



WILLOUGHBY
CITY COUNCIL

MEMO

To: Chair, Sydney North Planning Panel
From: Consultant Planner, Peter Wells
Date: 27 May 2026
Address: 100 Edinburgh Road, Castlecrag
Ref/File No.: PPSSNH-738 DAM-2025/105
Subject: Applicant's response to draft conditions

The applicant has responded to Council's draft conditions with requested changes in red as shown in Attachment 1. Council's response to each request for change is provided as follows:

D. Condition No. 45A is added to read as follows:

45A. Construction and Demolition Waste

This must be worded to "relevant Construction Certificate" so it does not hold up receipt of CC for unrelated works

Before the issue of a Construction Certificate, an updated Construction and Demolition Waste Management Plan (WMP) must be submitted to Council. The plan must be prepared in accordance with Willoughby Development Control Plan 2023, that provides for waste management that applies to the land on which the work is carried out. The plan must outline construction waste volumes related to this DA modification and achieve at least an 80% diversion rate from landfill.

(Reason: environmental protection/waste reduction/public health and safety)

Council response: Council does not support the applicant's request for change. Whilst demolition has taken place, the Construction Waste Management Plan will deal with the additional excavation and spoil material.

E. Condition No. 45B is added to read as follows:

45B. Access to Basement Waste Storage

This must be worded to "relevant Construction Certificate" so it does not hold up receipt of CC for unrelated works

Prior to issue of any Construction Certificate, it must be demonstrated through a pedestrian plan that there is safe pedestrian movement for residents, the building manager and their staff and waste collection staff to access the basement waste storage areas including when wheeling bins and carrying bulky waste.

(Reason: Pedestrian safety/ WHS/ compliance)

Council response: Council supports the applicant's request for change. Reference to "relevant Construction Certificate" is satisfactory in this case as it is not stage critical.

F. Condition No. 45C is added to read as follows:

45C. Updated Operational Waste Management Plan



This must be worded to "relevant Construction Certificate" so it does not hold up receipt of CC for unrelated works

Prior to issue of any Construction Certificate, the developer is required to submit an updated Operational Waste Management Plan for Council approval that demonstrates:

- d) A residential waste collection room within 2 metres (2m) of the truck loading bay. This may include swapping of the Retail Bin Room with the Residential Waste Collection Room.
- e) An 11 metre (11m) diameter turntable, a turntable for a 10.5m long HRV truck with 0.25m buffer on either side to ensure the truck does not overhang the turntable during operation and allow for flexibility in parking position.
- f) Commercial organics bin capacity for at least the supermarket and café, which may be offset from a portion or the general waste capacity provided.

(Reason: Compliance/ waste reduction/ work health and safety/ public health and safety)

Council response: Council supports the applicant's request for change. Reference to "relevant Construction Certificate" is satisfactory in this case as it is not stage critical.

13. Submit the Following Information to Willoughby City Council

Prior to the lodgement of an application for a construction certificate, the applicant shall submit plans and specifications satisfying the following requirements to Willoughby City Council for approval. Documentation confirming approval by Willoughby City Council shall then be submitted to the Certifier for the application of a construction certificate. (a) Detailed stormwater plans for the site that include the following information:

This must be worded to "Prior to the lodgement of the application for relevant Construction Certificate" so it does not hold up receipt of CC for unrelated works

- Detailed design for OSD tank, including overflow levels. The overflow levels are to be through the top or side of the tank and are to be to ground and not to a pipe or internal chamber with a piped outlet. The levels are to confirm that the required 300mm freeboard from the overflow water level to adjacent floor levels is provided.

Details to confirm that the system draining to the OSD tanks are able to carry flow from all storms up to and including the 1%AEP event. Should overflow paths not drain to the tank, then the pipe system shall be designed for the 1%AEP event.

Longitudinal section from the connection point to the street drainage system to the OSD tank. The section is to include a hydraulic grade line analysis for the 1%AEP event, that confirms that the water level immediately downstream of the OSD tank does not impact the tank outlet nor result in a drowned outlet. Unless a detailed analysis is undertaken, and provided to Council, to confirm the 1%AEP water level at the connection to the street drainage system, the adopted 1%AEP water level at the pit shall be the grate level.



- At the connection points to the street drainage system, details of the existing grate and invert levels of the pit.
 - Detailed design of the system draining the south-eastern part of the site that drains to the east towards The Postern. A maximum flow of 20L/s may discharge to the kerb and gutter in The Postern. For flows in excess of this, the piped network shall extend to the Council drainage system in The Postern or The Rampart. We note that Council has no records of Council owned stormwater infrastructure in the position indicated on EIAustralia drawing C201/02 and the design is to include details of a new drainage system.
 - Catchment plan detailing where all areas drain for both the Drains and MUSIC models. Nodes names used in each analysis are to be clearly detailed on the catchment plans.
- (b) Calculations for the stormwater management system that confirm compliance of the system with the requirements of Part I of the *DCP* and Technical Standard 1. The calculations shall include the following:
- Catchment plan that details all areas draining to various systems
 - Details of the Drains analysis, including model layout and details of parameters used in each node, including the OSD tanks.
 - Summary of results to confirm that the peak flow from the entire site in the 1%AEP storm event does not exceed the permitted site discharge of **116L/s**.
 - Details of peak stormwater flows from the southern part of the site that drain to the east, towards The Postern
 - Hydraulic Grade Line analysis to confirm that the outlet of the OSD tank is above the downstream water level in the 1%AEP event.
 - Summary of MUSIC analysis, including catchment details for all nodes, parameters adopted in the model and analysis results.
- (c) Public Domain Plan to show treatments along the periphery of Edinburgh Road frontage, including but not limited to a trafficable and robust area, along with planted areas and seating arrangements that encourage outdoor passive recreation activities. (Reason: Ensure compliance)

Council response: Condition 13 – Submission of Stormwater Information

Request to amend from:

“Prior to the lodgement of an application for a Construction Certificate” to “Prior to the lodgement of the application for **relevant** Construction Certificate” is also not supported.

This condition establishes the detailed stormwater design for the entire site and must be resolved comprehensively prior to any Construction Certificate being issued. It is not appropriate for staged or partial approval.



