1. **Documents related to the consent**

The development must be carried out in accordance with plans and documents listed below:

|  |  |  |  |
| --- | --- | --- | --- |
| **Plan Revision/Issue** | **Plan Name** | **Date Issued** | **Prepared By** |
| “Amended SEE for LEC" | Amended Statement of Environmental Effects | 25 October 2022 | Ethos Urban |
| Various | Architectural plans dated November 2022:   * DA-DA-01-00 Cover Sheet - Drawing Index, dated 10 November 2022, Revision E * DA-DA-11-01 Site Analysis Plan, dated 8 November 2022, Revision C * DA-DA-11-02 Proposed Site Plan, dated 8 November 2022, Revision C * DA-DA-12-OG Ground floor existing plan, dated 8 November 2022, Revision C * DA-DA-12-01 Level 1 existing plan, dated 8 November 2022, Revision C * DA-DA-12-02 Level 2 existing plan, dated 8 November 2022, Revision C * DA-DA-12-03, Roof existing plan, dated 8 November 2022, Revision C * DA-DA-15-0G Ground Floor Demolition Plan, dated 8 November 2022, Revision C * DA-DA-15-01 Level 1 Demolition Plan, dated 8 November 2022, Revision C * DA-DA-15-02 Level 2 Demolition Plan, dated 8 November 2022, Revision C * DA-DA-15-08 Roof Demolition Plan, dated 8 November 2022, Revision C * DA-DA-20-98 Basement 2 Plan, dated 10 November 2022, Revision D * DA-DA-20-99 Basement 1 Plan, dated 10 November 2022, Revision D * DA-DA-21-0G Ground Floor Plan, dated 10 November 2022, Revision D * DA-DA-21-01 Level 1 Floor Plan, dated 10 November 2022, Revision D * DA-DA-21-02 Level 2 Floor Plan, dated 10 November 2022, Revision D * DA-DA-21-03 Level 3 Floor Plan, dated 10 November 2022, Revision D * DA-DA-21-04 Level 4 Floor Plan, dated 10 November 2022, Revision D * DA-DA-21-05 Level 5 Floor Plan, dated 10 November 2022, Revision D * DA-DA-21-06 Level 6 Floor Plan, dated 10 November 2022, Revision D * DA-DA-21-07 Level 7 Floor Plan, dated 10 November 2022, Revision D * DA-DA-21-08 Roof Plan, dated 10 November 2022, Revision D * DA-DA-30-00 North-East Elevations, dated 8 November 2022, Revision C * DA-DA-30-01 North-East Elevations, dated 8 November 2022, Revision C * DA-DA-30-02 North-West Elevations, dated 8 November 2022, Revision C * DA-DA-30-03 North-West Elevations, dated 8 November 2022, Revision C * DA-DA-30-04 South-West Elevations, dated 8 November 2022, Revision C * DA-DA-30-05 South-West Elevations, dated 8 November 2022, Revision C * DA-DA-30-06 South-East Elevations, dated 8 November 2022, Revision C * DA-DA-30-07 South-East Elevations, dated 8 November 2022, Revision C * DA-DA-30-10 Streetscape elevations, dated 8 November 2022, Revision C * DA-DA-40-00 Section 1 and 2, dated 8 November 2022, Revision C * DA-DA-40-01 Section 3 and 4, dated 8 November 2022, Revision C * **~~DA-~~**DA-40-02 Screen detail sections, dated ***24 May 2023*** **~~10 November 2022~~**, Revision ***2* ~~B~~** * **~~DA-~~**DA-40-03 ***24 May 2023*** **~~10 November 2022~~**, Revision ***2* ~~C~~** * **~~DA-~~**DA-40-04 Miscellaneous details, dated ***24 May 2023*** **~~10 November 2022~~**, Revision ***2* ~~B~~** * **~~DA-~~**DA-40-05 Miscellaneous details, dated ***24 May 2023*** **~~10 November 2022~~**, Revision ***2* ~~B~~** * **~~DA-~~**DA-40-06 Miscellaneous details, dated ***24 May 2023*** **~~10 November 2022~~**, Revision ***2* ~~B~~** * DA-DA-83-00 SEPP65 Compliance Solar Diagrams, dated 8 