

Proposed Condition number DA 2019/200	Condition	Proposed Condition / Amendment	Applicant's Reason	Council's comments
<b>1 – Plan Schedule</b>		LA-LAT-DRG-DA-0033, LEVEL TWO - MAINTENANCE PLAN  LA-LAT-DRG-DA-0034, LEVEL THREE - MAINTENANCE PLAN  LA-LAT-DRG-DA-0035, LEVEL FOUR - MAINTENANCE PLAN  LA-LAT-DRG-DA-0037, PLANT PALETTE  LA-LAT-DRG-DA-0038, PLANT SCHEDULE  LA-LAT-DRG-DA-0039, LEVEL THREE URBAN STREET – SECTION  & other 2 minor changes	Additional Landscape Plans that have been submitted but not listed in consent document	<b>Agreed.</b>  See amended lists of plans in attachment
<b>5 (b) Amendments</b>	Due to potential increase in depth of ponding in basement level B2, all accessible (disabled) car parking located on the plans at this level – shall be re-located at upper levels.	Delete.	Vicinity does not agree to the imposition condition as it will require substantial redesign and will result in some loss of car parking within the centre. Further, is noted that Condition 8 requires that flood gates be triggered when basement depths reach 0.2m. In addition The Flood Emergency Response Plan required by Condition 13 DA 2017/503) will ensure that adequate measures are in place to ensure that all basement areas including any accessible car parking spaces will be safely	<b>Change not supported.</b>  The risk to life due to flooding of the B2 level requires that this condition is imposed as good practice. Even if the PMF is a rare event, it appears there is very limited time for evacuation. It is prudent to have people that require additional assistance from someone else in order to move,

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			evacuated and access to these areas prevented before any flood emergency.	to be located at different levels.
<b>5(h) Amendments</b>	The natural (Gosford) sandstone proposed on Archer Street and Victoria Avenue shall be replaced with paving equal to treatment used in the external spaces within the Concourse Plaza space (pale Granite finish).	Confirm material specification and whether this condition relates to areas within the site or external to the site boundary within the public domain,	Lacks clarity.	<b>Agreed.</b> The condition is amended to read:  <i>The natural (Gosford) sandstone proposed on Archer Street and Victoria Avenue (external external to the site boundary, within the public domain) shall be replaced with paving equal to treatment used in the external spaces within the Concourse Plaza space (Granite finish - Melocco Austral Black Granite).</i>
<b>5 Amendments</b>	Details of these amendments are required to be shown in the Construction Certificate plans and documentation.	Details of these amendments are required to be shown in the <b>relevant</b> Construction Certificate plans and documentation.	Consistent with approach throughout the consent.	<b>Agreed.</b> The part of the condition is amended to read:  <i>Details of these amendments are required to be shown in the relevant Construction Certificate plans and documentation.</i>
<b>7 Reconstruction of Sydney Water Culvert</b>	Approved plans by Sydney Water shall form part of any Construction	Approved plans by Sydney Water shall form part of <del>any</del> <b>the relevant</b> Construction Certificate	Consistency with approach throughout the consent and previous Sydney Water condition.	<b>Agreed.</b> The part of the condition is amended to read:  <i>Approved plans by Sydney</i>

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	Certificate.  (Reason: Compliance with Sydney Water requirements)			<i>Water shall form part of the relevant Construction Certificate.</i>
<b>9 – Encroachment over private property and public roads</b>	Prior to the issue of the relevant Construction Certificate, written permission shall be obtained from all private property owners affected by any encroachment into the air space above as a result of the installation of protection decks installed along property boundaries. Copies of these permissions shall be provided to Council.	Prior to the issue of the relevant Construction Certificate, written permission shall be obtained from all private property owners affected by any encroachment into the air space above as a result of the installation of <del>protection decks</del> <b>suspended scaffold and associated temporary structures</b> installed along property boundaries. Copies of these permissions shall be provided to Council.	As per previous comments, this amended wording provides further clarification on the type of protection mechanisms to be installed.	<b>Agreed.</b> The part of the condition is amended to read:  <i>Prior to the issue of the relevant Construction Certificate, written permission shall be obtained from all private property owners affected by any encroachment into the air space above as a result of the installation of suspended scaffold and associated temporary structures installed along property boundaries. Copies of these permissions shall be provided to Council.</i>
<b>10 - Flood Risk Management Strategy</b>	Water level sensors which are to be located throughout Levels B1 and B2. The water level sensors are to be linked to suitably designed	Water level sensors which are to be located throughout Levels B1 and B2. The water level sensors are to be linked to suitably designed SCADA system which shall trigger the operation of the flood gates	The engineers have noted that a 3D survey of basement shows minor undulations. The flood storage intent has always been to maintain 200mm average depth across the basement area, there may be very localised areas that are above	<b>Agreed with the change.</b>