H. Condition No. 103 is modified to read as follows:

103. On-site Water Management System

Request to change the wording of "any" into "final"

Prior to the issue of any Occupation Certificate, the stormwater runoff from the site shall be collected and disposed of to the street drainage system in Eastern Valley Way via a water quality improvement system and an approved OSD system with a minimum volume of 167m³ in accordance with AS/NZS3500.3, Part I of Council's DCP and Technical Standard 1. The OSD system shall limit the peak stormwater flow from the site in the 1%AEP event to ~~446L/s~~ **116L/s**. The construction of the stormwater drainage system of the proposed development shall be in accordance with the approved detailed stormwater drawings required under this development consent and Council's specification (AUS-SPEC). (Reason: Prevent nuisance flooding)

Council response: Condition 103 – On-site Water Management System

Request to amend from "*any Occupation Certificate*" to "*final Occupation Certificate*" is not supported. This condition governs the performance of the entire stormwater management system which is a critical integrated component of the development. The system must be fully operational prior to any occupation to ensure compliance with permitted discharge limits and avoid interim non-compliant scenarios.

General commentary on applicant's proposed changes to conditions:

The Construction Certificate triggers within the consent are currently inconsistent, with interchangeable use of "a", "the", "any", and "first" Construction Certificate. These terms are not equivalent and create ambiguity, particularly where staged Construction Certificates are proposed. To address this, conditions should be rationalised such that:

- (i) statutory and critical site-wide infrastructure conditions are tied to the first or any Construction Certificate,
- (ii) stage-specific design and building conditions are tied to the relevant Construction Certificate, and
- (iii) ambiguous references to "a" or "the" Construction Certificate are removed. This will ensure clarity, enforceability and alignment with any staged delivery approach.

Miscellaneous – housekeeping

On page 8 of the supplementary report consideration of DCP under s4.15 is crossed mistakenly where it was supposed to be ticked.

On page 9 of the supplementary report the second last sentence is supposed to read "... does not result in detrimental impacts to surrounding properties".



WILLOUGHBY
CITY COUNCIL

ATTACHMENT 1 – APPLICANT’S RESPONSE TO DRAFT CONDITIONS

SNPP REF:	PPSSNH-738
COUNCIL	WILLOUGHBY CITY COUNCIL
DA NO:	DAM-2025/105 (Original DA-2024/13)
ADDRESS:	100 EDINBURGH ROAD, CASTLECRAG
APPROVED DEVELOPMENT:	SNPP - Nominated Integrated Development - Construction of a new mixed use building containing retail uses including a supermarket, residential units, basement car parking, with associated landscaping and Stratum subdivision. The application is identified as nominated integrated development requiring approval from Water NSW pursuant to s90 the Water Management Act 2000.
PROPOSED MODIFICATION:	Various modifications to basement levels including expansion in basement size at Basement Level 3, new Basement Level 4, increased basement floor to ceiling heights, modification to storage spaces, structural column changes, inclusion of EV charging facilities, modified stormwater, modification of conditions 1, relocated lift locations.
RECOMMENDATION:	APPROVAL
ATTACHMENTS:	1. APPLICANT'S SUBMISSION OF 12 MAY 2026 2. SUBMITTED PLANS AND DOCUMENTATION FOR ASSESSMENT 3. MODIFIED CONDITIONS OF CONSENT
RESPONSIBLE OFFICER:	APOORVA CHIKKERUR - PLANNING ASSESSMENTS TEAM LEADER
AUTHOR:	PETER WELLS - CONSULTANT PLANNER
REPORT DATE:	22 MAY 2026
MEETING DATE:	27 MAY 2026

1. PURPOSE OF REPORT

The purpose of this report is to seek determination by Sydney North Planning Panel (SNPP) of Modification Application DAM-2025/105 relating to various changes including expansion of Basement Level 3 and new Basement Level 4, increased basement floor to ceiling heights, modification to storage spaces, structural column changes, inclusion of EV charging facilities, modified stormwater, modification of conditions 1, and changes to committee room.

The application is required to be referred to the SNPP for determination because it is an s4.55(2) application where 10 or more unique submissions by way of objections have been received.

2. OFFICER'S RECOMMENDATION

THAT the Sydney North Planning Panel:

- 2.1 APPROVE Modification Application DAM-2025/105 for various changes including expansion of Basement Level 3 and new Basement Level 4, increased basement floor to ceiling heights, modification to storage spaces, structural column changes, inclusion of EV charging facilities, modified stormwater, modification of condition 1, and changes to committee room, at 100 Edinburgh Road, Castlecrag, for the following reasons:

- 2.1.1 The subject modified development is substantially the same as the

- development for which consent was originally granted; and
- 2.1.2** The proposed development does not conflict with the desired outcomes and objectives of the development standards contained in the *Willoughby Local Environmental Plan 2012 (WLEP)*, and the *Willoughby Development Control Plan (WDCP)* to the extent that the provisions apply.
- 2.1.3** The proposal is sufficiently in the public interest.

3. BACKGROUND

In addition to the background provided in the assessment report dated 24 April 2026, the following is noted.

On 6 May 2026, the Sydney North Planning Panel deferred this matter as follows:

“To allow for the progression of the Development Application to determination, the Panel directed that:

1. The Applicant shall provide further information to allow for Council’s full assessment of the relocation of lifts to the original location and an updated geotechnical report based upon the proposed depth of excavation.
2. The Applicant is to upload all documentation to the NSW Planning Portal by 15 May 2026.
3. Council is requested to provide an addendum assessment report responding to the matters above, which is to be uploaded to the NSW Planning Portal by 22 May 2026.
4. When the updated assessment report is received, the Panel will reconvene for a final determination briefing on 27 May 2026.

If the outstanding information and requested documentation is not provided by 15 May 2026, the Panel may move to determine the DA based on the information currently at hand”.

4. ASSESSMENT

Geotechnical

On 12 May 2026 the applicant provided an additional geotechnical report (Ref: R.007.Rev1, dated 8 May 2026) by Douglas Partners. In this report, Douglas Partners acknowledged that earlier cored boreholes were not drilled to depths “to adequately inform the design of the revised four-level basement scheme”. New borehole information comprising three additional boreholes were provided to Douglas Partners including a plan showing borehole locations, surface RLs and target depths, as well as photographs of boxes of rock cores from each borehole (but without engineering logs including material descriptions, weathering grades, RQD, fracture spacing, groundwater observations and strength estimates).

This additional geotechnical report states that:

“Douglas understands that all three new boreholes extended to sufficient depths (ie. Approximately 3m to 4.7m) below the proposed lowest FFL of RL68.99m AHD, and

therefore provide the additional investigation depth previously identified as necessary to inform the revised basement scheme”.

The report adds:

“Accordingly, Douglas considers that the earlier limitation regarding insufficient investigation depth has now been adequately addressed, and that the available subsurface information is now sufficient to advise the design update to include the 4th basement level.

