used as the basis for the design of vehicle or pedestrian accesses, finished floor levels, fences, vents and any structures in the vicinity of the property boundary.~~ ~~Note that the Levels Certificate may specify that levels in the adjacent road reserve are to be changed from those existing.~~	Condition 31 is to be deleted as it is a duplication of Condition 7A.
32.	Accepted
33.	Accepted
34. Prior to the issue of a Construction Certificate, the applicant must prepare a Construction Traffic Management Plan (CTMP). The CTMP for heavy vehicle / truck movements shall be submitted and approved by the ~~Local Traffic Committee~~, addressing, but not limited to the following: i) The anticipated size of heavy vehicles/trucks and the number of trips generated on any given day. ii) Heavy vehicles / trucks must enter the site via Parramatta Road - George Street and exit the site via George Street – Treadgold Street South – Flood Street – Parramatta Road only. ~~iii) The intersections of George Street/ Parramatta~~	Condition 34 is accepted, subject to deletion of sections as indicated with strike through. The CTMP will be prepared by a certified Traffic engineer to the satisfaction of the Principle Certifying Authority. iii) There is no reasonable nexus between the development and Parramatta Road & Flood

~~Road, Treadgold Street South/ George Street and Treadgold Street South/ Flood Street must be managed by manned traffic control during work hours throughout the demolition and construction phases. Temporary modifications to these intersections may also be required to be implemented at the applicant's expense during these periods.~~ iv) Construction related vehicles must enter and exit the site via George Street only.	Street. Manned traffic control during work hours would create traffic congestion. This is an unreasonable condition that fails to recognise the scale of the development which will have limited peak periods of heavy vehicle movements. The CTMP will outline delivery and pickup times and be coordinated during these times with manned traffic control.
35.	Accepted
36.	Accepted
PRIOR TO THE COMMENCEMENT OF WORKS	
37 – 44	Accepted
45	Accepted
46 – 49	Accepted
DURING WORKS	
50 – 67	Accepted
PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE	
68 - 73	Accepted
74.	Accepted

75 – 77	Accepted
78.	Accepted
79 – 86	Accepted
PRIOR TO THE ISSUE OF A SUBDIVISION CERTIFICATE	
87. Prior to the issue of a Subdivision Certificate, the applicant shall submit an original plan of subdivision plus three (3) copies for Council's endorsement and administration sheet. The following details shall also be submitted: a) ~~Evidence that all conditions of Development Consent D/2014/646 have been satisfied.~~ b) Evidence of payment of all relevant fees and S94 contributions. c) The 88E instrument plus six (6) copies. d) A copy of the final Occupation Certificate issued for the development. e) All surveyor's or engineer's certification required by the Development Consent. f) A copy of the Section 73 Compliance Certificate issued by Sydney Water. All parking spaces and common property, including visitor car parking spaces and on-site detention	Condition 87 is accepted, subject to deletion of sections as indicated with strike through. This Condition is a matter that can be satisfied and approved by the Strata Certifier prior to the issue of the Subdivison Certificate a. Condition 1. a) is to be deleted as it is not required due to Condition 1. d) requiring the Certifier to be satisfied all conditions have been satisfied prior to issuing the final Occupation Certificate.

[illegible]

[illegible]