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	SCADA system which shall trigger the operation of the flood gates when the depth of ponding in any basement reaches a depth of no more than 0.2 m. in any location.	when the depth of ponding in any basement reaches a depth of no more than 0.2 m. <del>in any location.</del>	200mm due to the existing conditions of the basement. Requested change to condition is in line with intent and retaining the line 'in any location' leaves Vicinity open to regrading portions of existing basement area.	
<b>13 Vehicle Access – Engineer's Certification</b>	The Applicant shall submit, for approval by the Certifying Authority, certification from a suitably qualified and experienced traffic engineer. This certification must be based on the architectural drawings and the structural drawings for all new works, and must make specific reference to the following:	<b>Prior to the issue of the relevant Construction Certificate</b> the Applicant shall submit, for approval by the Certifying Authority, certification from a suitably qualified and experienced traffic engineer. This certification must be based on the architectural drawings and the structural drawings for all new works, and must make specific reference to the following:	Consistency with approach throughout the consent.	<b>Agreed with the change.</b>
<b>17 (c) Car Park and Loading Dock Driveways</b>	Provide minimum pavement width of 3.5m for each entry/exit lane across carpark access (minimum 7m wide in	Provide minimum pavement width of <b>3m</b> for each entry/exit lane across carpark access (minimum <b>6m</b> wide in total).	Advice from GTA Transport and Traffic: 6m wide driveways comply with AS2890.1.	<b>Condition 17(c) to be deleted.</b>  Condition 17(a) establishes that entry and exists must comply with Australian

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	total).			Standards etc.
<b>19 (a) Bicycle Facilities</b>	Bicycle storage and end of trip facilities must be provided for employees and located in a convenient and secure location in as close proximity to the retail areas as possible. A total of eight (8) showers and associated change rooms (at a rate of one (1) shower/change room per eight (8) spaces) are to be provided for staff use	Bicycle storage and end of trip facilities must be provided for employees and located in a convenient and secure location in as close proximity to the retail areas as possible. A total of eight (8) showers and associated change rooms <del>(at a rate of one (1) shower/change room per eight (8) spaces)</del> are to be provided for staff use	Conflicting number – rate in condition does not match provision shown on plan and listed in the condition (8 showers/change room).	<b>Agreed.</b> The part of the condition is amended to read:  <i>Bicycle storage and end of trip facilities must be provided for employees and located in a convenient and secure location in as close proximity to the retail areas as possible. A total of eight (8) showers and associated change rooms are to be provided for staff use.</i>
<b>22. Hours of Work</b>	<u>Noisy activities</u>  Rock breaking, rock hammering, sheet piling, pile driving and similar activities as well as noisy demolition activities may only be carried out between the following hours:  a) 9:00 am to 12:00 pm,	<u>Noisy activities</u>  Rock breaking, rock hammering, sheet piling, pile driving and similar activities as well as noisy demolition activities may only be carried out between the following hours:  a) 9:00 am to 12:00 pm, Monday to <b>Saturdays</b>  b) 2:00 pm to 5:00 pm Monday to	Amend to be consistent with hours identified in paragraph 1 of this condition e.g. 7am – 5pm Mondays to Saturdays. Allows for construction and noisy activities to be expedited and completed sooner by the contractor resulting in less prolonged impact.	<b>Agreed.</b> The part of the condition is amended to read:  <u>Noisy activities</u>  <i>Rock breaking, rock hammering, sheet piling, pile driving and similar activities as well as noisy demolition activities may only be carried out between the following</i>

