

JOINT REGIONAL PLANNING PANEL (Sydney East Region)

JRPP No	2015SYE032
DA Number	DA-24/2014/A
Local Government Area	City of Canterbury
Proposed Development	Section 96(2) modification to amend the layout and design of an approved mixed use and residential development
Street Address	195 Lakemba Street & 3-5 Hampden Road, Lakemba
Applicant / Owner	Benson McCormack P/L / SNAC Investments P/L
Number of Submissions	One submission
Recommendation	Approval
Report by	Rita Nakhle Senior Planner

Assessment Report and Recommendation

EXECUTIVE SUMMARY

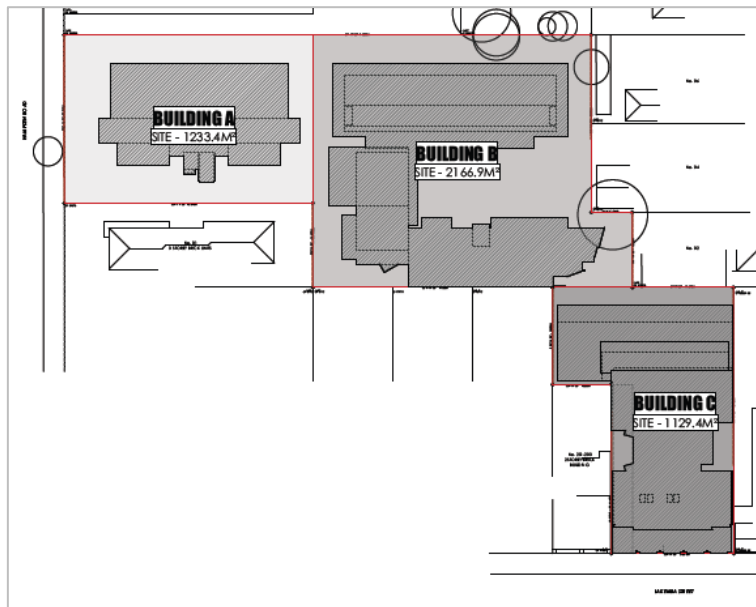
- On 6 November 2014, the Joint Regional Planning Panel approved Development Application DA-24/2014 for the 'construction of a mixed use development involving the demolition (in part) of existing structures and the construction of three (3) buildings comprising of four (4) retail/commercial units, 89 residential units, basement parking, landscaping works and associated stratum subdivision' at the subject site.
- The current application is a Section 96(2) modification to amend the layout and design of an approved mixed use and residential development.
- The Section 96(2) application is referred to the Joint Regional Planning Panel (Sydney East Region) for determination as per the provisions of Section 96(2) of the Act and Section 118 of the Environmental Planning and Assessment Regulation 2000.
- The modification application has been assessed against the requirements of the relevant planning instruments and development control plan. The proposal is found to generally be in compliance with the requirements of these policies.
- The development application was publicly exhibited and adjoining land owners notified in accordance with the provisions of Part 7 of Development Control Plan 2012. We received one submission relating to the proposal. The issues raised

in the submission and our responses to those issues are provided in the body of this report.

- The modification application is recommended for approval.

BACKGROUND

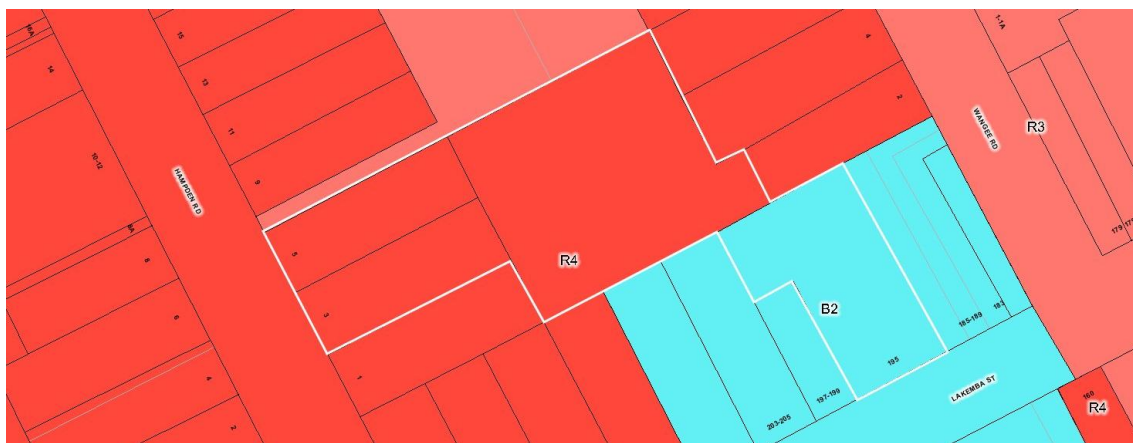
On 6 November 2014, the Joint Regional Planning Panel approved Development Application DA-24/2014 for the 'construction of a mixed use development involving the demolition (in part) of existing structures and the construction of three (3) buildings comprising of four (4) retail/commercial units, 89 residential units, basement parking, landscaping works and associated stratum subdivision' at the subject site. As approved, 'Building A' is located fronting Hampden Road to the east of the site, 'Building B' is located towards the rear middle part of the site, and 'Building C' is located fronting Lakemba Street to the south of the site.



