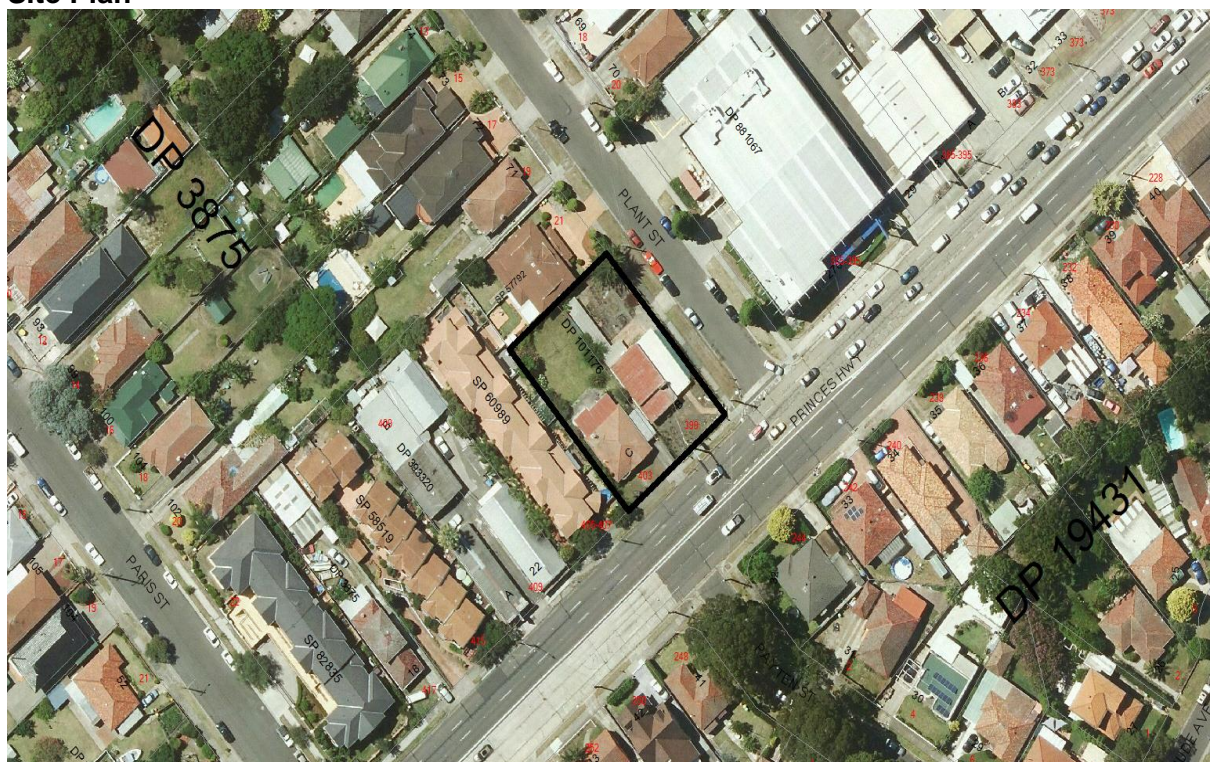


**REPORT TO GEORGES RIVER COUNCIL
IHAP MEETING OF 27 October 2016**

IHAP Report No	3	Development Application No	DA2016/0075
Site Address & Ward Locality	399-403 Princes Highway, Carlton Kogarah Bay Ward		
Proposal	Demolition of existing buildings and construction of a five (5) storey residential flat building with basement car parking and strata subdivision		
Report Author/s	Greg Hansell – Senior Planner		
Zoning:	R3 Medium Density Residential		
Date of Lodgement	28 April 2016		
Owner	Hwyflora Pty Ltd		
Applicant	Mr M Murr		
Submissions	20 submissions of objection		
Cost of Works	\$4,400,000.00		
Issues	Deferred by the IHAP at the meeting held on 8 September 2016		
Recommendation	That the Panel receive and note the amended plans and information and resolve whether they satisfactorily address their concerns raised at the meeting on 8 September 2016 to enable consent to be granted in accordance with the conditions of the original report as subsequently amended.		

