

ATTACHMENT 7 – DRAFT CONDITIONS OF CONSENT

1. **Approved Plans** That the concept development, except as amended by the following conditions, be carried out in accordance with the following drawings:

| Architectural Drawings (Stamped) | | |
|--|---|-----------------|
| Prepared by: Stewart Hollenstein | | |
| Drawing No. | Title/Description | Revision / Date |
| DA1101 | Roof Floor Plan Envelope | I / 17/07/2019 |
| DA1201 | Mindarie Street Elevation Proposed Envelope | I / 17/07/2019 |
| DA1202 | Pinaroo Place Elevation Proposed Envelope | I / 17/07/2019 |
| DA1203 | West Elevation Proposed Envelope | I / 17/07/2019 |
| DA1204 | South Elevation Proposed Envelope | I / 17/07/2019 |
| DA1301 | Section AA Proposed Envelope | I / 17/07/2019 |
| DA1302 | Section BB Proposed Envelope | I / 17/07/2019 |
| DA1102 | Basement Plan Level B1 and B2 | A / 04/10/2019 |
| Supporting Documentation (Not Stamped) | | |
| - | Survey Plan | - |
| - | Tree Management Plan | - |

2. **Concept Development Application Parameters:** A concept development application sets out a concept proposal for the development of a site. The parameters subject to this consent are restricted to a building envelope, as shown on the approved plans (including basement levels). Detailed design and the consent of any physical works is subject to a further detailed development application. All structures in the detailed development application are to be consistent with the building envelope approved under this consent (including balconies). An exception may be made for any lift over-run subject to further assessment and approval.
3. **Detailed Development Application Requirements:** The detailed development application is to comply with the relevant provisions of Division 4.4 of the Environmental Planning and Assessment Act, 1979.
4. **Residential Flat Building:** The concept development application subject to this consent is for a residential flat building pursuant to Lane Cove Local Environmental Plan 2009. Any detailed development application relying on the concept development

application is to be made pursuant to Lane Cove Local Environmental Plan 2009 and satisfy the definition of a residential flat building contained within.

5. **Building Height:** The subject consent approves a building height in accordance with the approved building envelope. Any detailed development application proposed within the approved building envelope is not required to seek approval for building height as it has been established with the concept development application.
6. **Floor Space Ratio:** The subject consent does not approve a Floor Space Ratio. Floor Space Ratio is subject to assessment and determination under the detailed development application. To ensure the concept development application does not inadvertently allow for additional FSR, the detailed development application is limited to a maximum FSR of 1.8:1 in accordance with Lane Cove Local Environmental Plan 2009.
7. **SEPP 55** Detailed compliance with State Environmental Planning Policy No 55 – Remediation of Land is to be demonstrated under the detailed development application.
8. **Lane Cove DCP 2010:** This consent does not approve any variation to Lane Cove Development Control Plan 2010 unless specifically included within the concept proposal as outlined in condition 2.
9. **Section 7.11 Contributions:** Section 7.11 Contributions are applicable to the development and will be levied under the detailed development application on determination of the unit mix.
10. **Voluntary Planning Agreement:** Execution of the Voluntary Planning Agreement to be entered into by Lane Cove Council and NSW Land and Housing Corporation relating to the subject consent.

ADVISORY NOTES:

- A. **NSW RFS Recommendations:** The NSW RFS reviewed the concept development application and provided recommendations. The recommendations relate to the detailed development application and would form a condition of any consent granted.
- B. **Tree Management Principles:** The concept development application does not approve any physical works including any tree removal. The following tree management principles outlined in Table 1 and 2 below, in conjunction with the reference plan attached to this consent, are to be considered as a guide during the detailed development application:

| Table 1: Trees located on and adjoining the site | | |
|---|----------------------|---------------------------------|
| Tree number | Species | Preference to retain or replace |
| 1 | Callistemon Spp. | Retain |
| 2 | Schefflera Spp. | Replace |
| 3 | Araucaria columnaris | Retain |
| 4 | Cupressus macrocarpa | Replace |

| | | |
|----|--------------------------|---------|
| 5 | Tristaniopsis laurina | Retain |
| 6 | Leptospermum Spp. | Replace |
| 7 | Glochidion ferdinandi | Replace |
| 8 | Banksia integrifolia | Retain |
| 9 | Brachychiton acerifolius | Replace |
| 10 | Tristaniopsis laurina | Retain |
| 11 | Jacaranda mimosifolia | Replace |
| 12 | Jacaranda mimosifolia | Replace |

Table 2: Trees preferred to be retained and required set backs from development

| Tree number | Species | Set back measured as a radius from the centre of the trunk |
|-------------|-----------------------|--|
| 1 | Callistemon Spp. | Street tree, min 2M |
| 3 | Araucaria columnaris | Minimum 4.2M |
| 5 | Tristaniopsis laurina | Street tree, min 3M |
| 8 | Banksia integrifolia | Minimum 5.8m |
| 10 | Tristaniopsis laurina | Street tree, min 2M |

The minimum set back from trees specified is a guideline estimating a potential acceptable impact on retained trees on one side only to assist with the concept planning. Retained trees will require a detailed impact assessment prepared in compliance with Australian Standard 4970 Protection of Trees on Development Sites 2009. Any departure from the principles contained within this advisory note will required detailed justification under the detailed development application.