

**Development Consent Conditions  
(Medium Density Residential)**



**GENERAL CONDITIONS**

Condition

1. **Approved plans and documentation**

Development must be implemented substantially in accordance with the plans and supporting documentation listed below and endorsed with Council's approved stamp, except where amended by Council in red and/or by other conditions of this consent:

<b><i>Plan</i></b>	<b><i>Drawn by</i></b>	<b><i>Dated</i></b>
DA 0.1 – Title Sheet – Rev C	Hill Thalys	21/8/24
DA 2.03 – Public views analysis – Rev C	Hill Thalys	21/8/24
DA 2.04 – Private views analysis – Rev C	Hill Thalys	21/8/24
DA 2.10 –Ground Floor Envelope Plan – Rev H	Hill Thalys	21/8/24
DA 2.11 –Level 1 Envelope Plan– Rev H	Hill Thalys	21/8/24
DA 2.12 – Level 2 Envelope Plan Rev F	Hill Thalys	21/8/24
DA 2.13 –Level 3 Envelope Plan – Rev G	Hill Thalys	21/8/24
DA 2.13a –Level 4 Envelope Plan – Rev B	Hill Thalys	21/8/24
DA 2.14 – Indicative Basement Parking – Rev E	Hill Thalys	21/8/24
DA 2.15 – Landscaped Area – Rev G	Hill Thalys	21/8/24
DA 2.16 Communal open space - Rev D	Hill Thalys	21/8/24
DA 2.19 – Indicative apartment mix – Rev D	Hill Thalys	21/8/24
A 2.020 – Affordable housing units – Rev F	Hill Thalys	12/11/2024
DA 2.21 – West Elevation – Jennifer St – Rev F	Hill Thalys	21/8/24
DA 2.22 – North Elevation – Rev F	Hill Thalys	21/8/24
DA 2.23 – East Elevation – Rev F	Hill Thalys	21/8/24

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	DA 2.24 – North Elevation/ Section – Rev G	Hill Thalys	21/8/24
	DA 2.25 – Section/South Elevation – Rev D	Hill Thalys	21/8/24
	DA 3.01 Indicative Roof Plan – Rev C	Hill Thalys	21/8/24
	Amended Stage 1 Design Principles Built Form		Undated

In the event of any inconsistency between the approved plans and supplementary documentation, the approved drawings will prevail.

Condition Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

2. **Amending DA and Concept plan**

This consent must be implemented in conjunction with the development under DA/698/2020 including any associated modification applications.

Condition reason: To ensure the amending DA is carried out in conjunction with the previous Concept Plan Stage 1 DA approval.

3. **Consent Requirements**

This determination made under DA/487/2024 amends the determination made under DA/698/2020 only in so far as the modifications referenced in condition 1 of this consent and any additional and amending conditions attached to this consent.

Condition Reason: To ensure any requirements under DA/698/2020 are retained inclusive of the amending components of this DA.

4. **External Colours, Materials & Finishes**

The colours, materials and finishes of the external surfaces to the building are to be in accordance with the Proposed Schedule of Materials, finishes and colours prepared by Hill Thalys Architecture & Urban Projects, Foster Street Surry Hills, dated as 28 May 2024 and received by Council 11 June 2024. Details of any changes to the proposed colours, materials and textures are to be submitted to and approved by Council, in accordance with Section 4.17 of the Environmental Planning and Assessment Act 1979 prior to a construction certificate being issued for the development.

Condition Reason: To ensure colours, materials and finishes are appropriate and compatible with surrounding development.

5. **Archaeological and aboriginal conservation**

This site is relatively undisturbed, and in proximity to areas of indigenous provenance. Therefore, all contractors/trades persons involved in excavation works must be formally made aware of at least the possibility of archaeological remains or Aboriginal objects. In the unlikely event that such historical archaeological remains or deposits are exposed during the works, all work should cease while an evaluation of their potential extent and significance is undertaken, and the NSW Heritage Office notified under the requirements of the Heritage Act.