SITE DETAILS

The subject site is known as 195 Lakemba Street (Lot 1 DP 597005) and 3-5 Hampden Road (Lots 11A & 11B DP 6712) and is located on the northern side of Lakemba Street between Hampden Road and Wangee Road, Lakemba.

The site has a frontage of 21.03m to Lakemba Street, and a frontage of 28.905m to Hampden Road. The total combined area of the sites is 4529.7m². The site has a depth of 90.525m along the north western boundary and combined depth of 89.11m along the south eastern boundary. The site has a fall from the south east corner to the north west of the site of 8.32m with an average gradient approximately 1:20. The fall along the Lakemba Street frontage is 1m and 0.75m for the Hampden Road frontage.



Subject Site

PROPOSAL

The subject Section 96(2) application (DA-24/2014/A) was submitted on 19 February 2015, proposing to amend the layout and design of an approved mixed use and residential development. Specifically, the proposal involves:

- Building A:** Changes to the position of the lift and stairs serving all levels; provision of two way lift access for wheelchair accessibility; changes to the sizes and extent of unit windows; changes to the location of unit entry doors; increase of height of garden walls; addition of building services cupboards in lobby areas; and, addition of privacy screens to balconies to address Condition N of Development Consent DA-24/2014. There is an overall net increase in gross floor area of 13.4m².
- Building B:** Changes to the configuration and location of the lift and common stair to the new wing of Building B and addition of access/egress stair added to the eastern end; changes to the configuration and location of the lift and common stair serving the existing building (southern wing); changes to the height and floor levels; internal changes to the layout of units; removal of bathroom and kitchen windows in some units; changes to the sizes and extent of unit windows; changes to the wording of Condition L of Development Consent DA-24/2014 so not all specified windows are required to be either translucent glazing or high sill windows; provision of level access between the passenger lift and the garden/forecourt area; slightly reduced building envelope; addition of building services cupboards in lobby areas; reduced length of common corridor areas; changes to the wording of Condition H of Development Consent DA-24/2014 so not all specified balconies be installed with privacy screens; and, provision of bicycle spaces to address Condition M of Development Consent DA-24/2014. There is an overall net decrease in gross floor area of 11.5m².
- Building C:** Reduced side boundary setbacks adjacent to the western and southern sides of commercial tenancy C5.03 resulting in an overall net increase in gross floor area of 29.4m²; changes to the egress from the basement level to comply with the BCA; addition of building services cupboards in lobby areas; deletion of Condition D of Development Consent

DA-24/2014 relating to the depth of balconies of Units C7.01, C7.02 & C7.03; changes to the wording of Condition E of Development Consent DA-24/2014 so not all specified balconies be installed with privacy screens; provision of bicycle spaces to address Condition F of Development Consent DA-24/2014; and, provision of courier space to address Condition G of Development Consent DA-24/2014.

- **Other General Amendments:** Addition of an exit door to the upper basement parking level (Level 2) below Building A; incorporation of an electrical substation/kiosk at the SW corner of the site; incorporation of a Fire Hydrant Booster adjacent to the Hampden Road frontage; changes to the stormwater concept plans; incorporation of an air intake duct at the NE corner of Building B with the carpark exhaust riser to be located within the core of Building A and discharges above the roof of Building A; and lowering the floor levels of the drying court in SE corner of Building B.