Site Plan



Executive Summary

Background

1. On 8 September 2016, the application was referred to the Georges River IHAP which decided as follows:

The Georges River Council IHAP as the delegate of the Georges River Council defers determination of Development Application No. 2016/0075 for the demolition of existing buildings and construction of five (5) storey residential flat building with basement car parking and strata subdivision at 399-403 Princes Highway, Carlton and invites the applicant to submit amended plans for consideration at a future meeting of the IHAP showing:

- *The maximum height of the development with the lift overrun including the RL to the top of the building*
 - *Relocation of the bin storage area so that it is directly accessible from the lobby and not proximate to the adjacent neighbour to the north*
 - *High level sill windows on the north elevation adjacent to the living area for Unit U09*
 - *Landscape plans that are consistent with the architectural plans*
 - *Floor to floor heights of not less than 3m*
 - *Deletion of the walls dividing the balconies of Unit U02, U03, U07, U08, U11, U12, U18, and U19*
 - *The location of the garage door in section*
 - *The location of plant and air conditioning units*
 - *The location of columns in the basement car park*
 - *Removal of the wall blocking the doorway to Unit 22*
2. The applicant has submitted amended architectural and landscaping plans in response to the above decision, along with written submissions outlining how the plans address each of the items referred to in the above decision.
 3. A commentary on how the amended plans address each of the above items is provided as follows:
 - ***The maximum height of the development with the lift overrun including the RL to the top of the building***

Comment:

4. The amended architectural plans include maximum height dimensions inclusive of the lift overrun and reduced levels on the rooftop of the building including the lift overrun, rooftop lift lobby, rooftop terrace balustrades and main rooflines. The lift overrun raises the overall maximum height of the building by 2.2m to 19.97m. These details are indicated on the elevation and section drawings.
 - ***Relocation of the bin storage area so that it is directly accessible from the lobby and not proximate to the adjacent neighbour to the north***

Comment:

5. The amended architectural plans include the relocation of the bin storage area so that it is sited adjacent to the pedestrian pathway between the main lobby and Plant Street and well away from the north western boundary abutting the dual occupancy at No. 21 Plant Street. The bin storage area is now directly accessible from the lobby. Council's Waste services officer is also satisfied with the location and size of the bin storage area.

- ***High level sill windows on the north elevation adjacent to the living area for Unit U09***

Comment:

6. The amended architectural plans include the modification of the two (2) windows concerned such that they have lower sills set at 1.6m above the respective floor level. These details are indicated on the northwest elevation drawing.

- ***Landscape plans that are consistent with the architectural plans***

Comment:

7. The landscape plans have been updated to be consistent with the latest architectural plans. These plans include tree planting comprising four (4) trees distributed equally along both street frontages. The relocation of the bin storage area has resulted in the removal of the pathway adjacent to 21 Plant Street and increased screen planting opportunities along the north western side boundary of the site. The bin storage area is screened from Plant Street by proposed hedge planting.

8. The conditions of consent regarding landscaping and tree planting (as previously recommended) have been simplified and/or modified to reflect the latest landscape plans. The condition of consent regarding the protection of the palm tree on the adjoining property has been modified to reflect its correct street address location.

- ***Floor to floor heights of not less than 3m***

Comment:

9. The amended architectural plans include the modification of the floor to floor heights such that they are 3m on each apartment floor level. These details are indicated on the section and elevation drawings.

- ***Deletion of the walls dividing the balconies of Unit U02, U03, U07, U08, U11, U12, U18, and U19***

Comment:

10. The amended architectural plans include the deletion of the walls dividing these balconies.

- ***The location of the garage door in section***

Comment:

11. The amended architectural plans include a section drawing showing the location of the garage door along the internal driveway to the basement. The podium slab has been extended and stepped upwards over the lower end of the driveway ramp so as to accommodate the garage door. The garage door is recessed 1.6m inside the outer edge of the podium slab above the driveway. No issues are raised by council's traffic engineer with regard to the design of the driveway access taking into account the garage door.

- ***The location of plant and air conditioning units***

Comment:

12. The amended architectural plans include details of the future location of individual air conditioning units on balconies, together with additional plant rooms within both basement car park levels.

- ***The location of columns in the basement car park***

Comment:

13. The amended architectural plans include details of the location of columns in the basement car park levels. No issues are raised by council's traffic engineer with regard to the design of the car park taking into account these columns.

- ***Removal of the wall blocking the doorway to Unit 22***

Comment:

14. The amended architectural plans include the removal of the wall concerned.

Conclusion

15. The amendments appear to have addressed the concerns raised by the IHAP Panel.
16. That the panel receive and note the amended plans and supplementary information and resolve whether they satisfactorily address previous concerns raised to enable consent to be granted.