November 2022, Revision C * DA-DA-83-08 SEPP65 Compliance Cross Ventilation, dated 8 November 2022, Revision C * DA-DA-83-09 SEPP6 Compliance Storage, dated 8 November 2022, Revision C * DA-DA-83-10 SEPP65 Compliance Storage, dated 8 November 2022, Revision C * DA-DA-83-11 SEPP65 Compliance Storage, dated 8 November 2022, Revision C * DA-DA-84-00 Shadow Diagrams Winter, dated 8 November 2022, Revision C * DA-DA-84-01 Shadow Diagrams Equinox, dated 8 November 2022, Revision C * DA-DA-84-02 Shadow Diagrams Summer, dated 8 November 2022, Revision C * DA-DA-90-00 Development Calculations GFA, dated 8 November 2022, Revision D * DA-DA-90-01 Development Calculations GFA, dated 8 November 2022, Revision D * DA-DA-90-02 Adaptable Unit Plans, dated 8 November 2022, Revision C * DA-DA-90-04 Staging Diagrams, dated 8 November 2022, Revision C | Various | Cox Architecture |
| Rev E | SEPP 65 Design Verification Statement | 24 October 2022 | Cox Architecture |
| Rev I | Landscape DA Package | 26 October 2022 | Arcadia |
| Rev C | ADG Compliance Table | 24 October 2022 | Cox Architecture |
| 240622 (post lodgement) | Preliminary Site Management Plan | 26 October 2022 | Ethos Urban |
| Rev 003 | Stormwater Management Plan and Drawings | 24 October 2022 | Stantec |
| V1.2 | CPTED Assessment | 25 October 2022 | Ethos Urban |
| Rev 11 | Noise and Vibration Impact Assessment | 4 November 2022 | E-lab Consulting |
|  | Arboricultural Impact Assessment | July 2022 | Bluegum |
| V2 Final | Transport Impact Assessment | 13 August 2021 | EMM |
| Rev 6 | Addendum Transport Impact Assessment | 18 July 2022 | EMM |
| Rev 9 | Construction traffic impact assessment/ Construction Traffic Management Plan | 12 July 2022 | EMM |
| Rev D | Construction Management Plan | 6 July 2022 | Home |
| Rev 4 | ESD DA Report | July 2022 | Stantec |
| Rev G | Operational Waste Management Plan | 8 July 2022 | Elephants Foot |
| "Amended DA for LEC" | Social Impact Statement | 14 July 2022 | Ethos Urban |
| Rev 5 | Detailed Site Investigation Report | 17 August 2017 | EI Australia |
| Rev 0 | Data Gap Sampling Analysis and Quality Plan | 25 August 2017 | JBS&G |
| Rev 1 | Remedial Work Plan | 5 July 2022 | Golder |
|  | Interim Audit Advice No. 8 | 12 July 2022 | Senversa |
|  | Site Audit Statement | 10 May 2022 | Senversa |
|  | Site Audit Report | 10 May 2022 | Senversa |
|  | Human Health and Environmental Risk Assessment | July 2022 | Golder |
|  | Soil Vapour Testing Memo | 30 June 2022 | Golder |
| Rev 1 | Geotechnical and Groundwater Report | 15 July 2022 | Douglas Partners |
| 113969 Access-r4 | Access Assessment Report | 8 July 2022 | BCA Access |
| Rev R1.2 | BCA Statement of Compliance | 6 July 2022 | Steve Watson & Partners |
|  | Public Art Strategy | July 2022 | Craft |
| Rev E | Construction and Demolition Waste Management Plan | 8 July 2022 | Elephants Foot |
| V2.0 | Qualitative Natural Ventilation Assessment | 5 July 2022 | SLR |
|  | Amended Structural Adequacy Statement | 7 July 2022 | Stantec |
| Rev 5 | External Lighting Report | 7 July 2022 | Stantec |
|  | Photomontages and Visual Amenity Statement | November 2022 | Scharp |
|  | BASIX Certificate 1192547M\_06 | 17 November 2022 | Stantec |
| 3 | BASIX Report | 17 November 2022 | Stantec |
|  | NaTHERS Certification No. LBJJ4KGUS8 | 17 November 2022 |  |