“Based on the additional borehole information, as well as the earlier EI investigation, we consider that the geotechnical conditions encountered on site are suitable for the proposed development modification, subject to the implementation of appropriate design and construction controls”.

Assessment Planner’s commentary

The supplementary geotechnical information satisfies the geotechnical information gap. There are limitations in this supplementary investigation (as identified in the supplementary geotechnical report); however, the authors in their professional opinions confirm the geotechnical investigation for the modified works are sufficient. Condition 58 - Dilapidation Report of Adjoining Properties - is modified to require that a dilapidation report be prepared for any additional properties deemed necessary by a suitably qualified geotechnical engineer.

Structural

On 12 May 2026 the applicant provided a Structural Integrity Certificate from Meinhardt (dated 6 May 2026) confirms that “For works we have already undertaken on the site, we viewed geotechnical data from EI Australia as well as Douglas Partners. We have also inspected excavation works undertaken on the site to date. Based on this information, we are of the view that the site and the modified basement is adequate from a structural engineering perspective. Similarly, we do not anticipate any structural concerns to adjoining properties as a result of the development”.

Assessment Planner’s commentary

The applicant has confirmed (verbally) that the structural certificate takes stock of the updated geotechnical findings, notwithstanding it predates the geotechnical report. The applicant has advised that the geotechnical and structural engineers liaised prior to the issue of both correspondence, and that Meinhardt’s certificate was issued prior to the finalisation of the geotechnical report.

Waste

An updated waste management plan accompanied the amended plans.

Assessment Planner’s commentary

The waste consultant has no objection to the proposal subject to conditions 45A, 45B and 45C in Attachment 3.

Reverted Lift Core Location

A Certificate from ptc traffic engineers dated 12 May 2026 verifies that its review “... do not indicate any compliance issues arising as a result of the reverted lift core locations”.

Assessment Planner’s commentary

Council’s engineers and waste consultant have issued draft conditions for the updated basement floor plates.

Services within the basement

The applicant has submitted a certificate from lingen that "... outlines the preliminary allocation of spaces for key engineering services within the mixed-use development across the dedicated stratum".

The services identified in the certificate are:

- Main Switchroom and Electrical Rooms
- Communications Rooms
- Fire Tank and Sprinkler Rooms
- Hot Water Plant Room
- Mechanical Plant Room

These items of plant are drawn in to scale and dimensions provided in some cases. Whilst the room sizes appear generous in some instances, the submitted certificate offers the Panel some verification for the need of such plant at the basement levels. Council considered this an important issue to interrogate as the allocation of the plant contributes to the need for a fourth basement level. Council is satisfied with the plant allocation.

Miscellaneous

Stormwater condition 13

A typographical error has been detected in condition 103, where 115L/s has been referenced in lieu of 116L/s to correspond with condition 13. For reference, both conditions and the subject figures (in bold) are below. The recommendation seeks to correct Condition 103 to reflect 116L/s

13. Submit the Following Information to Willoughby City Council

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- Detailed design for OSD tank, including overflow levels. The overflow levels are to be through the top or side of the tank and are to be to ground and not to a pipe or internal chamber with a piped outlet. The levels are to confirm that the required 300mm freeboard from the overflow water level to adjacent floor levels is provided.

This must be worded to "Prior to the lodgement of the application for relevant Construction Certificate" so it does not hold up receipt of CC for unrelated works

Details to confirm that the system draining to the OSD tanks are able to carry flow from all storms up to and including the 1%AEP event. Should overflow paths not drain to the tank, then the pipe system shall be designed for the 1%AEP event.

Longitudinal section from the connection point to the street drainage system to the OSD tank. The section is to include a hydraulic grade line analysis for the 1%AEP event, that confirms that the water level immediately downstream of the OSD tank does not impact the tank outlet nor result in a drowned outlet. Unless a detailed analysis is undertaken, and provided to Council, to confirm the 1%AEP water level at the connection to the street drainage system, the adopted 1%AEP water level at the pit shall be the grate level.

- At the connection points to the street drainage system, details of the existing grate and invert levels of the pit.
 - Detailed design of the system draining the south-eastern part of the site that drains to the east towards The Postern. A maximum flow of 20L/s may discharge to the kerb and gutter in The Postern. For flows in excess of this, the piped network shall extend to the Council drainage system in The Postern or The Rampart. We note that Council has no records of Council owned stormwater infrastructure in the position indicated on EIAustralia drawing C201/02 and the design is to include details of a new drainage system.
 - Catchment plan detailing where all areas drain for both the Drains and MUSIC models. Nodes names used in each analysis are to be clearly detailed on the catchment plans.
- (b) Calculations for the stormwater management system that confirm compliance of the system with the requirements of Part I of the *DCP* and Technical Standard 1. The calculations shall include the following:
- Catchment plan that details all areas draining to various systems
 - Details of the Drains analysis, including model layout and details of parameters used in each node, including the OSD tanks.
 - Summary of results to confirm that the peak flow from the entire site in the 1%AEP storm event does not exceed the permitted site discharge of **116L/s**.
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 - Hydraulic Grade Line analysis to confirm that the outlet of the OSD tank is above the downstream water level in the 1%AEP event.
 - Summary of MUSIC analysis, including catchment details for all nodes, parameters adopted in the model and analysis results.
- (c) Public Domain Plan to show treatments along the periphery of Edinburgh Road frontage, including but not limited to a trafficable and robust area, along with planted areas and seating arrangements that encourage outdoor passive recreation activities. (Reason: Ensure compliance)

103. On-site Water Management System

Request to change the wording of "any" into "final"

Prior to the issue of **any** Occupation Certificate, the stormwater runoff from the site shall be collected and disposed of to the street drainage system in Eastern Valley Way via a water quality improvement system and an approved OSD system with a minimum volume of 167m³ in accordance with AS/NZS3500.3, Part I of Council's *DCP* and Technical Standard 1. The OSD system shall limit the peak stormwater flow from the site in the 1%AEP event to **115L/s**. The construction of the stormwater drainage system of the proposed development shall be in accordance with the approved detailed stormwater drawings required under this development consent and Council's specification (AUS-SPEC). (Reason: Prevent nuisance flooding)

Referrals

Internal referrals

Council's engineers and waste consultant assessed the amended plans, with comments as follows:

Waste This must be worded to "Before the issue of the relevant Construction Certificate" so it does not hold up receipt of CC for unrelated works This must be worded to "Prior to issue of the relevant Construction Certificate" so it does not hold up receipt of CC for unrelated works This must be worded to "Prior to issue of the relevant Construction Certificate" so it does not hold up receipt of CC for unrelated works	Satisfactory subject to the imposition of the additional conditions, which will appear in the consent as conditions 45A and 45B: PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE 45A. Construction and Demolition Waste Management Plan Before the issue of a Construction Certificate, an updated Construction and Demolition Waste Management Plan (WMP) must be submitted to Council. The plan must be prepared in accordance with Willoughby Development Control Plan 2023, that provides for waste management that applies to the land on which the work is carried out. The plan must outline construction waste volumes related to this DA modification and achieve at least an 80% diversion rate from landfill. (Reason: environmental protection/waste reduction/public health and safety) 45B. Access to Basement Waste Storage Prior to issue of any Construction Certificate, it must be demonstrated through a pedestrian plan that there is safe pedestrian movement for residents, the building manager and their staff and waste collection staff to access the basement waste storage areas including when wheeling bins and carrying bulky waste. (Reason: Pedestrian safety/ WHS/ compliance) 45C. Updated Operational Waste Management Plan Prior to issue of any Construction Certificate, the developer is required to submit an updated Operational Waste Management Plan for Council approval that demonstrates: a) A residential waste collection room within 2 metres (2m) of the truck loading bay. This may include swapping of the Retail Bin Room with the Residential Waste Collection Room. b) An 11 metre (11m) diameter turntable, a turntable for a 10.5m long HRV truck with 0.25m buffer on either side to ensure the truck does not overhang the turntable during operation and allow for flexibility in parking position. c) Commercial organics bin capacity for at least the supermarket and café, which may be offset from a portion of the general waste capacity provided. (Reason: Compliance/ waste reduction/ work health and safety/ public health and safety)
Engineering	No objection subject to the modification of condition 103 to read as follows:

Request to change the wording of "any" into "final"	103. On-site Water Management System Prior to the issue of any Occupation Certificate, the stormwater runoff from the site shall be collected and disposed of to the street drainage system in Eastern Valley Way via a water quality improvement system and an approved OSD system with a minimum volume of 167m³ in accordance with AS/NZS3500.3, Part I of Council's <i>DCP</i> and Technical Standard 1. The OSD system shall limit the peak stormwater flow from the site in the 1%AEP event to 116L/s. The construction of the stormwater drainage system of the proposed development shall be in accordance with the approved detailed stormwater drawings required under this development consent and Council's specification (AUS-SPEC). (Reason: Prevent nuisance flooding)
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For completeness sections 4.55 and 4.15 of the Act are addressed as follows:

Environmental Planning and Assessment Act 1979 - s4.55(2) EP&A Act - Other modifications

A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

Satisfactory ✓ Unsatisfactory ✗ Not Relevant N/A

(a)	it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all), and	✓
	Comments: Having applied a qualitative and quantitative lens to the plans submitted with the modification application, the application is substantially the same.	
(b)	it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 4.8) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent, and	✓
	Comments: All concurrence bodies have considered the modification application and responded with or without further conditions.	
(c)	it has notified the application in accordance with— (i) the regulations, if the regulations so require, or (ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and	✓
	Comments: Notification has taken place in accordance with the Community Participation Plan.	

(d)	it has considered any submissions made concerning the proposed modification within the period prescribed by the regulations or provided by the development control plan, as the case may be.	✓
	Comments: Submissions have been addressed in this report.	

Environmental Planning and Assessment Act 1979 - s4.15 EP&A Act – Evaluation

The application has been assessed under the provisions of S.4.15 (79C) of the Environmental Planning and Assessment Act.

The most relevant matters for consideration are assessed under the following headings:

Matters for Consideration Under S.4.15 (79C) EP&A Act Considered and Satisfactory ✓ Unsatisfactory x and Not Relevant N/A

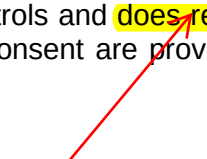
(a)(i)	The provisions of any environmental planning instrument (EPI)	
	<i>State Environmental Planning Policies (SEPP)</i>	✓
	<i>Local Environmental Plans (LEP)</i>	✓
	The proposal does satisfy the aims and objectives of these EPIs as outlined in this report. The design verification statement does not satisfactorily explain how the development addresses the design principles for residential apartment development, the objectives in the Apartment Design Guide, nor verify with sufficient scope that the modification does not diminish or detract from the design quality of the original development, or compromise the design intent of the original development.	
(a)(ii)	The provision of any draft environmental planning instrument (EPI)	
	<i>Draft State Environmental Planning Policies (SEPP)</i>	N/A
	<i>Draft Regional Environmental Plans (REP)</i>	N/A
	<i>Draft Local Environmental Plans (LEP)</i>	N/A
	Comment: There are no draft SEPPs that apply to the subject land.	
(a)(iii)	Any development control plans	
	Development control plans (DCPs)	x
	Comment: The proposal satisfies the aims and objectives of the DCP as it calls on the ADG – as outlined in this report.	
(a)(iv)	Any matters prescribed by the regulations	
	Clause 61 EP&A Regulation-Demolition	✓
	Clause 62 EP&A Regulation-Fire Safety Considerations	✓
	Clause 64 EP&A Regulation-Fire Upgrade of Existing Buildings	N/A
	Comment: The proposal satisfies the aims and objectives of the regulations.	
(b)	The likely impacts of the development	
	Context & setting	✓
	Access, transport & traffic, parking	✓
	Servicing, loading/unloading	✓
	Public domain	✓
	Utilities	✓
	Heritage	✓
	Privacy	✓

	Views	✓
	Solar Access	✓
	Water and draining	✓
	Soils	✓
	Air & microclimate	✓
	Flora & fauna	✓
	Waste	✓
	Energy	✓
	Noise & vibration	✓
	Natural hazards: Overland flowpath	✓
	Safety, security crime prevention	✓
	Social impact in the locality	✓
	Economic impact in the locality	✓
	Site design and internal design	✓
	Construction	✓
	Cumulative impacts	✓
	The modification application is satisfactory with regards to these considerations.	
(c)	The suitability of the site for the development	
	Does the proposal fit in the locality?	✓
	Are the site attributes conducive to this development?	✓
	Comment: The proposal is satisfactory with regards to these considerations.	
(d)	Any submissions made in accordance with this Act or the regulations	
	Public submissions	✓
	Submissions from public authorities	✓
	Comment: Submissions have been considered in the assessment of the proposal.	
(e)	The public interest	
	Federal, State and Local Government interests and Community interests	✓
	Comment: Approval of the modification application is sufficiently in the public interest. It modifies and expands the basement in a manner that serves the functionality of the development.	