Conditions of Approval

SPECIFIC DEVELOPMENT CONDITIONS

SECTION A - General Conditions

The conditions that follow in this Section A of the Notice of Determination are general conditions which are imposed to ensure that the development is carried out in accordance with the development consent.

(1) Approved Plans of Consent

The development must be implemented in accordance with the approved plans, specifications and details listed below and any supporting information submitted with the Development Application except as amended by any conditions attached to the Development Consent:

i) Architectural drawings prepared by Nelson Architecture -

Drawing No. 1301-01 Amendment No. 06 dated 15 September 2016
Drawing No. 1301-02 Amendment No. 06 dated 15 September 2016
Drawing No. 1301-03 Amendment No. 06 dated 15 September 2016
Drawing No. 1301-04 Amendment No. 06 dated 15 September 2016
Drawing No. 1301-05 Amendment No. 05 dated 15 September 2016
Drawing No. 1301-06 Amendment No. 05 dated 15 September 2016
Drawing No. 1301-07 Amendment No. 05 dated 15 September 2016
Drawing No. 1301-08 Amendment No. 05 dated 15 September 2016
Drawing No. 1301-09 Amendment No. 05 dated 15 September 2016
Drawing No. 1301-10 Amendment No. 05 dated 15 September 2016
Drawing No. 1301-11 Amendment No. 05 dated 15 September 2016
Drawing No. 1301-12 Amendment No. 06 dated 15 September 2016
Drawing No. 1301-28 Amendment No. 06 dated 15 September 2016
Drawing No. 1301-29 Amendment No. 06 dated 15 September 2016
Drawing No. 1301-30 Amendment No. 06 dated 15 September 2016
Drawing No. 1301-31 Amendment No. 06 dated 15 September 2016
Drawing No. 1301-32 Amendment No. 06 dated 15 September 2016
Drawing No. 1301-33 Amendment No. 06 dated 15 September 2016
Drawing No. 1301-34 Amendment No. 06 dated 15 September 2016
Drawing No. 1301-35 Amendment No. 06 dated 15 September 2016

ii) Landscape drawings prepared by Zenith Landscape Designs -

Drawing No. 16-3212 L02 Revision A dated 21 September 2016
Drawing No. 16-3212 L03 Revision A dated 21 September 2016
Drawing No. 16-3212 L04 Revision A dated 21 September 2016
Drawing No. 16-3212 L05 Revision A dated 21 September 2016
Drawing No. 16-3212 L06 Revision A dated 21 September 2016
Drawing No. 16-3212 L07 Revision A dated 21 September 2016
Drawing No. 16-3212 L08 Revision A dated 21 September 2016

SECTION B –Prior to the Issue of a Construction Certificate or Demolition Conditions

The conditions that follow in this Section B of the Notice of Determination relate to the payment of fees, amendments being made to the proposal, further investigation being undertaken or the preparation of documentation that must be complied with prior to the issue of a Construction Certificate or Demolition.

Note: A copy of the Construction Certificate shall be forwarded to Council prior to commencement of construction where Council is not the certifier who issued the Construction Certificate.

(2) Asset & Building Fees

Payment of the following amounts as detailed below:

- Restoration/Damage Deposit of \$30,000.00
- Builders Long Service Levy of \$15,400.00
- Driveway and Restoration Works Design Inspection Fee of \$ 750.00
- Asset Inspection Fee of \$ 110.00

Note: The Builders Long Service Levy quoted is based on the market value of the proposed building works and the Levy Rate applicable at the time of assessing the Development Application and may be subject to change prior to payment.

(3) Restoration Deposit

A restoration/damage deposit of \$30,000 shall be lodged with Council to ensure the completion of the following works and restoration of Council's assets damaged during the course of construction. These works are to be completed at the applicant's expense:

- Construction of a new 1.5m wide concrete footpath across the full street frontage in Plant Street.
- Installation of turf as required across all full street frontages in Plant Street and Princes Highway.

These works are to be in accordance with plans and specifications to be issued by Council.

(4) Section 94 Index

Section 94 Contributions are to be paid as detailed below in the following condition, and until paid all contributions will be indexed four (4) times a year (on the following dates) to allow for the cost increases: 31 January, 30 April, 31 July and 31 October.