***Except where superseded by design changes (as outlined in the changes index referenced in the table below) shown in the following documents:***

|  |  |  |  |
| --- | --- | --- | --- |
| ***Plan Revision/Issue*** | ***Plan Name*** | ***Date Issued*** | ***Prepared By*** |
| ***1.0*** | ***Statement of environmental Effects*** | ***28 June 2023*** | ***Ethos Urban*** |
| ***Various*** | ***Architectural plans dated May 2023:***   * ***DA-DA-01-00 Cover Sheet – Drawing Index, dated 24 May 2023, Revision 11*** * ***DA-01-01 S4.56 Changes Index, dated 24 May 2023 Revision 2*** * ***DA-DA-11-01 Site Analysis Plan, dated 24 May 2023, Revision 9*** * ***DA-DA-11-02 Proposed Site Plan, dated 24 May 2023, Revision 10*** * ***DA-DA-12-OG Ground floor existing plan, dated 24 May 2023, Revision 9*** * ***DA-DA-12-01 Level 1 existing plan, dated 24 May 20232, Revision 9*** * ***DA-DA-12-02 Level 2 existing plan, dated 24 May 2023, Revision 9*** * ***DA-DA-12-03, Roof existing plan, dated 24 May 2023, Revision 9*** * ***DA-DA-15-0G Ground Floor Demolition Plan, dated 24 May 2023, Revision 12*** * ***DA-DA-15-01 Level 1 Demolition Plan, dated 24 May 2023, Revision 12*** * ***DA-DA-15-02 Level 2 Demolition Plan, dated 24 May 2023, Revision 12*** * ***DA-DA-15-08 Roof Demolition Plan, dated 24 May 2023, Revision 12*** * ***DA-DA-20-98 Basement 2 Plan, dated 24 May 2023, Revision 26*** * ***DA-DA-20-99 Basement 1 Plan, dated 24 May 2023, Revision 26*** * ***DA-DA-21-0G Ground Floor Plan, dated 24 May 2023, Revision 34*** * ***DA-DA-21-01 Level 1 Floor Plan, dated 24 May 2023, Revision 28*** * ***DA-DA-21-02 Level 2 Floor Plan, dated 24 May 2023, Revision 27*** * ***DA-DA-21-03 Level 3 Floor Plan, dated 24 May 2023, Revision 27*** * ***DA-DA-21-04 Level 4 Floor Plan, dated 24 May 2023, Revision 27*** * ***DA-DA-21-05 Level 5 Floor Plan, dated 24 May 2023, Revision 27*** * ***DA-DA-21-06 Level 6 Floor Plan, dated 24 May 2023, Revision 27*** * ***DA-DA-21-07 Level 7 Floor Plan, dated 24 May 2023, Revision 26*** * ***DA-DA-21-08 Roof Plan, dated 24 May 2023, Revision 23*** * ***DA-DA-30-00 North-East Elevations, dated 24 May 2023, Revision 15*** * ***DA-DA-30-01 North-East Elevations, dated 24 May 2023, Revision 16*** * ***DA-DA-30-02 North-West Elevations, dated 24 May 2023, Revision 16*** * ***DA-DA-30-03 North-West Elevations, dated 24 May 2023, Revision 15*** * ***DA-DA-30-04 South-West Elevations, dated 24 May 2023, Revision 16*** * ***DA-DA-30-05 South-West Elevations, dated 24 May 2023, Revision 17*** * ***DA-DA-30-06 South-East Elevations, dated 24 May 2023, Revision 17*** * ***DA-DA-30-07 South-East Elevations, dated 24 May 2023, Revision 16*** * ***DA-DA-30-10 Streetscape elevations, dated 24 May 2023, Revision 4*** * ***DA-DA-40-00 Section 1 and 2, dated 24 May 2023, Revision 20*** * ***DA-DA-40-01 Section 3 and 4, dated 24 May 2023, Revision 19*** * ***DA-DA-83-00 SEPP65 Compliance Solar Diagrams, dated 24 May 2023, Revision 13*** * ***DA-DA-83-08 SEPP65 Compliance Cross Ventilation, dated 24 May 2023, Revision 13*** * ***DA-DA-83-09 SEPP65 Compliance Storage, dated 24 May 2023, Revision 8*** * ***DA-DA-83-10 SEPP65 Compliance Storage, dated 24 May 2023, Revision 7*** * ***DA-DA-83-11 SEPP65 Compliance Storage, dated 24 May 2023, Revision 7*** * ***DA-DA-84-00 Shadow Diagrams Winter, dated 24 May 2023, Revision 9*** * ***DA-DA-84-01 Shadow Diagrams Equinox, dated 24 May 2023, Revision 9*** * ***DA-DA-84-02 Shadow Diagrams Summer, dated 24 May 2023, Revision*** * ***DA-DA-90-00 Development Calculations GFA, dated 24 May 2023, Revision 13*** * ***DA-DA-90-01 Development Calculations GFA, dated 24 May 2023, Revision 3*** * ***DA-DA-90-02 Adaptable Unit Plans, dated 24 May 2023, Revision 12*** * ***DA-DA-90-04 Staging Diagrams, dated 24 May 2023, Revision 7*** | ***Various*** | ***Cox Architecture*** |
| ***Rev L*** | ***Landscape DA Package*** | ***May 2023*** | ***Arcadia*** |
| ***H*** | ***SEPP 65 Design Verification Statement Section 4.56*** | ***24 May 2023*** | ***Cox Architecture*** |
| ***C*** | ***ADG Compliance Table*** | ***24 May 2023*** | ***Cox Architecture*** |
| ***008*** | ***Revised Stormwater Management Plan and Civil Engineering Drawings*** | ***26 May 2023*** | ***Stantec*** |
| ***J*** | ***Revised Operational Waste Management Plan*** | ***25 May 2023*** | ***Elephants Foot*** |
| ***5*** | ***Revised Access Assessment Report*** | ***7 June 2023*** | ***BCA Access*** |
| ***1.4*** | ***Revised BCA Statement of Compliance*** | ***8 June 2023*** | ***Steve Watson & Partners*** |
|  | ***Revised BASIX Certificate 1192547m\_09*** | ***26 May 2023*** | ***Stantec*** |
| ***6*** | ***Revised BASIX Report*** | ***26 May 2023*** | ***Stantec*** |
|  | ***NaTHERS Certification No. FHK43IQOMQ*** | ***12 May 2023*** | ***Stantec*** |

as amended by the conditions of consent. In the event of an inconsistency between the plans or approved documentation and the conditions, the conditions will prevail. To the extent of inconsistency in the documents listed above, relating to the same subject matter, the later dated document shall prevail to the extent of any inconsistency.