Condition 1 of Development Consent DA-24/2014 relates to the plans approved for the subject development and building design changes, which will be required to be amended as part of the subject modification application, if approved. As existing, Condition 1 is as follows. The modifications proposed by the subject application seek to make changes to the underlined parts of this condition as shown below:

1. The development being carried out in accordance with plans referenced Project No. 1342A, Drawing No's A-0103, A-0104, A-0105, A-0106, A-0107, A-0108, A-0109, A-0110, A-0111, A-0113, A-0114, A-0115, A-0116, A-0117, A-0120, A-0121, A-0122, A-0123, A-0124, A-0125, A-0126A-0127, A-0128, A-0129, A-0130, A-0131, A-0132, A-0133, A-0134, A-0202, A-0204, A-0224, A-0225, A-0228 and A-0229 (Issue C), and Drawing No's A-0101, A-0102, A-0112, A-0112a, A-0118, A-0119, A-0201, A-0203, A-0221, A-0222, A-0223, A-0226, and A-0227 (Issue D) drawn by Benson McCormack except where amended by the conditions of consent, and the following conditions:

'Building C' Conditions

- a. The existing easement and right of way is to be maintained as per the existing reservations and conditions for Lot 1 DP 597005.
- b. The specific fit-out and use of the retail/commercial units, including any associated signage, being the subject of a separate approval.
- c. The Cantilevered Awning along the Lakemba Street frontage is to have a width of 3 metres.
- d. The rear balconies of Units C7.01, C7.02 and C7.03 to be reduced in depth to only 2 metres to increase the setback provided at the 3rd storey and to maintain a predominantly two storey limit at the minimum 6 metre setback requirement.
- e. All balconies along the rear (north) elevation on the 4th, 5th, and 6th storeys of Building C, be installed with privacy screens to a total height of 1800mm using a combination of fixed and moveable panels and covering a minimum of two thirds of the length of the balconies.
- f. The bicycle parking area in the basement under Building C is to be enlarged in area to accommodate for the total parking of 11 bicycles.

- g. One of the car parking spaces allocated for the commercial use, is to be replaced with a 'courier parking space' as required under Part 6.8 of CDCP 2012.

'Building B' Conditions

- h. All balconies along the north elevations of Building B on the 2nd, 3rd and 4th levels be installed with privacy screens to a total height of 1800mm using a combination of fixed and moveable panels and covering a minimum of two thirds of the length of the balconies.
- i. The balconies associated with Unit B6.01, B6.02 and B6.03 be reduced to a maximum depth of 2m to increase the separation distance and provide an approximate 6.2m setback to the boundary.
- j. The balcony area of Units B4.08 and Unit B7.01 must each be at least 12m².
- k. The eastern part of the balcony for Unit B6.03 at the upper level (adjacent to Bedroom 2 and 3) is to be deleted as it encroaches on the setback requirements and causes privacy impacts.
- l. All windows along the eastern side of Building B are to be either of translucent glazing in the case of bathrooms/ensuites, and be high sill in the case of bedroom windows.
- m. A designated bicycle parking area is to be provided in the basement car park under Building B to accommodate for the parking of at least 6 bicycles to ensure that full compliance is achieved with Part 6.8 of CDCP 2012.

'Building A' Conditions

- n. All balconies for Units A4.01, A4.05, A5.01, A5.05, A6.01 and A6.04 are to be installed with privacy screens to a total height of 1800mm using a combination of fixed and moveable panels and covering a minimum of two thirds of the length of the balconies.
- i. **Finishes and materials** including the treatment of external walls, windows, doors and balustrades being in accordance with the 'Finishes' received by Council on 30 May 2014. The approved design (including an element or detail of that design) or materials, finish or colours of the building must not be changed so as to affect the external appearance of the building without the approval of Council.
- ii. The **stormwater system** be constructed in general, in accordance with the plans, specifications and details received by Council on 14th February 2014, drawing numbers 1463, S1-S9 Rev C prepared by John Romanous and Associates and as amended by the following condition.
- iii. The submitted **landscape plan** (Drawn by Zenith Landscape Designs, drawing no 13-2762 L01-L07, and submitted to council on 20th June 2014) must be amended to address the following items:
- A detailed Maintenance Schedule is to be included:
 - replacement strategy for failures in plant materials and built works,

- *maintenance schedule for watering, weeding and fertilizing during the establishment period*
- *The maintenance period for the landscaping must be set for 12 months post practical completion.*

This amendment must be submitted to Council or certifier prior to the issue of the relevant Construction Certificate.