(5) Section 94 Contributions

As at the date of Development Consent the following contributions have been levied on the subject development under Section 94 of the Environmental Planning and Assessment Act, 1979 and the nominated Section 94 Contributions Plans:

No.1 – Roads and Traffic Management – Residential	\$1,892.36
No. 5 – Open Space 2007	\$197,459.99
No. 9 – Kogarah Libraries – Buildings	\$4,330.34
No. 9 – Kogarah Libraries - Books	\$4,267.56
TOTAL	\$207,950.26

Any of the above Section 94 Contributions Plans may be inspected at the Georges River Council Customer Service Centres.

(6) Dilapidation Report

Prior to issue of any construction certificate or commencement of any demolition or earth works on site, the applicant shall submit, for acceptance by the Principal Certifying Authority (PCA), with a copy forwarded to Council where Council is not the PCA, a full dilapidation report on the visible and structural condition of the following properties;

- (i) All neighbouring buildings likely to be affected by the excavation as determined by the consulting engineer.
- (ii) And 405-407 Princes Highway, Carlton and 21 Plant Street, Carlton

The report must be completed by a suitably qualified consulting structural/geotechnical engineer as determined necessary by that professional based on the excavations for the proposal, the subsoil conditions and any recommendations of a geotechnical report for the site. The report shall have regard to protecting the applicant from spurious claims for structural damage and shall be verified by all stakeholders as far as practicable.”

Reports relating to properties that refuse access to carry out inspections to complete the dilapidation report, after being given reasonable written notice to request access (at least 14 days) at a reasonable time (8.00am-6.00pm), are not to hold up the release of the Construction Certificate.

(7) Soil and Water Management

A Soil and Water Management Control Plan, incorporating contour levels and prepared in accordance with Environmental Site Management Policy shall be submitted to Council detailing all measures to control soil erosion and sedimentation runoff from the site during excavation and construction activities.

(8) Detailed Site Investigation Report Recommendations

To ensure that the land is suitable for the proposed development, the site demolition and removal of site structures is to be carried out in accordance with the recommendations of the “Detailed Site Investigation Report” prepared by EI Australia (report ref: E23059 AA_ Rev 0) dated 4 August 2016.

(9) SEPP No 65 Certification

A design verification statement from a qualified designer shall be submitted that verifying that the plans and specifications achieve the design quality of the development for which consent was granted having regard to the design quality principles of State Environmental Planning Policy No. 65.

(10) Adaptable Housing Compliance

The proposed development including the nominated adaptable units shall comply with the adaptable housing provisions of AS4299 – Adaptable Housing and AS1498 – Access and Mobility (Parts 1 and 2). The Adaptable Housing checklist and circulation diagram demonstrating compliance shall be submitted.

(11) Ausgrid Sub Station

The applicant is to confer with Ausgrid to determine if an electricity distribution substation is required. If so, shall be incorporated within the Construction Certificate and it will be necessary for the final film survey plan to be endorsed with an area having dimensions 5m x 4m over the location of the proposed electricity distribution substation to be dedicated to Council as public roadway, or as otherwise agreed with Ausgrid. Ausgrid's requirements are to be met prior to release of the occupation certificate.

(12) Clearances to Overhead Mains

If any part of the proposed structure, within 5m of a street frontage, is higher than 3m above footway level, the applicant is to confer with Ausgrid to determine if satisfactory clearances to any existing overhead mains will be affected. If so, the applicant is to make arrangements with Ausgrid for any necessary modification to the electrical network in question.

These works to be at the applicant's expense and Ausgrid's requirements are to be met prior to actual construction commencing on site or as agreed with Ausgrid.

(13) Sydney Water (DA Only)

The approved plans must be processed through Sydney Water to determine whether the development will affect any Sydney Water asset's (sewer and water mains, stormwater drains and/or easements) and if any further requirements need to be met. An approval receipt will be issued by Sydney Water which is to be submitted to Council or the Principal Certifying Authority.

Please refer to the web site www.sydneywater.com.au for;

- Sydney Water Tap in – see Plumbing, building and developing and then Sydney Water Tap in; and
- Building over/adjacent to a Sydney Water Asset - see Plumbing, building and developing, building then Building Approvals or telephone 13 20 92.

(14) Car Park Design

- a) The columns within the car park area shall be designed in accordance with "AS/NZS 2890.1:2004 - Off Street Car Parking. Section 5.2".
- b) The car parking spaces, aisles and driveway ramp widths and grades shall comply with the requirements of "AS/NZS 2890.1:2004 - Off Street Car Parking".