1. **Design Change**

Prior to the issue of the first Construction Certificate for the relevant phase (as described in conditions 7 and 8), the following details are to be submitted to and approved by the General Manager of Council and the approved plans are to be submitted to the Certifying Authority with the relevant construction certificate:

1. An amended/updated version of the approved Landscape DA package prepared by Arcadia dated October 2022 showing:
   1. **~~retention of Tree 43 and Tree 33 to be removed;~~**
   2. **~~tree planting within The Grove to consist of 40% deciduous tree species with lagerstroemia Indica, Crepe Myrtle preferred. The applicant must demonstrate that the nominated tree species can be accommodated in the planter beds and approved landscaped area;~~**
   3. **~~the replacement of three (3) Blueberry Ash trees identified with a blue star in the below image with a deciduous Pyrus calleryana 'Capital' species; and~~**



**(Deleted under MOD/2023/0211 on 5 March 2024)**

* 1. An updated Landscape Maintenance section to be incorporated into the Site Management Plan which will include the following requirements relevant to the survival of species which are not deep soil planting and is subject to exposure conditions:
     1. The plant species will have suitable topsoil mix that allows the plant species to survive in the various microclimate conditions;
     2. 75mm depth of mulch will be installed in planting areas;
     3. Irrigation will be installed to allow the plant species to survive; and
     4. Appropriate drainage is to be installed as part of the on-structure planting.

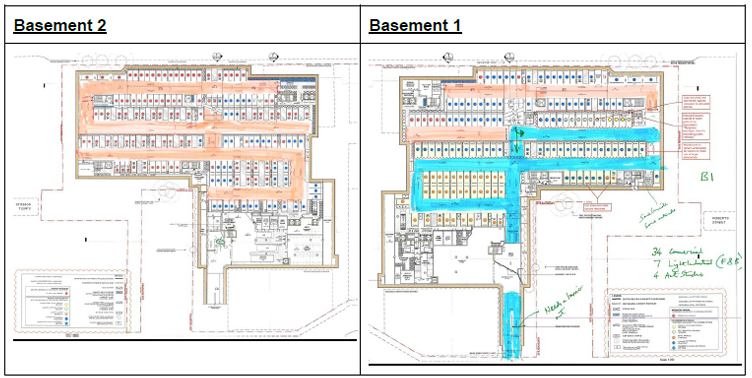
1. A report prepared by a registered landscape architect demonstrating that the details of any green roof, wall and façade planting are consistent with Inner West Councils Green Roof, Walls and Facades Technical Guidelines including but not limited to using species selected from the suggested species list, water proofing and drainage and reflecting the following requirements:
   1. The plant species will be supported by ADG compliant topsoil depths (4P Planting on Structures Table 5 'Minimum soil standards for plant types and sizes'):
   2. If situated on any north-western elevation, the plant species will be selected:   
      1. to meet the microclimate of the northern aspect;
      2. to be resilient to the evapotranspiration that a planter in this location will be subject to; and
      3. include Star Jasmine (Trachelospermum jasminoides) and Orange trumpet creeper (Pyrostegia venusta) or similar species.
   3. For all other locations on roofs, wall and facades the plant species will be selected to meet the microclimate of the appropriate area/orientation;
   4. The plant species will have a suitable topsoil mix that allows the plant species to survive in the microclimate of the northern aspect, or applicable microclimate conditions (whichever relevant);
   5. Mulch will be installed in planting areas;
   6. Irrigation will be installed to allow plant species to survive; and
   7. Appropriate drainage measures installed as part of each on structure planting (Green Roofs, Wall and Façade Report); and
2. A maintenance plan prepared by a registered landscape architect which covers green roof, walls and façade plantings that includes details of access, frequency of maintenance and is consistent with the Inner West Councils Green Roof, Walls and Facades Technical Guidelines.
3. Revised architectural plans of Buildings 1 and 7 including the framing details and specifications of the proposed upper-level perforated mesh screens to the elevated portions of Buildings 1 and 7. The details shall include:
   1. Member sizes, support structures, and zone for cleaning and maintaining the windows
   2. Façade/wall surfaces adjacent to/beneath the screens.
   3. Structural engineering advice on the method of screen fixing to the building facades
   4. Construction materials of the screens which are to be non-combustible and corrosion resistant.
   5. Certification by a registered design practitioner and a certified façade engineer.
   6. Methodology for and frequency of cleaning the windows located beneath the screens.
4. Revised basement plans which:
   1. incorporate car park design and/or signage details required to reflect the approved Car Parking Management Plan prepared pursuant to paragraph (d) below.

The basement plans must otherwise comply with the relevant conditions of this development consent.