ASSESSMENT

Section 96(2) of the Environmental Planning and Assessment Act, 1979 allows Council to modify development consent if:

- a) *it is satisfied that the development to which the consent as modified relates is substantially the same development,*

It is considered that the proposed development is substantially the same development as that approved under Development Consent DA-24/2014. The individual and cumulative impacts of the changes proposed are not considered to be significantly greater than what has been previously considered and approved by the JRPP in the previous application. The land use, general built form and general building envelope remains largely the same with the subject application.

For the above reasons, it is considered that the development as modified is substantially the same development for which consent was originally granted.

- b) *it has consulted with the relevant Minister, public authority or approval body in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent, and*

The application did not require any consultation with a Minister, public authority or other approval body.

- c) *It has notified the application in accordance with:*
- (i) *the regulations, if the regulations so require, or*
 - (ii) *a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*

In accordance with Part 7 - Notification of Development Applications of Canterbury Development Control Plan 2012, the subject application was publicly exhibited and notified to affected owners and occupants.

- d) *It has considered any submissions made concerning the proposed modification within the period prescribed by the regulations or provided by the development control plan, as the case may be.*

One submission was received relating to the proposal. The issues raised in the submission and our responses to those issues are discussed below:

Issue of Concern	Comment
<i>The amendments to the layout and design are not to cause any infringement upon the boundary of the neighbouring properties</i>	The amendments proposed relate to the approved development (DA-Consent 24/2014) which will wholly occur on the subject site, at 195 Lakemba Street & 3-5 Hampden Road, Lakemba. The development (as approved and as proposed to be modified) involves no work outside the boundary of the subject site itself.
<i>The amendments to the layout and design are not to affect the privacy of my family</i>	The privacy of the neighbouring residents has been carefully considered in the assessment of the original approval and this subsequent modification application. Appropriate privacy screens are required to be installed along those balconies that could potentially compromise the privacy of neighbouring residents due to their size and/or location.
<i>The amendments to the layout and design are not to cause additional noise and pollution</i>	The amendments proposed result in a development that is substantially the same as that approved under Development Consent 24/2014. There are no specific changes proposed and supported in this application that will cause additional noise and pollution beyond what was considered as satisfactory for the original approval.

Other Considerations

In determining an application for modification of the development consent, Council must also take into consideration relevant matters referred to in Section 79C (1). The following is a discussion of matters under Section 79C as being relevant to the current Section 96 application.

- Environmental Planning Instruments**

State Environmental Planning Policy (Building Sustainability Index) BASIX 2004
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 ('BASIX'), applies to the residential component of development and aims to encourage sustainable residential development.

Given the nature of some of the changes proposed as part of the modification the applicant was required to provide a revised BASIX Certificate for the development. The BASIX Certificate submitted (Certificate No.526241M_03) shows that the development, as proposed to be modified, satisfies the relevant water, thermal comfort and energy requirements and overall satisfy the requirements of the SEPP.

State Environmental Planning Policy 65– Design Quality of Residential Flat Development

The application is accompanied by a revised Design Verification Statement prepared by the project architect confirming that the development, as proposed to be modified, achieves the design quality principles contained in Part 2 of

SEPP 65. It is further stated that ‘... *the proportion of proposed dwellings achieving solar access (73%) and cross ventilation (83%) has not been altered from the scheme approved by Council/JRPP despite modes changes to window surface area and location*’.

The proposal is generally consistent with the provisions of SEPP 65 and the Residential Flat Design Code prepared by the Department of Planning and Infrastructure.

Canterbury Local Environmental Plan 2012

The front part of the site known as 195 Lakemba Street is zoned B2 Local Centre and the rear part of the site known as 195 Lakemba Street, together with the part of the site known as 3-5 Hampden Road are zoned R4 High Density Residential under Canterbury Local Environmental Plan 2012. The proposal involves amendments to the layout and design of an approved mixed use and residential development, being permissible development in the subject zones.

