



RECOMMENDED CHANGES TO CONDITIONS OF CONSENT

Amend Condition 1 as follows:

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
Various	<i>Architectural plans dated October 2024:</i> <ul style="list-style-type: none">• <i>DA-01-00 [15] Cover Sheet-Drawing Index</i>• <i>DA-01-01[4] Changes Index</i>• <i>DA-11-01[13] Site Analysis Plan</i>• <i>DA-11-02[14] Proposed Site Plan</i>• <i>DA-15-0G[16] Ground floor demolition plan</i>• <i>DA-15-01[16] Level 1 demolition plan</i>• <i>DA-15-02[16] Level 2 demolition plan</i>• <i>DA-15-08[16] Roof demolition plan</i>• <i>DA-20-98[33] Basement 2 Plan</i>• <i>DA-20-99[33] Basement 1 Plan</i>	02/10/2024	Cox Architecture

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	<ul style="list-style-type: none"> • DA-21-0G[41] Ground floor plan • DA-21-01[35] Level 1 floor plan • DA-21-02[34] Level 2 floor plan • DA-21-03[34] Level 3 floor plan • DA-21-04[34] Level 4 floor plan • DA-21-05[34] Level 5 floor plan • DA-21-06[34] Level 6 floor plan • DA-21-07[33] Level 7 floor plan • DA-21-08[30] Roof plan • DA-30-00[22] North-East elevations • DA-30-01[23] North-East elevations • DA-30-02[23] North-West elevations • DA-30-03[22] North-West elevations • DA-30-04[23] South-West elevations • DA-30-05[24] South-West elevations • DA-30-06[24] South-East elevations • DA-30-07[23] South-East elevations 		
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	<ul style="list-style-type: none"> • DA-30-10[11] Streetscape elevations • DA-40-00[27] Section 1 and 2 • DA-40-01[26] Section 3 and 4 • DA-83-00[15] SEPP65 Compliance Solar Diagrams • DA-83-08[15] SEPP65 Compliance Cross Ventilation • DA-83-09[11] SEPP65 Compliance Storage • DA-83-10[9] SEPP 65 Compliance Storage • DA-83-11[9] SEPP65 Compliance Storage • DA-84-00[11] Shadow Diagrams Winter • DA-84-01[11] Shadow Diagrams Equinox • DA-84-02[11] Shadow Diagrams Summer • DA-90-00[15] Development Calculations GFA • DA-90-01[5] Development 		
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	Calculations GFA <ul style="list-style-type: none"> • DA-90-02[14] Adaptable Unit Plans • DA-90-04[11] Staging Diagrams 		
REV I	SEPP 65 Design Verification Statement 4.56	2 October 2024	Cox Architecture
Rev R	Landscape DA Package- Modification	July 2025	Arcadia
SO1110 Rev N	Operational Waste Management Plan	19 September 2024	Elephants Foot
24-1178, Rev 4	Precinct 75 Stormwater Management Report	March 2025	At&L
CI10-0-1-01-Issue 1	Siteworks and Stormwater Drainage Plan- Sheet 1	12 February 2025	At&L
CI10-0-2-02, Issue 2	Siteworks and Stormwater Drainage Plan- Sheet 2	16 July 2025	At&L
CI10-0-3-03, Issue 1	Siteworks and Stormwater Drainage Plan- Sheet 3	12 February 2025	At&L
C110-0-4-04, Issue 3	Siteworks and Stormwater Drainage Plan-Sheet 4	16 July 2025	At&L
B24U004A1	Accessibility Compliance Capability Letter	4 October 2024	Certified building specialists
240209	Acoustic Statement	18 November 2024	PWNA
1192547M_11	BASIX Certificate	6 December 2024	Integreco Consulting Pty Ltd
B24U004A1	NCC Compliance Capability Letter	4 October 2024	Certified Building Specialists

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224-N174, Rev 3	BASIX, Thermal Comfort and ESD Report	6 December 2024	Green Perch
	NatHERS Certification No.0009714560	4 December 2024	
EW24021	Traffic Engineering Assessment	9 December 2024	Genesis Traffic
Not stated	Solar Panels	Not stated	Cox
"Amended SEE for LEC"	Amended Statement of Environmental Effects	25 October 2022	Ethos Urban
240622 (post lodgement)	Preliminary Site Management Plan	26 October 2022	Ethos Urban
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
"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