1. A Car Parking Management Plan which, once approved, will be incorporated into the Site Management Plan approved under this development consent. The Car Parking Management Plan is to provide for the following:
   1. ensure that the car parking spaces shown in the 'inner cordon' area of the approved Basement 2 and Basement 1 Plans:
      1. are allocated to the uses shown on those plans;
      2. are otherwise unrestricted except through entry via the boom gates; and
      3. are not subject to charges for parking, except to the extent that parking is included in the rent paid in the respective tenancy agreements.
   2. ensure that the 4 Council Art Studio car parking spaces and 6 commercial car share spaces in the 'outer cordon' area of the approved Basement 1 Plan:
      1. are allocated to those respective uses;
      2. are otherwise unrestricted; and
      3. are not subject to charges for parking.
   3. the 37 retail car parking spaces in the 'outer cordon' area are:
      1. allocated to those respective uses;
      2. allow for free parking for 2 hours; and
      3. are subject to charges for parking after the 2-hour free period.
   4. the 36 commercial car parking spaces in the 'outer cordon' area are:
      1. allocated to that use and are otherwise unrestricted between the hours of 8am and 6pm Monday to Friday; and
      2. outside of these hours, are allowed to be used by any user of the site for 2 hours of free parking, then being subject to charges for parking after the 2-hour free period.
   5. the 6 light industrial car parking spaces in the 'outer cordon' area are:
      1. allocated to that use and are otherwise unrestricted between the hours of 6am and 8pm everyday; and
      2. between the hours of 8pm and 11pm are allowed to be used by any user of the site for 2 hours of free parking, then being subject to charges for parking after the 2 hour free period.
      3. However, if following individual use approvals for the site, part of the allowable maximum light industrial GFA use approved under this consent is authorised as "artisan food and drink industry" the following regime can apply:
         1. for every 250sqm (or part thereof) that is approved for "artisan food and drink industry", 1 of the car spaces allocated as light industrial can be:
            1. allocated to the "artisan food and drink industry" use;
            2. is subject to free parking for 2 hours; and
            3. is subject to charges for parking after the 2-hour free period.
   6. Details of how the above parking scheme is to be facilitated and managed, including but not limited to:
      1. details of any proposed number plate recognition system;
      2. details and location of any boom gates at basement entry points (if any) showing adequate queueing space from adjacent roads;
      3. the mechanism by which those using allocated car spaces within the 'inner cordon' area achieve access to secure parking;
      4. the mechanism by which those using allocated car parking spaces in the 'outer cordon' achieve access;
      5. details of ticket validation, licence plate recognition or other similar procedure to achieve parking which is not subject to charge;
      6. details of how parking payment will be facilitated for those users who can be charged for parking; and
      7. description of how GoGet/car share drivers will access and egress the car park.
   7. The paid parking scheme is only to be operated in conjunction with the approved uses on site and is not approved to be used as a parking station which can offer parking to those who are not site visitors or users.

In this condition:

* 'inner cordon' area means those car parking spaces served by aisles shown in orange on the below diagram; and
* 'outer cordon' area means those car parking spaces served by aisles shown in blue on the below diagram.



1. **~~Building C is to be amended to provide balcony layouts for the following apartments which have the minimum balcony areas and depths set out in the table to ADG 4E-1 Design Criteria 1: Apartments BC-2.06, BC-2.08, BC-3.04, BC-3.07, BC 3.09, BC-4.04, BC-4.06. BC-4.08, BC-4.09, BC-5.04, BC-5.07,BC-5.09, BC-6.04, BC-6.06, BC-6.08, BC-6.09, BC-7.04, BC-7.07, and BC-7.09.~~**

**(Deleted under MOD/2023/0211 on 5 March 2024)**

1. The existing ground floor windows within Building 1 on the boundary with the Unwins Bridge Road properties are to be replaced with fire rated frosted glazing.
2. Amended architectural plan details that show the privacy louvres and screens proposed on Levels 1 to 3 of Buidling 1 are angled upwards to prevent overlooking into the adjacent Unwins Bridge Road properties]
3. DELIBERATELY LEFT BLANK.
4. ***The increase of the basement footprint depicted on the “S4.56 Changes Index” as “456.09” and shown on the basement 1 and basement 2 plans (drawing numbers DA-20-98 and DA-20-99, Rev 26, dated 24/05/2023, indicated and bubbled in red as “456.09”) must be deleted. The footprint of basement 1 and basement 2 must remain as shown on drawing numbers DA-DA-20-98 and DA-DA-20-99, Rev D, dated 10/11/2022. The internal layout of the basement must be amended to ensure that the approved number of parking spaces, as outlined in condition 17, are retained.***

**(Added under MOD/2023/0211 on 5 March 2024)**

1. ***Any reference to “456.02” (i.e., amendments/upgrades to the Edith Street public domain) must be deleted from all documents (including architectural plans and Landscape DA Package (dated May 2023)) listed in condition 1.***

**(Added under MOD/2023/0211 on 5 March 2024)**

Copies of the above documents are to be submitted to the satisfaction of the General Manager of Council and are to accompany the relevant construction certificate.