5. CONCLUSION

The Modification Application DAM-2025/105 has been assessed in accordance with Section 4.15 and 4.55 of the *Environmental Planning and Assessment Act 1979*, relevant SEPPs, *WLEP 2012*, *WDCP 2023*, and other relevant codes and policies. Approval is recommended on the basis that the modified basement level and arrangement satisfies the relevant controls and **does result** in detrimental impacts to surrounding properties. The draft conditions of consent are provided in **Attachment 3**.

not



Attachment 1 - Applicant's submission of 12 May 2026 - UPLOADED TO PPSSNH-738 ON 22 MAY 2026

Attachment 2 - Submitted plans for assessment - UPLOADED TO PPSSNH-738 ON 22 MAY 2026

Attachment 3 - The modified conditions of consent (attached below).

ATTACHMENT 3 - The modified conditions of consent.

A. Condition No. 1 is modified to read 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	
Site Plan	Add info - 1103	2	24/10/2024	fjcstudio	
Site demolition plan (DA2)	Add info - 1302	1	29/08/2024		
Basement 3	Add info – 2000 – GA plans	2	28/08/2024		
Basement 2	Add info – 2001 – GA plans				
Basement 1	Add info – 2002 – GA plans	3	24/10/2024		
Mezzanine	Add info – 2003 – GA plans				
Ground	Add info – 2004 – GA plans				
Level 1	Add info – 2005 – GA plans	2	29/08/2024		
Level 2	Add info – 2006 – GA plans		28/08/2024		
Level 3 roof	Add info – 2007 – GA plans		29/08/2024		
Level 4 Upper roof	Add info – 2008 – GA plans				
Elevations – North/South	Add info – 3000		24/10/2024		
Elevations – East/West	Add info – 3001				
Elevations – East/ West Inner	Add info – 3002		1		29/08/2024
Section A, C, D	Add info - 4000		3		24/10/2024
Section 2 & 3	Add info - 4001				
Adaptable Apartments	Add info - 9101	1	27/08/2024		
Adaptable Apartments	Add info - 9102				
Adaptable Apartments	Add info - 9103				
Adaptable Apartments	Add info - 9104				
Communal Open Space	Add info- 9606	2	24/10/2024		
Elevations – Materials Board	3003	0	13/12/2023		
Existing Tree Management Plan	L-001	G	03/09/2024	Site Image	

Landscape plan - Overall Ground floor	L-100	J	24/10/2024	Landscape architect
Landscape render - Masterplan composite	L-C100	F	24/10/2023	
Type	Plan No.	Revision/ Issue No	Plan Date (as Amended)	Prepared by
Landscape render - Ground Floor	L-C101	B	24/10/2024	Site Image Landscape architect
General arrangement 1 - Ground floor	L-101	E		
General arrangement 2 - Ground floor	L-102	E	24/10/2024	
General arrangement 3 - Ground floor	L-103	G		
General arrangement 4 - Ground floor	L-104	F		
General arrangement 5 – Level 1	L-105	D	30/08/2024	
General arrangement 6 – Level 3	L-106		29/08/2024	
Planting plan - Overall Ground floor	L-200	H	24/10/2024	
Planting plan 2 - Level 1	L-201	C	30/08/2024	
Planting plan 3 - Level 3	L-202			
Landscape specifications notes & Indicative plant schedule	L-500	B		
Landscape details 1	L-501			
Landscape details 2	L-502	C	30/10/2024	
Landscape details 3	L-503		30/08/2024	
Plan of Subdivision	Sheets 1 to 8	-	27/06/2023	LTS

Except where modified by DAM-2025/105 as shown in the following approved plans:

Type	Plan No.	Revision/ Issue No	Plan Date (as Amended)	Prepared by
Basement 04 Plan	A10-0600	9	29/04/2026	CQ Studio
Basement 03 Plan	A10-0700	11	29/04/2026	CQ Studio
Basement 02 Plan	A10-0800	12	29/04/2026	CQ Studio

Basement 01 Plan	A10-0900	11	29/04/2026	CQ Studio
Section A, C & D	A30-1002	4	29/04/2026	CQ Studio

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)

B. Condition No. 3 is modified to read as follows:

3. Ausgrid

The following conditions from Ausgrid must be complied with:

A.	Method of Electricity Connection The method of connection will be in line with Ausgrid’s Electrical Standard (ES)1 – ‘Premise Connection Requirements.
B.	Service Mains It appears the existing overhead electricity service mains, that supply the subject property, may not have sufficient clearance to the proposed construction as per the requirements of "The Installation and Service Rules of NSW". It is recommended that the developer engage a Level 2 Accredited Service Provider (ASP) Electrician to ensure that the installation will comply with the Service Rules.

C.	<u>Proximity to Existing Network Assets</u> Underground Cables There are existing underground electricity network assets in EDINBURGH ROAD CASTLECRAIG. Special care should also be taken to ensure that driveways and any other construction activities within the footpath area do not interfere with the existing cables in the footpath. Ausgrid cannot guarantee the depth of cables due to possible changes in ground levels from previous activities after the cables were installed. Hence it is recommended that the developer locate and record the depth of all known underground services prior to any excavation in the area.
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	Safework Australia – Excavation Code of Practice, and Ausgrid’s Network Standard NS156 outlines the minimum requirements for working around Ausgrid’s underground cables.
D.	Substation There are existing electricity substation S5062 within 100 EDINBURGH ROAD CASTLECRAIG. The substation ventilation openings, including substation duct openings and louvered panels, must be separated from building air intake and exhaust openings, natural ventilation openings and boundaries of adjacent allotments, by separation distances which meet the requirements of all relevant authorities, building regulations, BCA and Australian Standards including AS 1668.2: The use of ventilation and air-conditioning in buildings - Mechanical ventilation in buildings. In addition to above, Ausgrid requires the substation ventilation openings, including duct openings and louvered panels, to be separated from building ventilation system air intake and exhaust openings, including those on buildings on adjacent allotments, by not less than 6 metres. Any portion of a building other than a BCA class 10a structure constructed from non combustible materials, which is not sheltered by a non-ignitable blast-resisting barrier and is within 3 metres in any direction from the housing of a kiosk substation, is required to have a Fire Resistance Level (FRL) of not less than 120/120/120. Openable or fixed windows or glass blockwork or similar, irrespective of their fire rating, are not permitted within 3 metres in any direction from the housing of a kiosk substation, unless they are sheltered by a nonignitable blast resisting barrier. The development must comply with both the Reference Levels and the precautionary requirements of the ICNIRP Guidelines for Limiting Exposure to Time-varying Electric and Magnetic Fields (1 HZ – 100 kHz) (ICNIRP 2010). For further details on fire segregation requirements refer to Ausgrid's Network Standard 141. Existing Ausgrid easements, leases and/or right of ways must be maintained at all times to ensure 24 hour access. No temporary or permanent alterations to this property tenure can occur without written approval from Ausgrid. For further details refer to Ausgrid’s Network Standard 143