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	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
3-	BASIX Report	17 November 2022	Stantec
<i>24026_H_SK01_1 Rev 1</i>	<i>Basement Hydraulic Drainage Concept Design</i>	<i>10 March 2024</i>	<i>JK</i>
<i>E26319.E99.001_Rev 1</i>	<i>Conceptual Design of a Treatment System for Extracted Water in a Drained Basement, Site B, 73 Mary Street, St Peters, NSW</i>	<i>7 March 2024</i>	<i>El Australia</i>
008-	Revised Stormwater Management Plan and Civil Engineering Drawings	26 May 2023	Stantec
5	Revised Access Assessment Report	7 June 2023	BCA Access
1.4	Revised BCA Statement of Compliance	8 June 2023	Steve Watson & Partners

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6-	Revised BASIX Report-	26 May 2023-	Stantec-
Rev E-	SEPP 65 Design Verification Statement-	24 October 2022	Cox Architecture
Rev I-	Landscape DA Package	26 October 2022	Arcadia
Rev G	Operational Waste Management Plan	8 July 2022	Elephants Foot
1.0-	Statement of environmental Effects	28 June 2023-	Ethos Urban-
Various-	<ul style="list-style-type: none"> • 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 	Various-	Cox Architecture-

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	<p>20232, Revision 9</p> <ul style="list-style-type: none"> • 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-20-96 Alternative Basement 2 		
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	<p>Plan, dated 31 August 2023, Revision 3</p> <ul style="list-style-type: none"> • DA-20-97 Basement 1 Plan, dated 31 August 2023, Revision 3 • 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, 		
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	<p>dated 24 May 2023, Revision 23</p> <ul style="list-style-type: none"> • 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 		
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	<p>2023, Revision 16</p> <ul style="list-style-type: none"> • 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 		
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	<p>24 May 2023, Revision 7</p> <ul style="list-style-type: none"> • 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 		
Rev L	Landscape DA Package	May 2023	Arcadia
H	SEPP 65 Design Verification	24 May 2023	Cox Architecture

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	Statement Section 4.56		
J	Revised Operational Waste Management Plan	25 May 2023	Elephants Foot
Rev 003-	Stormwater Management Plan and Drawings-	24 October 2022-	Stantec-
Rev 4-	ESD DA Report-	July 2022-	Stantec-
-	BASIX Certificate 1192547M_06-	17 November 2022-	Stantec-
-	NaTHERS Certification No. LBJJ4KGUS8-	17 November 2022-	-
-	Revised BASIX Certificate 1192547m_09-	26 May 2023-	Stantec-
-	NaTHERS Certification No. FHK43IQOMQ-	12 May 2023-	Stantec-

~~Except where superseded by design changes (as outlined in the changes index referenced in the table below) shown in the following documents and except the basement 1 and basement 2 plans, which are to be constructed as shown in the table below:-~~

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.

~~(Condition 1 amended under MOD/2023/0211 on 6 March 2024)-~~

~~(Condition 1 amended under MOD/2023/0326 on 27 June 2024)-~~

(Condition 1 amended under MOD/2025/0010)

Amend condition 2 (general notes) and condition 2(g) as follows:

2. 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 Development Assessment** Manager of Council and the



approved plans are to be submitted to the Certifying Authority with the relevant construction certificate:

- g) 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:
- i. 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.
 - ii. 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~~ **2** Plan:
 - 1. are allocated to those respective uses;
 - 2. are otherwise unrestricted; and
 - 3. are not subject to charges for parking.
 - iii. 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.
 - iv. 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.
 - v. 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:
 - a. 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:
 - i. allocated to the "artisan food and drink industry" use;
 - ii. is subject to free parking for 2 hours; and
 - iii. is subject to charges for parking after the 2-hour free period.
- vi. 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.
- vii. 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.

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Amed condition 2(j) as follows:

- j) ***The proposed windows on Levels 1 to 3 of Building 1 are to be frosted glazing to prevent overlooking into the adjacent Unwins Bridge Road properties.***

~~Amended architectural plan details that show the privacy louvres and screens proposed on Levels 1 to 3 of Building 1 are angled upwards to prevent overlooking into the adjacent Unwins Bridge Road properties]~~

(amended under MOD/2025/0010)

Add condition 2(m) as follows:

m) External Screen Building 1/6

The screening to Building 1/6 as shown on drawing number DA-30-02 Rev 23, dated 02/10/2024, prepared by Cox Architecture, must be extended downwards to also cover Level 4.