In regard to Clause 4.3 relating to building height, the development as proposed to be modified, maintains the same height as that supported approved under Development Consent DA-24/2014.

In regard to Clause 4.4 relating to floor space ratio for the R4 zoned part of the site, the development as proposed to be modified slightly alters the floor space ratio of:

- the part of the site known as 3-5 Hampden Road (for ‘Building A’) by an increase of 13.4m² increasing the FSR from 1.36:1, to 1.37:1. This remains compliant with the maximum FSR standard of 1.4:1 for this part of the site; and
- the rear part of the site known as 195 Lakemba Street (for ‘Building B’) by a decrease of 11.5m² maintaining the same as approved FSR of 1.4:1.

The development as proposed to be modified is therefore found to be consistent with the relevant provisions of CLEP 2012.

• **Development Control Plan**

The proposed modifications are assessed against the applicable parts of Canterbury Development Control Plan 2012 below:

Part 2 Residential Neighbourhood & Part 3 Business Centres	The general design and built form of the development remains substantially the same with the proposed modifications and as such compliance with the relevant requirements in Parts 2 and 3 of CDCP 2012 is unaltered from the development, as approved. It is noted that the modifications proposed do seek to alter/delete Conditions 1(d), (e), (h) and (l) which deal with visual privacy matters being Part 2.3.1 and Part 3.3.1 of CDCP 2012 – this is addressed in detail below under ‘Likely Impacts of the Development’.
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<i>Access & Mobility (Part 6.1)</i>	The proposed modifications involve some changes to lift access ways in the subject buildings. Condition 83 of DA Consent 24/2014 which states that the development must be constructed to comply with the Commonwealth Disability (Access to Premises – Buildings) Standard 2010 remains applicable and no changes to any conditions are required in this regard.
<i>Climate and Resource Efficiency (Part 6.2)</i>	The development as proposed to be modified does not alter the impacts of shadowing onto its neighbouring properties. In regard to the units of the development itself, at least 73% achieve the required solar access and 83% achieve the required cross ventilation which is the same satisfactory outcome as the development s originally approved.
<i>Development Engineering, Flood & Stormwater (Part 6.4)</i>	Our Development Engineer has reviewed the application and has advised that the proposed modification is sufficient and no objections are raised on engineering grounds. Should approval be issued, then Condition 1(ii) relating to the stormwater system is required to be amended.
<i>Vehicles Access & Parking (Part 6.8)</i>	No significant changes are proposed to the vehicular access arrangement, basement car park or the provision of the required car parking spaces for the subject development. The applicant does address Conditions 1(f), (g) and (m) in the modified proposal by providing the required bicycle parking areas and courier parking space. It is therefore accepted that Conditions 1(f), (g) and (m) can be deleted given that they have been addressed.

The proposed modifications do not alter the development's compliance with the relevant requirements in Canterbury Development Control Plan 2012 and as such the application is considered to be acceptable.

- **Section 79C (1)(b) - The likely impacts of the development**

Building Matters

The application has been assessed by Council's Building Officer who considered the proposal to be consistent with the relevant National Construction Code considerations and as such had no objections to the modifications proposed.

Visual Privacy Considerations

The application seeks to alter/delete Conditions 1(d), (e), (h) and (l) of Development Consent DA-24/2014 relating to visual privacy matters. The table below provides details of the subject conditions, the applicant's comments for the changes and our assessment response.