E.	<u>For Activities Within or Near to the Electricity Easement:</u> Purpose Of Easement This easement was acquired for the 11,000 volt distribution assets currently owned and operated by Ausgrid. The purpose of the easement is to protect the distribution assets and to provide adequate working space along the route of the cables for construction and maintenance work. The easement also assists Ausgrid in controlling works or other activities under or near the distribution cables which could either by accident or otherwise create an unsafe situation for workers or the public, or reduce the security and reliability of Ausgrid's network. The Following Conditions Apply for any Activities Within the Electricity Easement: 1. Safework Australia – Excavation Code of Practice, and Ausgrid's Network Standard NS156 outlines the minimum requirements for working around Ausgrid's underground cables. 2. Ausgrid is not responsible for the reinstatement of any finished surface within the easement site. 3. Ausgrid requires 24 hour access along the easement for plant and personnel. For the purpose of exercising its rights under the easement, Ausgrid may cut fences and/or walls and install gates in them. Where the easements on a site do not provide practical access to all of Ausgrid's infrastructure, a suitable right of access at least 5m wide must be provided to each asset. 4. Access driveways shall withstand the weight of a heavy rigid truck when fully laden weighing 30 tonne. 5. Access gates, minimum 4.5 metres wide, may be required in all fences crossing the transmission line easement. 6. Driveways and other vehicle access must be capable of supporting the heaviest vehicle likely to traverse the driveway without damaging Ausgrid's assets. 7. All metal work within the easement site including metallic fencing, are to be locally earthed by a qualified electrician via a 50 sq. mm stranded copper, insulated earthwire bonded to a copper-clad earthstake driven at least 1.6 metres into the ground. 8. Metallic fencing is generally not permitted to extend away from the easement site unless an insulating section is installed, at least 3 metres wide. This requirement maybe relaxed upon assessment of a supplied fencing design. 9. No buildings/structures or parts thereof constructed may encroach the easement. 10. No machine excavation is permitted within the easement without Ausgrid's express permission. 11. During building construction, adequate controls must be put in place to prevent vehicles and machinery from damaging the Ausgrid assets. 12. Bulk solids (e.g sand and gravels) are not to be stored within the easement area.
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	13. Any change to ground levels must be submitted to Ausgrid for approval. 14. The proposed finished ground levels within the easement must provide a minimum of 600mm cover to the 11kV Distribution Cables. 15. The proposed finished ground levels within the easement must provide a minimum of 500mm cover to the Low Voltage Cables. 16. No fill material or retaining walls are to be placed within the easement without Ausgrid's written approval. 17. Any excavation adjacent to the easement must utilise adequate shoring to prevent destabilisation or subsidence of the ground around the LV cable. 18. Trees, shrubs, or plants which have root systems likely to grow greater than 250mm below ground level are not permitted within the easement or close to the cable infrastructure. The planting of other vegetation is to ensure Ausgrid's access and maintenance requirements are maintained. 19. Electric power should not be connected to the easement site without permission from Ausgrid. 20. Electric power should not be connected to the easement site without permission from Ausgrid, however electric power may be run through the easement under the conditions in the following point. 21. Any electrical services and metallic telecoms and metallic piping, whilst installed within easement are not to be run parallel with the overhead electricity mains for a combined total distance greater than 50m per service. Any parallel length greater than this will require additional Ausgrid consent when the services design is determined. Fibre communications cable does and plastic or concrete piping does not need to meet this requirement.
F.	<i>Ausgrid Underground Cables are in the vicinity of the development.</i> 22. Special care should be taken to ensure that driveways and any other construction activities do not interfere with existing underground cables located in the footpath or adjacent roadways. 23. It is recommended that the developer locate and record the depth of all known underground services prior to any excavation in the area. Information regarding the position of cables along footpaths and roadways can be obtained by contacting Before You Dig Australia (BYDA) 24. In addition to BYDA the proponent should refer to the following documents to support safety in design and construction: 25. SafeWork Australia – Excavation Code of Practice. 26. Ausgrid's Network Standard NS156 which outlines the minimum requirements for working around Ausgrid's underground cables. 27. The following points should also be taken into consideration. 28. Ausgrid cannot guarantee the depth of cables due to possible changes in ground levels from previous activities after the cables were installed. 29. Should ground levels change above Ausgrid's underground cables in areas such as footpaths and driveways, Ausgrid must be notified, and written approval provided prior to the works commencing. 30. Should ground anchors be required in the vicinity of Ausgrid underground cables, the anchors must not be installed within 300mm of any cable, and the anchors must not pass over the top of any cable. (DAM-2025/105)

G.	<i>Ausgrid Overhead Powerlines are in the vicinity of the development.</i> 31. The developer should refer to SafeWork NSW Document – Work Near Overhead Powerlines: Code of Practice. This document outlines the minimum separation requirements between electrical mains (overhead wires) and structures within the development site throughout the construction process. It is a statutory requirement that these distances be maintained throughout the construction phase. 32. Consideration should be given to the positioning and operating of cranes, scaffolding, and sufficient clearances from all types of vehicles that are expected be entering and leaving the site. 33. The “as constructed” minimum clearances to the mains must also be maintained. 34. These distances are outlined in the Ausgrid Network Standard, NS220 Overhead Design Manual. This document can be sourced from Ausgrid’s website at www.ausgrid.com.au. 35. It is the responsibility of the developer to verify and maintain minimum clearances onsite. In the event where minimum safe clearances are not able to be met due to the design of the development, the Ausgrid mains may need to be relocated in this instance. Any Ausgrid asset relocation works will be at the developer’s cost. (DAM-2025/105)
H.	<i>New Driveways - Proximity to Existing Poles</i> 36. Proposed driveways shall be located to maintain a minimum clearance of 1.5m from the nearest face of the pole to any part of the driveway, including the layback, this is to allow room for future pole replacements. Ausgrid should be further consulted for any deviation to this distance. (DAM-2025/105)
I.	<i>New or modified connection</i> 37. To apply to connect or modify a connection for a residential or commercial premises. Ausgrid recommends the proponent to engage an Accredited Service Provider and submit a connection application to Ausgrid as soon as practicable. Visit the Ausgrid website for further details; https://www.ausgrid.com.au/Connections/Get-connected 38. 39. Additional information can be found in the Ausgrid Quick Reference Guide for Safety Clearances “Working Near Ausgrid Assets - Clearances”. This document can be found by visiting the following Ausgrid website: 40. www.ausgrid.com.au/Your-safety/Working-Safe/Clearance-enquiries (DAM-2025/105)

Many of the new conditions by Water NSW are not applicable. In the interest of time and urgency we will not object to these conditions at this point but we may have to lodge a modification to address impact on construction programming and certifier's requirements.