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	Monday to Friday;  b) 2:00 pm to 5:00 pm Monday to Friday; and  c) 9:00 am to 12:00 pm Saturdays	<b>Saturdays</b>		<i>hours:</i>  <i>a) 9:00 am to 12:00 pm, Monday to Saturdays, and</i>  <i>b) 2:00 pm to 5:00 pm Monday to Saturdays.</i>
<b>23 Temporary Ground Anchors</b>	A Chartered Professional Engineer shall monitor adjoining public infrastructures to detect any ground heaving or settlement during and after the installation of the piling and ground anchors. A rectification report shall be submitted to Council should unacceptable displacements occur within the zone of influence. (Reason: Protection of public assets)	A Chartered Professional Engineer shall monitor adjoining public infrastructures to detect any ground heaving or settlement during and after the installation of the piling and <b>any</b> ground anchors. A rectification report shall be submitted to Council should unacceptable displacements occur within the zone of influence.  (Reason: Protection of public assets)	We have had advice from the contractor that Temporary Ground Anchors will not be required. Therefore, changing the wording to "any" will ensure that if ground anchors are required in the future then this condition will be applicable. This is consistent with the wording of Condition 8 of this consent.	<b>Agreed.</b> The part of the condition is amended to read:  <i>A Chartered Professional Engineer shall monitor adjoining public infrastructures to detect any ground heaving or settlement during and after the installation of the piling and any ground anchors. A rectification report shall be submitted to Council should unacceptable displacements occur within the zone of influence.</i>
<b>27 Reconstruct Pavement</b>	Prior to the issue of any occupation certificate, half road pavements including any necessary	Prior to the issue of <del>any</del> <b>the relevant</b> occupation certificate, half road pavements including any necessary associated works adjoining the full	Consistency of approach throughout consent document.	<b>Change not supported.</b>  Even if works within the site can be subject to staging if

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	associated works adjoining the full frontage of the development site in Havilah Street, Archer Street, Victoria Avenue and Malvern Avenue shall be reconstructed in accordance with Council's approved drawings, conditions and specification (AUS-SPEC). Council's standard design traffic for these pavements is 5 x 106 ESA.	frontage of the development site in Havilah Street, Archer Street, Victoria Avenue and Malvern Avenue shall be reconstructed in accordance with Council's approved drawings, conditions and specification (AUS-SPEC). Council's standard design traffic for these pavements is 5 x 106 ESA.		desired by the developer, this does not apply to public domain works, which are a priority. As these works are in the public benefit, they should take place prior to the issue of <u>any</u> occupation certificate.
<b>29 Vehicle Access Construction and Certification</b>	The Applicant shall submit, for approval by the Principal Certifying Authority, certification of all new works from a suitably qualified and experienced traffic engineer. This certification must be based on a site inspection of the constructed vehicle access car park and	<b>Prior to the issue of the relevant Occupation Certificate</b> the Applicant shall submit, for approval by the Principal Certifying Authority, certification of all new works from a suitably qualified and experienced traffic engineer. This certification must be based on a site inspection of the constructed vehicle access car park and accommodation areas, with dimensions measurements as necessary, and must make specific reference to the following:	Consistency of approach throughout consent document.	<b>Agreed.</b> The part of the condition is amended to read:  <i>Prior to the issue of the relevant Occupation Certificate, the Applicant shall submit, for approval by the Principal Certifying Authority, certification of all new works from a suitably qualified and experienced traffic engineer. This certification must be based on a site inspection of the constructed vehicle access</i>

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	accommodation areas, with dimensions measurements as necessary, and must make specific reference to the following:			<i>car park and accommodation areas, with dimensions measurements as necessary, and must make specific reference to the following: (...)</i>
<b>29 (g) Vehicle Access Construction and Certification</b>	That the headroom clearance has been provided between the basement floor and any overhead obstruction to comply with AS 2890.1 and Section 2.4 of AS2890.6.	That the headroom clearance of <b>minimum 2.1m</b> has been provided between the basement floor and any overhead obstruction to comply with AS 2890.1 and Section 2.4 of AS2890.6.	Reflects associated changes to condition 13(d).	<b>Agreed.</b> The part of the condition is amended to read:  g) That the headroom clearance of minimum 2.1m has been provided between the basement floor and any overhead obstruction to comply with AS 2890.1 and Section 2.4 of AS2890.6.