Condition Reason: To ensure aboriginal and archaeological heritage is protected.

6. **Affordable housing**

A subsequent future Staged DA shall allocate a minimum area of 1,614sqm of internal unit area for affordable housing with 2 units within the development to be used as affordable housing and all units shall be managed by a Community Housing Provider in accordance with the requirements of Chapter 2 of the Housing SEPP 2021.

Condition Reason: To ensure subsequent DA's are required to include AHC as part of its development.

7. **Section 7.12 Development Contributions**

In accordance with Council's Development Contributions Plan effective from 21 April 2015, based on the development cost of \$14,852,586 the following applicable monetary levy must be paid to Council: \$148,526.00.

The levy must be paid in **cash, bank cheque** or by **credit card** prior to a construction certificate being issued for the proposed development. The development is subject to an index to reflect quarterly variations in the Consumer Price Index (CPI) from the date of Council's determination to the date of payment. Please contact Council on telephone **9093 6000** or **1300 722 542** for the indexed contribution amount prior to payment.

To calculate the indexed levy, the following formula must be used:

$$\text{IDC} = \text{ODC} \times \text{CP2/CP1}$$

Where:

**IDC** = the indexed development cost

**ODC** = the original development cost determined by the Council

**CP2** = the Consumer Price Index, All Groups, Sydney, as published by the ABS in respect of the quarter ending immediately prior to the date of payment

**CP1** = the Consumer Price Index, All Groups, Sydney as published by the ABS in respect of the quarter ending immediately prior to the date of imposition of the condition requiring payment of the levy.

Council's Development Contribution Plans may be inspected at the Customer Service Centre, Administrative Centre, 30 Frances Street, Randwick or at [www.randwick.nsw.gov.au](http://www.randwick.nsw.gov.au).

Condition Reason: To ensure relevant contributions are paid.

8. **Parking & Traffic conditions**

Parking (including motorbike and bicycle parking) shall be provided in accordance with the parking rates outlined in Part 2 Division 1 Clause 19 ( e ) of the Housing SEPP (2021) and/or Part B7 of Randwick Council's DCP 2013, as applicable.

Condition Reason: To ensure parking is provided in accordance with relevant provisions.

9. **Site seepage & Dewatering (The following condition supersedes conditions 26 & 27 of DA/698/2020)**

Any future development must comply with the following requirements to ensure the adequate management of site seepage and sub-soil drainage:

- a) Seepage/ground water and subsoil drainage (from planter boxes etc) must not

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Condition

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be collected & discharged directly or indirectly to Council's street gutter or underground drainage system.

- b) Adequate provision is to be made for the ground water to drain around the basement carpark (to ensure the basement will not dam or slow the movement of the ground water through the development site).
- c) Natural subsurface seepage flow patterns shall be maintained through the site as much as possible.
- d) The walls of the basement level/s of the building are to be suitably waterproofed to ensure that any seepage water does not damage the structural integrity of the basement and that there is a controlled entry of seepage flows into the basement. Council will allow a partially drained basement based on the applicant's geotechnical studies which show low volumes of seepage water during wet weather and very low potential for dry weather seepage flows.
- e) Sub-soil drainage systems may discharge via infiltration subject to the hydraulic consultant/engineer being satisfied that the site and soil conditions are suitable and the seepage is able to be fully managed within the site, without causing a nuisance to any premises and ensuring that it does not drain or discharge (directly or indirectly) to the street gutter.
- f) Details of the proposed stormwater drainage system including any sub-soil drainage systems (as applicable) must be prepared or approved by a suitably qualified and experienced Professional Engineer qualified and experienced Hydrogeological Engineer and be submitted to and approved by the Principal Certifier, prior to issuing of any Stage 2 construction certificate. **A copy of the proposed method for tanking the basement levels must be forwarded to Council if Council is not the Principal Certifier**

Condition Reason: To manage dewatering, site seepage and stormwater.