Condition	Applicant's Comments	Assessment Response
<i>1(d) The rear balconies of Units C7.01, C7.02 and C7.03 to be reduced in depth to only 2 metres to increase the setback provided at the 3rd storey and to maintain a predominantly two storey limit at the minimum 6 metre setback requirement</i>	We propose installing a 2m deep balcony for Units C7.01, C7.02 and C7.03 as requested by installing a planter along the edge of the floor. The outside face of the balcony and in turn the floors below will be setback a further 290mm from the rear boundary to comply with the 6m setback requirement for the first two floors of Building C	The proposed changes have been made to address Condition 1(d). The balconies remain of adequate size and dimensions and the building height plane compliance remains unaltered. It is therefore recommended that Condition 1(d) be deleted.
<i>1(e) All balconies along the rear (north) elevation on the 4th, 5th, and 6th storeys of Building C, be installed with privacy screens to a total height of 1800mm using a combination of fixed and moveable panels and covering a minimum of two thirds of the length of the balconies</i>	Exception is sought for the provision of privacy screens for the balconies at the 4 th and 6 th storeys of Building C. A generously sized planter is already proposed along the northern and western edges of the balconies of apartments C8.01, C8.02 and C8.03 (at the 4 th storey). The planter obscures views from the balconies, particularly downward sightlines into the private open space of neighbouring properties. The northern edge of these balconies is between 8.45-9.36m from the rear boundary. Further, privacy screens to the northern face of the 6 th storey is unnecessary given the balconies to these apartments (Units 9.01 and 9.03) serve bedrooms and not living areas and have a solid balustrade to the edge that are 13.76m setback from the rear boundary.	Given the balconies on the 6 th storey serve bedrooms (in Units 9.01 and 9.03) only and not living areas and, it is accepted that the condition can be altered to remove the need to have them installed with privacy screens. However, the balconies along the 4 th storey should be installed with privacy screening as detailed in the condition, given they serve living areas and have direct view on to the existing private open space areas of properties along Wangee Road. It is therefore recommended that Condition 1(e) be altered to delete the inclusion of the '6 th storey'.
<i>1(h) All balconies along the north elevations of Building B on the 2nd, 3rd and 4th levels be installed with privacy screens to a total height of 1800mm using a combination of fixed and moveable panels and covering a minimum of two thirds of</i>	Exception is sought for the provision of privacy screens to the northern face of the southern building wing of Building B, and privacy screens to the 4 th storey (Level 6) of Building B along its northern wind. In regard to the latter, the depth of the balconies of the affected	This condition is not intended to relate to the balconies along the northern face of the southern building wing of Building B given that they have an interface with an internal lobby area at a distance of 11.33m away, and as such this part of the

<i>the length of the balconies</i>	Units B6.01, B6.02 and B6.03 has been reduced to 2 metres and if overlooking to the neighbouring school is the primary objective for installing privacy screens, reducing the depth to 2m achieves that end. Reducing the trafficable extent of the northern balconies of these apartments obscures a downward sight line in the public school located immediately north of the proposal. Privacy screens will unnecessarily obstruct district views and increase the perceived bulk and scale of the northern face of Building B.	applicant's request is accepted. However, given the sensitive interface of the northern wing of Building B with a school site, it is considered appropriate to maintain the requirements to have privacy screens for Units B6.01, B6.02 and B6.03 on the 4 th storey to ensure minimal opportunities for overlooking onto the school site. It is noted the balconies for Units B6.01, B6.02 and B6.03 are generous in size and each serve both living areas and at least one bedroom, increasing their functionality and useability.
<i>1(l) All windows along the eastern side of Building B are to be either of translucent glazing in the case of bathrooms/ensuites, and be high sill in the case of bedroom windows</i>	Exception is sought for east facing bedroom windows of apartment B6.03 (Bedroom 2 and 3), B4.11, B5.11, B6.09 and B7.03 from being translucent or comprising high sills. Clarification is also sought that windows on the eastern side of the southern wing of Building B are not subject to the requirement of this condition. The affected bedroom windows have full height openings to optimise the internal amenity for these rooms and more specifically to maximise solar access and ventilation.	This condition is intended to relate to the bedroom windows along the eastern side of the both the southern and northern wings of Building B. It is recommended that this condition remains unaltered given that its intent is to address privacy impacts onto the neighbouring residents to the east of the site which are within close proximity.

It is considered that the visual privacy assessment has adequately addressed the visual privacy matters associated with the development, as proposed to be modified.

- Section 79C (1)(c) - The suitability of the site for the development**
 The zoning of the site permits the subject use on the site. As previously demonstrated under Development Application DA-24/2014, the proposed development is generally compliant with controls and objectives outlined in the relevant plans and policies.

- **Section 79C (1)(d) – Any submissions made in accordance with this Act or the regulations**

One submission was received relating to the proposal. The issues raised in the submission and our responses to those issues are discussed above under Assessment - Section 96(2)(d).

- **Section 79C (1)(e) – The public interest**

Given that the proposed modifications to the development are unlikely to lead to any detrimental impacts on surrounding development, it is considered that supporting the proposed development is not against the public interest.