6. WaterNSW

The following dewatering conditions from WaterNSW must be complied with:

GT0115-00001	Groundwater must only be pumped or extracted for the purpose of temporary construction dewatering at the site identified in the development application. For clarity, the purpose for which this approval is granted is only for dewatering that is required for the construction phase of the development and not for any dewatering that is required once construction is completed.
GT0116-00001	Before any construction certificate is issued for any excavation under the development consent, the applicant must: 1. apply to WaterNSW for, and obtain, an approval under the Water Management Act 2000 or Water Act 1912, for any water supply works required by the development; and 2. notify WaterNSW of the programme for the dewatering activity to include the commencement and proposed completion date of the dewatering activity 3. Advisory Note: An approval under the Water Management Act 2000 is required to construct and/or install the water supply works. For the avoidance of doubt, these General Terms of Approval do not represent any authorisation for the take of groundwater, nor do they constitute the grant or the indication of an intention to grant, any required Water Access Licence (WAL). A WAL is required to lawfully take more than 3ML of water per

	water year as part of the dewatering activity. 4. A water use approval may also be required, unless the use of the water is for a purpose for which a development consent is in force. (DAM-2025/105)
GT0117-00001	A water access licence, for the relevant water source, must be obtained prior to extracting more than 3ML per water year of water as part of the construction dewatering activity. Advisory Notes: 1. This approval is not a water access licence. 2. A water year commences on 1 July each year. 3. This approval may contain an extraction limit which may also restrict the ability to take more than 3ML per water year without further information being provided to WaterNSW. 4. Note that certain water sources may be exempted from this requirement — see paragraph 17A, Schedule 4 of the Water Management (General) Regulation 2018.

GT0118-00001	If no water access licence is obtained for the first 3ML / year (or less) of water extracted, then, in accordance with clause 21(6), Water Management (General) Regulation 2018, the applicant must: (a) record water taken for which the exemption is claimed, and (b) record the take of water not later than 24 hours after water is taken, and (c) make the record on WAL exemption form located on WaterNSW website "Record of groundwater take under exemption", and (d) keep the record for a period of 5 years, and (e) give the record to WaterNSW either via email to Customer.Helpdesk@waterNSW.com.au or post completed forms to — PO Box 398 Parramatta NSW 2124 i. not later than 28 days after the end of the water year (being 30 June) in which the water was taken, or ii. if WaterNSW directs the person in writing to give the record to WaterNSW on an earlier date, by that date. (DAM-2025/105)
GT0119-00001	All extracted groundwater must be discharged from the site in accordance with Council requirements for stormwater drainage or in accordance with any applicable trade waste agreement.
GT0120-00001	The design and construction of the building must prevent: (a) any take of groundwater, following the grant of an occupation certificate (and completion of construction of development), by making any below-ground levels that may be impacted by any water table fully watertight for the anticipated life of the building. Waterproofing of below-ground levels must be sufficiently extensive to incorporate adequate provision for unforeseen high water table elevations to prevent potential future inundation; (b) obstruction to groundwater flow, by using sufficient permanent drainage beneath and around the outside of the watertight structure to ensure that any groundwater mounding shall not be greater than 10 % above the pre-development level; and (c) any elevated water table from rising to within 1.0m below the natural ground surface.
GT0121-00001	Construction phase monitoring bore requirements GTA: (a) A minimum of three monitoring bore locations are required at or around the subject property, unless otherwise agreed by WaterNSW. (b) The location and number of proposed monitoring bores must be submitted for approval, to WaterNSW with the water supply work application. (c) The monitoring bores must be installed and maintained as required by the water supply work approval. The monitoring bores must be protected from construction damage. (DAM-2025/105)

GT0122-00001	Construction Phase Monitoring programme and content: (a) A monitoring programme must be submitted, for approval, to WaterNSW with the water supply work application. The monitoring programme must, unless agreed otherwise in writing by WaterNSW, include matters set out in any Guide published by the NSW Department of Planning Industry and Environment in relation to groundwater investigations and monitoring. Where no Guide is current or published, the monitoring programme must include the following (unless otherwise agreed in writing by WaterNSW): i. Pre-application measurement requirements: The results of groundwater measurements on or around the site, with a minimum of 3 bore locations, over a minimum period of 3 months in the six months prior to the submission of the approval to WaterNSW. ii. Field measurements: Include provision for testing electrical conductivity; temperature; pH; redox potential and standing water level of the groundwater; iii. Water quality: Include a programme for water quality testing which includes testing for those analytes as required by WaterNSW; iv. QA: Include details of quality assurance and control v. Lab assurance: Include a requirement for the testing by National Association of Testing Authorities accredited laboratories. (b) The applicant must comply with the monitoring programme as approved by WaterNSW for the duration of the water supply work approval (Approved Monitoring Programme) .
GT0123-00001	(a) Prior to the issuing of the occupation certificate, and following the completion of the dewatering activity, and any monitoring required under the Approved Monitoring Programme, the applicant must submit a completion report to WaterNSW. (b) The completion report must, unless agreed otherwise in writing by WaterNSW, include matters set out in any guideline published by the NSW Department of Planning Industry and Environment in relation to groundwater investigations and monitoring. Where no guideline is current or published, the completion report must include the following (unless otherwise agreed in writing by WaterNSW): 1) All results from the Approved Monitoring Programme; and 2) Any other information required on the WaterNSW completion report form as updated from time to time on the WaterNSW website. (c) The completion report must be submitted using "Completion Report for Dewatering work form" located on WaterNSW website www.waternsw.com.au/customer-service/waterlicensing/dewatering