10. **Waste Management (the following condition supersedes condition 33 of DA/698/2020).**

Future provision must be made for bulky waste. Bulky waste storage rooms/areas shall be designed to accommodate a total of **30m<sup>3</sup>** for the entire site and shall have a minimum dimension of 3m.

Condition Reason: To ensure the development satisfies requirements for waste management.

11. **Sydney Water (The following condition supersedes condition 35 of DA/698/2020)**

A compliance certificate must be obtained from Sydney Water, under Section 73 of the Sydney Water Act 1994. Sydney Water's assessment will determine the availability of water and sewer services, which may require extension, adjustment or connection to their mains, and if required, will issue a Notice of Requirements letter detailing all requirements that must be met. Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator (WSC).

Go to [sydneywater.com.au/section73](http://sydneywater.com.au/section73) or call 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

The Section 73 Certificate must be submitted to the Principal Certifier and the Council prior to the submission of any subsequent **Stage 2 application**.

Condition Reason: To ensure Sydney Water compliance is obtained for the concept plan works.

12. **Stormwater Management**

Concept drainage plans shall be submitted with any future stage 2 development application that demonstrate how stormwater runoff will be managed for the redeveloped portion of the site. The drainage plans shall indicate the following:

- Location and level of any existing and proposed stormwater pipes and drainage pits within the site
- Location and approximate area of any existing and proposed on-site detention facilities within the site.
- Discharge points to Council controlled stormwater system.
- Location of any infiltration areas, sediment/ silt arrestor pits, or discharge control pits.
- Any overland flow paths.
- Council controlled pipelines in vicinity of the site and any existing/proposed drainage easements across adjoining land.

In preparing the concept drainage plans the applicant shall also note the following:

- a) Stormwater runoff from the site shall discharge to a dispersion system adjacent to the eastern boundary at the lowest part of the site so as to replicate existing drainage patterns and ensure natural drainage is maintained to the adjacent St Michaels Golf Club.
- b) An on-site stormwater detention system must be provided to ensure that the maximum discharge from the site does not exceed that which would occur in the predevelopment state. All other stormwater run-off from the site for all storms up to the 1% AEP (1 in 100 year) storm is to be retained on the site for gradual release dispersion system, to the satisfaction of the certifying authority.
- c) Generally, all internal pipelines must be capable of discharging a 1 in 20 year storm flow. However, the minimum pipe size for pipes that accept stormwater from a surface inlet pit must be 150mm diameter. The site must be graded to direct any surplus run-off (i.e. above the 1 in 20 year storm) to the proposed drainage (detention/infiltration) system.
- d) Any onsite detention/infiltration systems shall be located in areas accessible by residents and must not result in the loss of any additional ESBS beyond what is proposed on the court approved plans.

Condition Reason: To ensure stormwater is adequately managed.

13. **Landscape Plans (the following three (3) Landscape conditions supersede conditions 28-30 of DA/698/2020)**

Written certification from a qualified professional in the Landscape industry (must be eligible for membership with a nationally recognised organisation/association) must state that the scheme submitted for the Construction Certificate is substantially consistent with the Landscape Design Concept Plans by TURF, dwg's LA01-23, issue E dated May 2024, with both this written statement and plans to then be submitted to, and be approved by, the Principal Certifier.

Condition Reason: To ensure landscaping is appropriately provided.

14. **Landscape Certification**

Prior to any Occupation Certificate, certification from a qualified professional in the Landscape industry must be submitted to, and be approved by, the Principal Certifier, confirming the date that the completed landscaping was inspected, and that it has been installed substantially in accordance with the Landscape Design Concept Plans by TURF, dwg's LA01-23, issue E dated May 2024, and any other relevant conditions of consent.

Condition Reason: To ensure Landscaping is appropriately certified.

15. **Landscaping**

Suitable strategies shall then be implemented to ensure that the landscaping is maintained in a healthy and vigorous state until maturity, for the life of the development.

Condition Reason: To ensure long term health of landscaping.