Having regard to the matters discussed above, the proposed modification is considered to be satisfactory and worthy of support.

CONCLUSION

The proposed modification is substantially the same development that was originally considered and approved by Council. The proposed modification is considered acceptable having regard to the provision of Sections 79C and 96 of the Environmental Planning and Assessment Act, 1979. Approval of the application under Section 96 is recommended.

RECOMMENDATION

THAT the application to modify Development Consent DA-24/2014 be APPROVED as set out below:

The amending of Condition 1 as below:

1. *The development being carried out in accordance with plans referenced Project No. 1342A, Drawing No's A-101 & A102 (Rev.F), A-0103, A-0104, A0105, A-0106, A-0107, A-0108, A0109, A-0110, A-0111, A-0112, A-0118, A-0119, A-0201, A-0203, A-0221, A-0222, A-0223, A-0226, A-0227 (Rev. E), A-0112a (Rev. B), A-0113, A-0114, A-0115, A-0116, A-0117, A-0120, A-0121, A-0122, A-0123, A-0124, A-0125, A-0126, A-0127, A-0128, A-0129, A-0130, A-0131, A-0132, A-0133, A-0134, A-0202, A-0204, A-0224, A-0225, A-0228, A-0229 (Rev. D), and A-0230 (Rev. A) as prepared by Benson McCormack and received by Council on 26 May 2015, except where amended by the conditions of consent, and the following conditions:*

'Building C' Conditions

- a. *The existing easement and right of way is to be maintained as per the existing reservations and conditions for Lot 1 DP 597005.*
- b. *The specific fit-out and use of the retail/commercial units, including any associated signage, being the subject of a separate approval.*
- c. *The Cantilevered Awning along the Lakemba Street frontage is to have a width of 3 metres.*
- d. *All balconies along the rear (north) elevation on the 4th and 5th storeys of Building C, be installed with privacy screens to a total height of 1800mm*

using a combination of fixed and moveable panels and covering a minimum of two thirds of the length of the balconies.

'Building B' Conditions

- e. *All balconies along the north elevations of the northern wing of Building B on the 2nd, 3rd and 4th levels be installed with privacy screens to a total height of 1800mm using a combination of fixed and moveable panels and covering a minimum of two thirds of the length of the balconies.*
 - f. *The balconies associated with Unit B6.01, B6.02 and B6.03 be reduced to a maximum depth of 2m to increase the separation distance and provide an approximate 6.2m setback to the boundary.*
 - g. *The balcony area of Units B4.08 and Unit B7.01 must each be at least 12m².*
 - h. *The eastern part of the balcony for Unit B6.03 at the upper level (adjacent to Bedroom 2 and 3) is to be deleted as it encroaches on the setback requirements and causes privacy impacts.*
 - i. *All windows along the eastern side of Building B are to be either of translucent glazing in the case of bathrooms/ensuites, and be high sill in the case of bedroom windows.*
- 1.1. **Finishes and materials** *including the treatment of external walls, windows, doors and balustrades being in accordance with the 'Finishes' received by Council on 30 May 2014. The approved design (including an element or detail of that design) or materials, finish or colours of the building must not be changed so as to affect the external appearance of the building without the approval of Council.*
- 1.2. The **stormwater system** *be constructed in general, in accordance with the plans, specifications and details received by Council on 19th February 2015, drawing numbers D00, D01, D03, D04, D05, D06, D07, D08, D09 and D10, prepared by Australian Consulting Engineers Pty Ltd and as amended by the following conditions where applicable.*
- 1.2.1. *The on-site detention facility "A" must be amended so that surcharge to the carpark in which it is located will occur at a 100 year Average Recurrence Interval.*
- 1.3. The submitted **landscape plan** *(Drawn by Zenith Landscape Designs, drawing no 13-2762 L01-L07, and submitted to council on 20th June 2014) must be amended to address the following items:*
- *A detailed Maintenance Schedule is to be included:*
 - *replacement strategy for failures in plant materials and built works,*
 - *maintenance schedule for watering, weeding and fertilizing during the establishment period*
 - *The maintenance period for the landscaping must be set for 12 months post practical completion.*
- This amendment must be submitted to Council or certifier prior to the issue of the relevant Construction Certificate.*