

**CONDITIONS OF DEVELOPMENT CONSENT**

**DA No:** DA-150/2014/C  
**Property:** 6-14 Park Road, AUBURN NSW 2144  
**Description:** Section 96(2) application to increase commerical floor area and reduce communal open space resulting in an increase in gross floor area of the development

**A. Amending condition '1', '2' and '100' to read as follows:-****1. Approved Plans**

The development is to be carried out in accordance with the approved stamped plans as numbered below:

<b>Plan Number</b>	<b>Prepared By</b>	<b>Revision No.</b>	<b>Dated</b>
<b>S96-J:01 Cover Page</b>	<b>Zhinar Architects</b>	<b>J</b>	<b>27/4/2015</b>
S96-G:02 Site Analysis	Zhinar Architects	G	4/2/2015
S96-G:03 Basement 3	Zhinar Architects	G	4/2/2015
S96-G:04 Basement 2	Zhinar Architects	G	4/2/2015
<b>S96-J:05 Basement 1</b>	<b>Zhinar Architects</b>	<b>J</b>	<b>27/4/2015</b>
<b>S96-J:06 Ground Floor Plan</b>	<b>Zhinar Architects</b>	<b>J</b>	<b>27/4/2015</b>
S96-G:07 Level 1 Plan	Zhinar Architects	G	4/2/2015
S96-G:08 Level 1-3 Plan	Zhinar Architects	G	4/2/2015
S96-G:09 Level 4 Plan	Zhinar Architects	G	4/2/2015
S96-G:10 Level 5-7 Plan	Zhinar Architects	G	4/2/2015
S96-G:11 Level 8-10 Plan	Zhinar Architects	G	4/2/2015
S96-I:12 Level 11 Plan	Zhinar Architects	I	26/5/2015
S96-I:13 Roof Plan	Zhinar Architects	I	26/5/2015
S96-I:14 West Elevation	Zhinar Architects	I	26/5/2015
S96-I:15 South Elevation	Zhinar Architects	I	26/5/2015
S96-I:16 East Elevation	Zhinar Architects	I	26/5/2015

S96-I:17 North Elevation	Zhinar Architects	I	26/5/2015
S96-I:18 Section A	Zhinar Architects	I	26/5/2015
S96-I:19 Section B	Zhinar Architects	I	26/5/2015
S96-I:20 Section C	Zhinar Architects	I	26/5/2015
S96-I:21 Section D	Zhinar Architects	I	26/5/2015
S96-I:22 Section E	Zhinar Architects	I	26/5/2015
S96-I:23 Section F	Zhinar Architects	I	26/5/2015
S96-G:24 Streetscape	Zhinar Architects	G	4/2/2015
S96-I:28 Material Schedule 01	Zhinar Architects	I	26/5/2015
S96-I:29 Material Schedule 02	Zhinar Architects	I	26/5/2015
1312-C DA01 to 1312-C DA03 (Stormwater Plans)	HKMA Engineers	C	22/4/2014
BASIX Certificate # 431391M_05	NSW Planning	-	2/6/2015
Revised Traffic Report Ref: 14230	Varga Traffic Planning	-	30 January 2015
BCA Compliance report # B405011	Certified Building Specialists	-	17/6/2014

except as otherwise provided by the conditions of this determination (Note:- modifications to the approved plans will require the lodgement and consideration by Council of a modification pursuant to Section 96 of the Environmental Planning and Assessment Act).

Reason:- to confirm and clarify the terms of Council's approval.

**[Condition 1 modified by Section 96 modification 150/2014/C]**

2. **Auburn DCP 2007 - LGA Wide**

Development Contributions are payable in accordance with Auburn Council Council's Section 94 Development Contribution Plan 2007, which has been prepared under Section 94 of the Environmental Planning and Assessment Act 1979, as amended.

The amounts payable will be adjusted in accordance with the section titled Review of Contribution rates and are generally indexed on a quarterly basis by the Consumer Price Index CPI (all Groups Sydney) unless otherwise stated in the plan.

Contributions will be adjusted at the payment date in accordance with the plan and payment is to be made prior to the issue of any Occupation

Certificate.

Council's Development Contribution Plan 2007 is available for inspection at Council's Customer Services Centre, Civic Place, 1 Susan Street, Auburn or on line at [www.auburn.nsw.gov.au](http://www.auburn.nsw.gov.au).

A sum of **\$ 1,060,972.01** is to be paid to Council (less any S94 contribution already paid for the existing development approved under development consent DA-16/2013) for the purpose of LGA Wide plans being the provision of open space and recreation facilities, community facilities, accessibility and traffic works, town centre upgrades, car parking and Council's administration of the development contributions framework.

The above sum is broken down to the following items:

Item	Amount
Community Facilities	\$254223.99
Public Domain	\$562265.27
Accessibility and Traffic	\$154972.88
Administration	\$59449.67
Employment Generating Development	\$30060.20
<b>TOTAL</b>	<b>\$1,060,972.01</b>

Reason: to provide open space and recreation facilities, community facilities, accessibility and traffic works, town centre upgrades, car parking and Council's administration of the development contributions framework.

**[Condition 2 modified by Section 96 modification 150/2014/C]**

100. **Loading Bay**

**Four (4)** loading bays shall be provided for the commercial tenancy in the basement to cater the needs of commercial tenancy. In this regard:

- The details shall be shown on the **amended** construction certificate plans.
- **Parking bays 1,2,3 and 4 on plan 8342 S96 – J:05, Issue J dated 27/04/2015 shall be converted to loading bays**
- Prior to issue of the occupancy certificate the principal certifying authority shall ensure that the sign has been installed.

Reason:- to ensure the loading spaces for the commercial tenancies

**[Condition 100 modified by Section 96 modification DA-150/2014/C]**

**B. Delete Condition 4 as follows:-**

4. **Communal Indoor Space**

(a) ~~The areas shown on the amended plans annotated as 'Residents Facility 01 – Gym' and 'Residents Facility 02 – Kid's Playground' shall be modified as follows:~~

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- a. 'Residents Facility 01 Gym' shall be enclosed to allow for improved amenity. The area enclosed shall comprise of 156.65 m<sup>2</sup> with the remainder of space to be amenities/showers comprising 68 m<sup>2</sup>
- b. 'Residents Facility 02 Kid's Playground' shall be fenced by palisade fencing to promote greater surveillance.

(b) The proposed changes shall not exceed the 5:1 maximum FSR for the development.

Reason:- To ensure compliance with the Auburn LEP 2010 and to improve the amenity available to residents.

[Condition 4 deleted by Section 96 modification DA-150/2014/C)

**C. Addition of conditions 103 &104 to read as follows:**

**103. Communal Indoor Space**

An area of approximately 100sqm shall be provided for use as resident's gym to the rear of the site, being from the eastern external wall of the new enclosed area, to the western side of the closest fire stairs shown on the plan.

Amended details shall be submitted to the Principal Certifying Authority prior to the issue of amended Construction Certificate.

Reason:- to improve the amenity available to residents.

[Condition 103 added by S96 modification DA-150/2014/C]

**104. Shopfront Design**

The commercial shopfront facing Park Road shall be constructed in comparable design to the shopfronts previously approved, being constructed of predominantly clear glazing with aluminium framing.

Details shall be submitted to the Principal Certifying Authority prior to the issue of amended Construction Certificate.

Reason:- to ensure high quality presentation to the shopfront.

[Condition 104 added by S96 modification DA-150/2014/C]