GT0150-00001	The extraction limit shall be set at a total of 3ML per water year (being from 1 July to 30 June). The applicant may apply to WaterNSW to increase the extraction limit under this condition. Any application to increase the extraction limit must be in writing and provide all information required for a hydrogeological assessment. Advisory note: Any application to increase the extraction limit should include the following: - Groundwater investigation report describing the groundwater conditions beneath and around the site and subsurface conceptualisation - Survey plan showing ground surface elevation across the site - Architectural drawings showing basement dimensions - Environmental site assessment report for any sites containing contaminated soil or groundwater (apart from acid sulphate soils (ASS)) - Laboratory test results for soil sampling testing for ASS - If ASS, details of proposed management and treatment of soil and groundwater. Testing and management should align with the NSW Acid Sulphate Soil Manual
GT0151-00001	Any dewatering activity approved under this approval shall cease after a period of two (2) years from the date of this approval, unless otherwise agreed in writing by WaterNSW (Term of the dewatering approval). Advisory note: an extension of this approval may be applied for within 6 months of the expiry of Term.
GT0152-00001	This approval must be surrendered after compliance with all conditions of this approval, and prior to the expiry of the Term of the dewatering approval, in condition GT0151-00001. Advisory note: an extension of this approval may be applied for within 6 months of the expiry of Term.
GT0155-00001	The following construction phase monitoring requirements apply (Works Approval): (a) The monitoring bores must be installed in accordance with the number and location shown, as modified by this approval, unless otherwise agreed in writing with WaterNSW. (b) The applicant must comply with the monitoring programme as amended by this approval (Approved Monitoring Programme). (c) The applicant must submit all results from the Approved Monitoring Programme, to WaterNSW, as part of the Completion Report.
GT0174-00001	Construction phase monitoring bore requirements GTA: a) Monitoring bores are required to be installed and collecting data prior for at least 3 months prior to submitting a water supply work approval b) A minimum of three monitoring bore locations are required at or around the subject property, unless otherwise agreed by WaterNSW. c) The location and number of proposed monitoring bores must be submitted for approval, to WaterNSW and should be submitted prior to the application for a water supply work approval. d) The monitoring bores should be used to develop a water table map for the site and its near environs.

	e) The monitoring bores must be protected from construction damage. Advisory note: no approval under the Water Management Act 2000 is required for these monitoring bores provided that they extract less than 3ML/water year. (DAM-2025/105)
GT0279-00001	A construction certificate can be issued for excavation work in accordance with a valid development consent, however dewatering cannot take place without an Approval being granted by Water NSW for any water supply works required by the development. If the excavation work will or is likely to require dewatering, the applicant must apply and obtain, an approval under the Water Management Act 2000 prior to any dewatering taking place and notify WaterNSW of the programme for the dewatering activity including the commencement and proposed completion dates of the dewatering activity. Advisory Note: An approval under the Water Management Act 2000 is required to construct and/or install the water supply works. For the avoidance of doubt, these General Terms of Approval do not represent any authorisation for the take of groundwater, nor do they constitute the grant or the indication of an intention to grant. A water use approval may also be required, unless the use of the water is for a purpose for which a development consent is in force. (DAM-2025/105)
GT0281-00001	A water access licence, for the relevant water source, must be obtained prior to extracting groundwater, unless an exemption applies. Advisory Note: See Schedule 4 of the Water Management (General) Regulation 2025. (DAM-2025/105)

(Reason: Ensure compliance)

D. Condition No. 45A is added to read as follows:

45A. Construction and Demolition Waste Management Plan

This must be worded to "relevant Construction Certificate" so it does not hold up receipt of CC for unrelated works

Before the issue of a Construction Certificate, an updated Construction and Demolition Waste Management Plan (WMP) must be submitted to Council. The plan must be prepared in accordance with Willoughby Development Control Plan 2023, that provides for waste management that applies to the land on which the work is carried out. The plan must outline construction waste volumes related to this DA modification and achieve at least an 80% diversion rate from landfill.

(Reason: environmental protection/waste reduction/public health and safety)

E. Condition No. 45B is added to read as follows:

45B. Access to Basement Waste Storage

This must be worded to "relevant Construction Certificate" so it does not hold up receipt of CC for unrelated works

Prior to issue of any Construction Certificate, it must be demonstrated through a pedestrian plan that there is safe pedestrian movement for residents, the building manager and their staff and waste collection staff to access the basement waste storage areas including when wheeling bins and carrying bulky waste.

(Reason: Pedestrian safety/ WHS/ compliance)

F. Condition No. 45C is added to read as follows:

45C. Updated Operational Waste Management Plan

This must be worded to "relevant Construction Certificate" so it does not hold up receipt of CC for unrelated works

Prior to issue of any Construction Certificate, the developer is required to submit an updated Operational Waste Management Plan for Council approval that demonstrates:

- d) A residential waste collection room within 2 metres (2m) of the truck loading bay. This may include swapping of the Retail Bin Room with the Residential Waste Collection Room.
- e) An 11 metre (11m) diameter turntable, a turntable for a 10.5m long HRV truck with 0.25m buffer on either side to ensure the truck does not overhang the turntable during operation and allow for flexibility in parking position.
- f) Commercial organics bin capacity for at least the supermarket and café, which may be offset from a portion or the general waste capacity provided.

(Reason: Compliance/ waste reduction/ work health and safety/ public health and safety)

G. Condition No. 58 is modified to read as follows:

58. Dilapidation Report of Adjoining Properties

Prior to commencement of work, submit a photographic survey and report of the adjoining property at 116 Edinburgh Road and any additional properties deemed necessary by a suitably qualified geotechnical engineer, to the Certifier and all owners of these adjoining properties. Such photographic survey and report shall be prepared by a suitably qualified person, detailing the physical condition of this, both internal and external including items as walls, ceilings, roof, structural members and other items as necessary.

In the event of a property owner refusing to allow access to carry out the photographic survey, the proponent must demonstrate in writing to the Certifier, and provide a copy to Council, that the purpose of the survey was made clear to the property owner and that reasonable attempts to obtain access were made.

(Reason: Protection of adjoining owners)

H. Condition No. 103 is modified to read as follows:

103. On-site Water Management System

Request to change the wording of "any" into "final"

Prior to the issue of any Occupation Certificate, the stormwater runoff from the site shall be collected and disposed of to the street drainage system in Eastern Valley Way via a water quality improvement system and an approved OSD system with a minimum volume of 167m³ in accordance with AS/NZS3500.3, Part I of Council's DCP and Technical Standard 1. The OSD system shall limit the peak stormwater flow from the site in the 1%AEP event to ~~115L/s~~ 116L/s. The construction of the stormwater drainage system of the proposed development shall be in accordance with the approved detailed stormwater drawings required under this development consent and Council's specification (AUS-SPEC). (Reason: Prevent nuisance flooding)