

MEMO

To: Chair, Sydney North Planning Panel
From: Consultant Planner, Peter Wells
Date: 26 September 2023
Address: 3 ABBOTT ROAD, ARTARMON NSW 2064

Ref/File No.: Sydney North Planning Panel - PPSSNH-378- Willoughby - Public Meeting DA-2023/64
Subject: Changes to draft conditions

It is recommended that Sydney North Planning Panel item PPSSNH-378 DA-2023/64 be approved as a deferred commencement consent as per Attachment 8 of the assessment report dated 13 September 2023, subject to the following changes to draft conditions.

A. Conditions 1 and 29 contain typographical errors. The following changes correct the errors as follows:

1. Approved Plan/Details

The development must be in accordance with the following consent plans electronically stamped by Council:

Type	Plan No.	Revision/ Issue No	Plan Date (as Amended)	Prepared by
Introduction and Project Summary	DA-02	B	22.05.2023	Kennedy Associates Architects
Site Plan	DA-05	C	04.08.2023	
Level 01 Basement	DA-06	C	22.05.2023	
Level 00 External Works	DA-07	C	22.05.2023	
Level 00 Ground Floor	DA-08	C	22.05.2023	
Level 01 Floor	DA-09	C	22.05.2023	
Level 02 Floor	DA-10	D	04.08.2023	
Roof Plan	DA-11	D	04.08.2023	
Elevation Sheet 01	DA-12	D C	04.08.2023	
Elevation Sheet 02	DA-13	C	22.05.2023	
Section Sheet 01	DA-14	C	22.05.2023	
Section Sheet 02	DA-15	A	14.12.2022	
Section Sheet 03	DA-16	A	14.12.2022	

Adaptable / Livable Housing	DA-31	A	14.12.2022	
Stormwater Plans	C000, C100, C101, C115, C200, C300, C310	A	29.11.2022	Xavier Knight
Landscape Plans	LP_04 00 to LP_03 inclusive	B	07.12.2022	Creative Planning Solutions

the application form and any other supporting documentation submitted as part of the application, except for:

- (a) any modifications which are “Exempt Development” as defined under S.4.1(1) of the *Environmental Planning and Assessment Act 1979*;
- (b) otherwise provided by the conditions of this consent.
(Reason: Information and ensure compliance)

29. Noise from Transport Corridor

To minimise the impact of noise from any external noise source on the amenity of the occupants, the building shall be constructed in accordance with the recommendations and specifications of the acoustic report (XXXX) (Ref: SYD2028, Rev 02, dated 20 December 2022) prepared by ADP Consulting Pty Ltd.

Details of the proposed acoustic treatment shall be submitted to the Certifier prior to the issue of the Construction Certificate.

(Reason: Amenity, environmental compliance and health)

- B. Conditions 78 may be replaced as it requires that the proposed affordable housing dwellings have the same standard of internal fittings and finishes as the *other dwellings* within the development, where *all* the dwellings in this development are affordable housing. In lieu, another condition that deals with Adaptable Units and Livable Housing is considered appropriate, as follows:

~~78. Affordable Housing – Fittings and Finishes~~

~~Prior to the issue of any Occupation Certificate, the Certifier must be satisfied that the affordable housing dwellings have the internal fittings and finishes at the same standard as the other dwellings within the development and in accordance with the schedule endorsed by Council.~~

~~Any costs associated with bringing the affordable housing dwellings to the standards required are to be borne by the applicant.~~

~~(Reason: Amenity)~~

78. Adaptable Units and Livable housing

Prior to the issue of the Occupation Certificate, a suitably qualified access consultant must certify that the adaptable residential units U02, U06 and U10 and Livable Housing Australia (Gold Level) units A01, U05 and U09 have been provided in accordance with the relevant codes and legislation.
(Reason: Compliance)

- C. Conditions 118A is recommended to be imposed to ensure the carparking spaces remain appurtenant to the units they serve, as follows:

118A. Carparking spaces - Adaptable Units and Livable housing

The three (3) accessible spaces must remain appurtenant to the adaptable units U02, U06 and U10 (1 space per adaptable unit), and the two (2) 3.2m wide spaces must remain appurtenant to the LHA Gold Level units.
(Reason: Compliance)

Peter Wells
Consultant Planner