**(Condition 2 amended under MOD/2023/0211 on 5 March 2024)**

**25. Tree Protection**

No trees on public property (footpaths, roads, reserves etc.) are to be removed or damaged during works unless specifically approved in this consent or marked on the approved plans for removal.

Prescribed trees protected by Council’s Management Controls on the subject property and/or any vegetation on surrounding properties must not be damaged or removed during works unless specific approval has been provided under this consent.

Any public tree within five (5) metres of the development must be protected in accordance with Council’s Development Fact Sheet—Trees on Development Sites.

No activities, storage or disposal of materials are to take place beneath the canopy of any tree (including trees on neighbouring sites) protected under Council's Tree Management Controls at any time.

The trees identified below are to be retained and protected in accordance with the conditions of consent and Tree Protection Plan as part of the Arboricultural Impact Assessment, prepared by Bluegum Tree Care & Consultancy, dated July 2022, throughout the development:

|  |  |  |
| --- | --- | --- |
| **Tree No.** | **Botanical/Common Name** | **Location** |
| 1 | *Fraxinus* *griffithii* (Evergreen Ash) | Mary Street |
| 2 | *Leptospermum* *petersonii* (Lemon Scented tea tree) | Mary Street |
| 3 | *Pittosporum* *sp*. (Pittosporum) | Mary Street |
| 4 | *Fraxinus* *griffithii* (Evergreen Ash) | Mary Street |
| 5 | *Pittosporum* *sp*. (Pittosporum) | Mary Street |
| 8 | *Waterhousia* *floribunda* (Weeping Lilly Pilly) | Existing Building 4 |
| 9 | *Strelitzia* *nicolai* (Giant Bird of Paradise) | Rear 71 May street |
| 10 | *Grevillea* *robusta* (Silky Oak) | Rear 69 May Street |
| 11 | *Morus* (Mulberry) Non Prescribed tree | Rear 69 Mary Street |
| 12 | *Liquidambar* *styraciflua* (Liquidambar) | Rear of 69 Mary Street |
| 13 | *Melia* *azedarach* (White Cedar) | Rear 59 Mary Street |
| 14 | *Jacaranda* *mimosifolia* (Jacaranda) | Rear 59 Mary Street |
| 15 | *Howea* *forsteriana* (Kentia Palm) | Rear 59 Mary Street |
| 16 | *Howea forsteriana* (Kentia Palm) | Rear 59 Mary Street |
| 30 | *Tibouchina lepidota* ‘Alstonville’ (Tibouchina) | Edith Street |
| 31 | *Elaeocarpus reticulatus* (Blueberry Ash) | Edith Street |
| 32 | *Gleditsia triacanthos* (Honey Locust) | Edith Street |
| 34 | *Jacaranda mimosifolia* (Jacaranda) | Edith Street |
| 35 | *Fraxinus griffithii* (Evergreen Ash) | Edith Street |
| 36 | *Jacaranda mimosifolia* (Jacaranda) | Edith Street |
| 37 | *Jacaranda mimosifolia* (Jacaranda) | Edith Street |
| 38 | *Fraxinus griffithii* (Evergreen Ash) | Edith Street |
| 39 | *Gleditsia triacanthos* (Honey Locust) | Edith Street |
| 40 | *Fraxinus griffithii* (Evergreen Ash) | Edith Street |
| 41 | *Araucaria columnaris* (Cook Pine) | 43 Roberts Street |
| 42  **~~43~~**  44  45 | *Callistemon salignus* (Willow Bottlebrush)  ***~~Grevillea robusta~~* ~~(Silky Oak)~~**  *Morus spp.* (Mulberry)  *Prunus spp.* (Ornamental Cherry) | 43 Roberts Street  **~~32 Roberts Street~~**  Rear 55-57 Mary St  Rear 55-57 Mary St |

Details of the trees must be included on all Construction Certificate plans and shall be annotated in the following way:

1. Green for trees to be retained;
2. Red for trees to be removed.

**(Condition 25 amended under MOD/2023/0211 on 5 March 2024)**

**27. Inspection by Project Arborist**

The trees to be retained must be inspected, monitored and treated by the Project Arborist during and after completion of development works to ensure their long-term survival. Regular inspections and documentation from the Project Arborist to the Certifying Authority are required at the following times or phases of work:

|  |  |  |
| --- | --- | --- |
| **Tree No./ Botanical/ Common Name/ Location** | **Time of Inspection** | **Key stage/ Hold point** |
| |  |  |  | | --- | --- | --- | | **Tree No.** | **Botanical/Common Name** | **Location** | | 1 | *Fraxinus griffithii*(Evergreen Ash) | Mary Street | | 2 | *Leptospermum petersonii* (Lemon Scented tea tree) | Mary Street | | 3 | *Pittosporum sp.* (Pittosporum) | Mary Street | | 4 | *Fraxinus griffithii*(Evergreen Ash) | Mary Street | | 5 | *Pittosporum sp.* (Pittosporum) | Mary Street | | 8 | *Waterhousia floribunda*  (Weeping Lilly Pilly) | Existing Building 4 | | 9 | *Strelitzia nicolai*(Giant Bird of Paradise) | Rear 71 May street | | 10 | *Grevillea robusta* (Silky Oak) | Rear 69 May Street | | 11 | *Morus*(Mulberry) Non Prescribed tree | Rear 69 Mary Street | | 12 | *Liquidambar styraciflua* (Liquidambar) | Rear 69 Mary Street | | 13 | *Melia azedarach* (White Cedar) | Rear 59 Mary Street | | 14 | *Jacaranda mimosifolia* (Jacaranda) | Rear 59 Mary Street | | 15 | *Howea forsteriana* (Kentia  Palm) | Rear 59 Mary Street | | 16 | *Howea forsteriana* (Kentia  Palm) | Rear 59 Mary Street | | 30 | *Tibouchina lepidota* ‘Alstonville’ (Tibouchina) | Edith Street | | 31 | *Elaeocarpus reticulatus*(Blueberry Ash) | Edith Street | | 32 | *Gleditsia triacanthos (Honey Locust)* | Edith Street | | 34 | *Jacaranda mimosifolia* (Jacaranda) | Edith Street | | 35 | *Fraxinus griffithii*(Evergreen Ash) | Edith Street | | 36 | *Jacaranda mimosifolia* (Jacaranda) | Edith Street | | 37 | *Jacaranda mimosifolia* (Jacaranda) | Edith Street | | 38 | *Fraxinus griffithii*(Evergreen Ash) | Edith Street | | 39 | *Gleditsia triacanthos (Honey Locust)* | Edith Street | | 40 | *Fraxinus griffithii*(Evergreen Ash) | Edith Street | | 41 | *Araucaria columnaris*(Cook Pine) | 43 Roberts Street | | 42  **~~43~~**  44  45 | *Callistemon salignus* (Willow Bottlebrush)  ***~~Grevillea robusta~~* ~~(Silky Oak)~~**  *Morus spp*. (Mulberry)  *Prunus spp.* (Ornamental Cherry) | 43 Roberts Street  **~~32 Robert Street~~**  Rear 55-57 Mary St  Rear 55-57 Mary St | | Prior to commencement of works | Inspection  and sign off  installation  of tree  protection  measures.    This applies  to all trees  in the table. |
| During Works | Supervise  all site  preparation  and  demolition  works within  the TPZ;  Supervise  all works  inside or  above the  TPZ;  Supervise  all  excavation,  trenching  works withi  n the TPZ.    This applies  to all trees  in the table. |
| In accordance with pages 8, 9, 10 and 11 detailed in the detailed in the Arboricultural Impact Assessment, Bluegum Tree Care & Consultancy, July 2021, and section 4 of AS4970—*Protection of trees on development sites.*  This applies to all trees in the table. | |

Recommendations to ensure the tree/s long term survival must be carried out immediately upon receipt of the report.

**(Condition 27 amended under MOD/2023/0211 on 5 March 2024)**

**54. Stormwater Drainage System – Major**

Developments Prior to the issue of a Construction Certificate for Main Works Stage 1, Phase 3 and Main Works Stage 2, Phase 2, the Certifying Authority must be provided with stormwater drainage design plans incorporating on site stormwater detention and/or on site retention/ re-use facilities (OSR/OSD) and Stormwater Quality Improvement Devices (SQIDS), certified by a suitably experienced Civil Engineer who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng) that the design of the site drainage system complies with the following specific requirements:

1. **~~The design must be generally in accordance with the Stormwater Management Plan dated 24 October 2022 and stormwater plans on Drawing Nos. CI-DA-520-01 Rev C dated 21/10/2022, CI-DA-520-02 Rev C dated 21/10/2022 , CI-DA-520-03 Rev C dated 21/10/2022, CI-DA-520-04 Rev C dated 21/10/2022, CI-DA-521-01 Rev C dated 21/10/2022, CI-DA-521-02 Rev B dated 06/07/2022, CI-DA-526-01 Rev B dated 06/07/2022, CI-DA-526-02 Rev B dated 06/07/2022,CI-DA-526-03 Rev C dated 21/10/2022 and CI-DA-526-04 Rev C dated 21/10/2022 prepared by Stantec as amended to comply with the following;~~**
2. ***The design must be generally in accordance with the Stormwater Management Report dated 26 May 2023 and stormwater plans on Drawing Nos. CI-DA-520-01 Rev F dated 26/05/2023, CI-DA-520-02 Rev F dated 26/05/2023, CI-DA-520-03 Rev F dated 26/05/2023, CI-DA-520-04 Rev F dated 26/05/2023, CI-DA-521-01 Rev F dated 26/05/2023 , CI-DA-521-02 Rev E dated 26/05/2023, CI-DA-526-01 Rev E dated 26/05/2023, CI-DA-526-02 Rev E dated 26/05/2023,CI-DA-526-03 Rev F dated 26/05/2023and CI-DA-526-04 Rev F dated 26/05/2023 prepared by Stantec as amended to comply with the following;***
3. The new 375 diameter pipe in Mary Street shall be extended to the existing pit adjacent 71 Mary Street.
4. Stormwater runoff from all surface areas within the property must be collected in a system of gutters, pits and pipelines and to be discharged by gravity directly to Council’s piped drainage system via the OSD/OSR tanks;
5. Comply with Council’s Stormwater Drainage Code, Australian Rainfall and Runoff (A.R.R.), Australian Standard AS3500.3-2018 ‘Stormwater Drainage’ and Council's DCP.
6. Charged or pump-out stormwater drainage systems are not permitted including for roof drainage other than for the pump-out of surface flows from the basement;
7. The Drainage Plan must detail the existing and proposed site drainage layout, size, class and grade of pipelines, pit types, roof gutter and downpipe sizes;
8. The on-site detention system must be designed for all storm events from the 1 in 5 years to the 1 in 100 year storm event, with discharge to a Council controlled storm water system limited to fully pervious (state of nature) conditions;
9. Storage for the 1-year ARI storm event must be provided fully below ground;
10. Details of the Height vs Storage and Height vs Discharge relationships must be submitted;
11. Pipe and channel drainage systems including gutters must be designed to convey the one hundred (100) year Average Recurrence Interval (ARI) flows from the contributing catchment to the OSD/OSR tanks;
12. Details of the 1 in 100-year ARI overflow route in case of failure\blockage of the drainage system must be provided;
13. An overland flowpath must be provided within the setback to the eastern side boundary between Edith and Roberts Streets to convey existing 1 in 100 year overland flows;
14. A pump-out system for drainage of surface flows from the basement ramp is permitted for the basement area only and must be designed in accordance with the following criteria:
    1. Comply with all relevant Australian Standards;
    2. An overflow, flashing light and audible alarm is to be provided to warn of pump failure;
    3. A maintenance regime for the pump system must be provided, including provision for regular maintenance and servicing at least every 6 months;
    4. The proposed pump system must consist of two (2) pumps, connected in parallel, with each pump being capable of emptying the holding tank at a rate equal to the rate of inflow for the one-hour duration, 100-year Average Recurrence Interval (ARI) storm event. The holding tank must be capable of holding one hour’s runoff from one-hour duration 20-year ARI storm event;
    5. Where OSD facilities are required by this consent, the pump system must be discharged to the OSD storage tank;
15. Details of external catchments currently draining to the site must be included on the plans. Existing natural overland flows from external catchments may not be blocked or diverted, but must be captured and catered for within the proposed site drainage system. Where necessary an inter-allotment drainage system must be incorporated into the design;
16. No nuisance or concentration of flows to other properties;
17. The stormwater system must not be influenced by backwater effects or hydraulically controlled by the receiving system;
18. Plans must specify that any components of the existing system to be retained must be certified during construction to be in good condition and of adequate capacity to convey the additional runoff generated by the development and be replaced or upgraded if required;
19. An inspection opening or stormwater pit must be installed inside the property, adjacent to the boundary, for all stormwater outlets;
20. All stormwater outlets through sandstone kerbs must be carefully core drilled in accordance with Council standard drawings;
21. All redundant pipelines within footpath area must be removed and footpath/kerb reinstated, only to the extent they are encountered as part of approved works;
22. Stormwater quality improvement devices must be installed such that stormwater flows leaving the site meet the following environmental targets:

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| **Pollutant** | **Baseline Annual Pollution Load (kg/ha/yr)** | **Retention Criteria** |
| Gross Pollutants, including trash, litter and vegetation matter greater than 5mm | 500 | 90% reduction of average annual load |
| Total Suspended solids, including sediment and other fine material less than 5mm | 900 | 85% reduction of average annual load |
| Total Phosphorous | 2 | 65% reduction of average annual load |
| Total Nitrogen | 15 | 45% reduction of average annual load |
| Hydrocarbons (Oil and Grease) |  | 90% reduction of average annual load – no visible discharge |
| Toxicants |  | 100% containment of toxicants |

1. A WSUD Strategy Report must be provided to ensure the treatment measures proposed to meet Council’s water quality targets. For sites with a GFA greater than 2000sqm a MUSIC model (including .sqz file)must be included with the report;
2. A detailed WSUD maintenance plan outlining how all elements of the water quality treatment facility will be maintained and to record annual inspections/maintenance works to be undertaken.
3. Dry-weather flows of any seepage water including seepage from landscaped areas will not be permitted through kerb outlets and must be connected directly to a Council stormwater system.
4. No impact to street tree(s).