(added under MOD/2025/0010)

Add Condition 2A as follows:

2A. Approved Maximum Height (Sydney Airport)

This location lies within an area defined in schedules of the Civil Aviation (Buildings Control) Regulations which limit the height of structures to 15.24 metres above existing ground height (AEGH) without prior approval of the Civil Aviation Safety Authority.

The maximum height of the development must not exceed 43.51 metres Australian Height Datum (AHD).



The approved height is inclusive of all lift over-runs, vents, chimneys, aerials, TV antennae, construction cranes etc.

Should the height of any temporary structure and/or equipment be greater than 15.24 metres AEGH, a new approval must be sought in accordance with the Civil Aviation (Buildings Control) Regulations Statutory Rules 1988 No. 161.

Sydney Airport advises that approval to operate construction equipment (ie cranes) should be obtained prior to any commitment to construct.

"Prescribed airspace" includes "the airspace above any part of either an Obstacle Limitation Surface (OLS) or Procedures for Air Navigation Services – Aircraft Operations (PANS-OPS) surface for the airport (Regulation 6(1)).

The height of the prescribed airspace at this location is 46 metres above AHD.

(added under MOD/2025/0010)

Amend Condition 10 as follows:

10. GFA

The gross floor areas (GFA) of the development approved under this development consent is as follows:

- a. Build to Rent Residential and Residential Amenity – Maximum ~~15,205sqm~~
15,484sqm
- b. Commercial Office – Maximum 12,696sqm
- c. Retail – Maximum 1,506sqm
- d. Community Centre – ~~239sqm~~ **264sqm**
- e. Light industrial – Minimum 1,600sqm

Where a maximum GFA has been nominated this quantum is not to be exceeded.

(amended under MOD/2025/0010)

Amend Condition 22 as follows:

22. Noise- Consultant's Recommendations

The recommendations contained in Section 6 and 7 of the Noise and Vibration Impact Assessment prepared by E-Lab Consulting, Reference P00011, Revision 11 dated 4 November **2022 and as amended under the Acoustic Statement prepared by PWNA dated 18 November 2024** must be implemented, including the following:

- a) Mechanical plant locations and noise mitigation measures.
- b) Aircraft noise mitigation measures.



- c) The hours of use for all outdoor communal areas are restricted to 7:00am to 10:00pm.
- d) No amplified music in the outdoor communal areas.
- e) Construction of solid wall component on balconies in Building C for apartments No. BC2.04, BC3.04, BC4.04, and BC5.04, BC6.04 and BC7.04 identified on the approved plans, the solid element having a surface density of no less than 16kg/m² (glass solid element, or other, with a minimum acoustic rating of Rw35). The solid wall is to span slab to slab and be acoustically sealed so there is no leaks or gaps.

(amended under MOD/2025/0010)

Amend Condition 25 as follows:

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	<i>Fraxinus griffithii</i> (Evergreen Ash)	Mary Street
2	<i>Leptospermum petersonii</i> (Lemon Scented tea tree)	Mary Street
3	<i>Pittosporum sp.</i> (Pittosporum)	Mary Street
4	<i>Fraxinus griffithii</i> (Evergreen Ash)	Mary Street
5	<i>Pittosporum sp.</i> (Pittosporum)	Mary Street
8	<i>Waterhousia floribunda</i> (Weeping Lilly Pilly)	Existing Building 4

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9	<i>Strelitzia nicolai</i> (Giant Bird of Paradise)	Rear 71 May street
10	<i>Grevillea robusta</i> (Silky Oak)	Rear 69 May Street
11	<i>Morus</i> (Mulberry) Non Prescribed tree	Rear 69 Mary Street
12	<i>Liquidambar styraciflua</i> (Liquidambar)	Rear of 69 Mary Street
13	<i>Melia azedarach</i> (White Cedar)	Rear 59 Mary Street
14	<i>Jacaranda mimosifolia</i> (Jacaranda)	Rear 59 Mary Street
15	<i>Howea forsteriana</i> (Kentia Palm)	Rear 59 Mary Street
16	<i>Howea forsteriana</i> (Kentia Palm)	Rear 59 Mary Street
30	<i>Tibouchina lepidota</i> 'Alstonville' (Tibouchina)	Edith Street
31	<i>Elaeocarpus reticulatus</i> (Blueberry Ash)	Edith Street
32	<i>Gleditsia triacanthos</i> (Honey Locust)	Edith Street
34	<i>Jacaranda mimosifolia</i> (Jacaranda)	Edith Street
35	<i>Fraxinus griffithii</i> (Evergreen Ash)	Edith Street
36	<i>Jacaranda mimosifolia</i> (Jacaranda)	Edith Street
37	<i>Jacaranda mimosifolia</i> (Jacaranda)	Edith Street
38	<i>Fraxinus griffithii</i> (Evergreen Ash)	Edith Street
39	<i>Gleditsia triacanthos</i> (Honey Locust)	Edith Street
40	<i>Fraxinus griffithii</i> (Evergreen Ash)	Edith Street
41	<i>Araucaria columnaris</i> (Cook Pine)	43 Roberts Street
42	<i>Callistemon salignus</i> (Willow Bottlebrush)	43 Roberts Street
43	<i>Grevillea robusta</i> (Silky Oak)	32 Roberts Street
44	<i>Morus</i> spp. (Mulberry)	Rear 55-57 Mary St
45	<i>Prunus</i> spp. (Ornamental Cherry)	

		Rear 55-57 Mary St
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Details of the trees must be included on all Construction Certificate plans and shall be annotated in the following way:

- a) Green for trees to be retained;
- b) Red for trees to be removed.

~~(Condition 25 amended under MOD/2023/0211 on 6 March 2024)~~

(amended under MOD/2025/0010)

Amend Condition 39 as follows:

39. Construction Traffic Management Plan – Detailed

Prior to any demolition, excavation or works commencing on site under this development consent, a detailed Construction Traffic Management Plan (CTMP), must be prepared by an appropriately qualified Traffic Management Consultant with Transport for NSW accreditation. The CTMP must be submitted to ~~the General Manager of Council~~ and approved by Council's **Coordinator Development Engineering** prior to the commencement of any works, including demolition. A copy of the CTMP is to accompany each construction certificate application.

(amended under MOD/2025/0010)

Amend Condition 40 as follows:

40. Construction Noise and Vibration Management Plan

Prior to any demolition or construction works the Certifying Authority must be provided with a detailed Construction Noise and Vibration Management Plan prepared by an appropriately qualified Acoustic engineer. The detailed Construction Noise and Vibration Management Plan is to be submitted to ~~the General Manager of the Council~~ and approved by Council's **Team Leader Environmental Health** prior to the issue of the first construction certificate.

The following matters should be included in the Construction Noise and Vibration Management Plan:

- a) A detailed outline of the work methods and equipment used during all stages of demolition and construction;
- b) An assessment of the noise levels generated by the work methods and equipment. The noise impact is to be assessed at 1.5m above ground and, in the event nearby development is multi-storey, at Level 1 or higher windows on nearby receivers;



- c) The noise mitigation measures proposed in the event of an exceedance of the applicable noise management levels and Highly Noise Affected levels, identified in Part 5 of the Noise and Vibration Impact Assessment prepared by E-Lab Consulting, Reference P00011, Revision 11 dated 4 November 2022;
- d) Activities anticipated to exceed the highly Noise Affected threshold as defined in the EPA Interim Construction Noise Guidelines, the anticipated duration of those activities/works and appropriate specific respite periods must be proposed;
- e) Where exceedances of Highly Noise Affected thresholds are expected, justify any respite periods proposed considering the noise level and the duration of the proposed works.
- f) The vibration mitigation measures outlined Part 9 of the Noise and Vibration Impact Assessment prepared by E-Lab Consulting, Reference P00011, Revision 11 dated 4 November 2022;
- g) Methods for vibration monitoring at the commencement of intensive vibration activities;
- h) The various construction noise and vibration mitigation measures, recommendations and procedures in Part 9 of the Noise and Vibration Impact Assessment prepared by E-Lab Consulting, Reference P00011, Revision 11 dated 4 November 2022;
- i) Consideration of noise from truck movements and fixed plant and proposed methods by which these noise sources will be addressed and/or satisfactorily mitigated; and
- j) Any works proposes outside of the approved construction hours. These works can only occur if the applicant can demonstrate that they will not create a nuisance to neighbouring properties. Specifics must be provided including: i. ii. iii. Nomination of the hours proposed; Identification of the works to be carried out in these hours; Justification as to why and how the works won't create a nuisance to neighbouring properties; and iv. Details of where vehicles will be parked, break locations and use of equipment such as hoist/cranes etc.

The Certifying Authority must be provided with evidence of Council's approval/satisfaction prior to the issue of a construction certificate.

(amended under MOD/2025/0010)

Amend Condition 51 as follows:

51. Green Travel Plan

Prior to the commencement of demolition, excavation or construction works, a Green Travel Plan (GTP), must be submitted to the satisfaction **of the General Manager** of Council's **Coordinator Development Engineering**, to promote the use of active and sustainable transport modes. The plan must:

- a) be prepared by a suitably qualified traffic consultant in consultation with Council;



- b) include objectives and modes share targets (i.e. Site and land use specific, measurable and achievable and timeframes for implementation) to define the direction and purpose of the GTP;
- c) include specific tools and actions to help achieve the objectives and mode share targets;
- d) include measures to promote and support the implementation of the plan, including financial and human resource requirements, roles and responsibilities for relevant employees involved in the implementation of the GTP; and
- e) include details regarding the methodology and monitoring/review program to measure the effectiveness of the objectives and mode share targets of the GTP, including the frequency of monitoring and the requirement for travel surveys to identify travel behaviours of users of the development.

(amended under MOD/2025/0010)

Amend Condition 54(a) as follows:

54. Stormwater Drainage System- Major Developments

- a) ***The design must be generally in accordance with the Precinct 75 Stormwater Management Rev 4 by AT&L dated March 2025, Stormwater plans on Drawing Nos. CI10-0-1-01 Issue 1 dated 12/02/25, CI10-0-2-02 Issue 2 dated 16/07/25, CI10-0-3-03 Issue 1 dated 12/02/25, CI10-0-4-04 Issue 3 dated 16/07/25 and CI10-0-4-10 Issue 1 dated 12/02/25 prepared by AT&L and Conceptual Design of a Treatment System for Extracted Water in a Drained Basement, Site B, 73 Mary Street, St Peters by El Australia dated 7 March 2024 as amended to comply with the following;***
- ~~a) 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;~~
- ~~a) 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 26/05/2023 and CI-DA-526-04 Rev F dated 26/05/2023 prepared by Stantec as amended to comply with the following;~~

(amended under MOD/2025/0010)



Amend Condition 89 as follows:

89. Contamination – Validation (Site Audit Statement Required)

Prior to the issue of an Occupation Certificate for **Main Works Stage 1**, the Principal Certifier and Council must be provided with a Section A Site Audit Statement and Site Audit Report prepared by a NSW Environment Protection Authority accredited Site Auditor for the **Stage 1 site**.

Prior to the issue of an Occupation Certificate for Main Works Stage 2, the Principal Certifier and Council must be provided with a Section A Site Audit Statement and Site Audit Report prepared by a NSW Environment Protection Authority accredited Site Auditor for the Stage 2 site.

The Site Audit Statement must confirm that the site has been remediated and validated in accordance with the RWP (or as updated) and clearly state that the site is suitable for the proposed use.

(amended under MOD/2025/0010)

Amend Condition 89 as follows:

109. No Weep Holes

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with evidence that no weep holes are present on raised planters or retaining walls located on the Mary Street and Edith Street footpaths.

~~Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with evidence that any weep holes to Council road or footpath resulting from the building works have been removed.~~

(amended under MOD/2025/0010)

Amend Condition 89 as follows:

121. Solar Panels

Prior to the issue of an Occupation Certificate, the Principal Certifier must verify that the Solar panels have ~~the same pitch and angle as the roof plane~~ ***a maximum pitch and angle of up to ten (10) degrees and the solar panels must be a minimum of 1 metre away from the perimeter parapet of the relevant building.***

(amended under MOD/2025/0010)