(15) Traffic Management Plan

Prior to the issue of any construction certificate and any demolition or earthworks on the site, the applicant shall submit for Council's approval a "Management Plan" detailing the following elements, to safely manage vehicular and pedestrian traffic during the works at the site:

- Traffic Control Plans and details of how the company proposes to place, erect, dismantle and/or undertake the works at the site.
- All works on the road or road related areas are to be clearly delineated and designed in accordance with the relevant standards (refer to "AS 1742.3 – 2009" and the Roads and Maritime Services "Traffic Control at Worksites (TCAWS) Manual, Version 4.0, 2010").
- The Traffic Control Plans and the works must be prepared/undertaken by RMS accredited (ticketed) personnel.
- Where heavy vehicles associated with the site will be parked whilst waiting to enter the site.
- Location of loading and unloading areas for trucks.
- The route of all trucks conveying materials to and from the site.
- Demonstration that pedestrian access past the site is maintained during demolition and construction works.

(16) Detailed Stormwater Plan

The submitted stormwater plan has been assessed and approved as a concept plan only. No detailed assessment of the design has been undertaken. A Detailed Stormwater Plan and supporting information of the proposed on-site stormwater management system is to be submitted. The required details in this Plan and the relevant checklist are presented in Council's Water Management Policy.

The design parameters and the general concept of the proposed on-site stormwater management system are to be the same as documented in the approved Concept Stormwater Plan for the proposed development. Any conceptual variations to the stormwater design will require written approval from Council and justification and support by appropriate details, calculations and information to allow for proper assessment.

The Detailed Stormwater Plan is to address the following issues:

- a) A suitably qualified engineer is to certify that appropriate design measures have been taken to ensure that the basements are protected from flooding in the case of the on-site detention systems malfunctioning.
- b) As the maximum ponding depth within the above ground on-site detention basin is greater than 300mm, detail is to be shown how the design has allowed for safe exiting out of the basin. This is to allow for the instances of the storage being both full and empty. Certification is to be provided by a suitably qualified engineer that the design of the on-site detention system has been assessed for safety in terms of the provision of safe egress and/or the installation of fencing in accordance with the Building Code of Australia.
- c) Certification from a suitably qualified hydraulic engineer is to be prepared providing evidence and stating that adequate design measures have been adopted to ensure that the basement levels of the building are protected against flooding to the Design 1 in 100 year flood level of RL 15.5 (AHD).

(17) Certification of Detailed Plan

The detailed stormwater plan is to be certified by a Chartered Professional Engineer. A statement, that the stormwater system has been designed in accordance with Council's Water Management Policy and satisfies the provisions and objectives of that policy, must be included in the Stormwater Detailed Plan.

(18) On-Site Detention

A 30.3m³ On-Site Detention system with a Maximum Site Discharge of 22 Litres per Second is to be provided in accordance with the Stormwater Concept Plan and associated Design Assessment Report. The overflow is to be directed to the site drainage system.

(19) Noise from Road Traffic

To minimise the impact of traffic noise from the adjoining major road on the occupants, the proposed development is to be constructed in accordance with the recommendations of the acoustic report 03-165 prepared by Alan Parks Consulting, entitled "Traffic Noise Impact Assessment 399-403 Princes Highway Carlton" submitted on 5 August 2016 as a part of the development application.

(20) Setback of Balconies

The balconies located on the fourth floor level as depicted on the above drawings shall be modified so that they are setback a minimum distance of 9m from the north western and south western boundaries of the site. The remaining roof areas are to be non-trafficable. These details are to be included on the plans accompanying any future construction certificate for the development.

SECTION C – Prior to Commencement of Construction Conditions

The conditions that follow in this Section C of the Notice of Determination are specific to the proposed development and must be complied with prior to the commencement of construction on the site.

(21) Geotechnical Report

Excavation of the site is to extend only to that area required for building works depicted upon the approved plans. All excess excavated material shall be removed from the site. In this regard, all excavated waste materials shall be disposed of at an approved Waste Depot.

No rock breaking or other machinery for the excavation, drilling, cutting or removal of rock shall be used on the site prior to the acceptance by the principal certifying authority of the following documentation:

- (i) A report by a geotechnical engineer detailing the measures recommended in undertaking the works so as to prevent damage to any adjoining or nearby buildings.
- (ii) The type and size of machinery proposed.
- (iii) The routes of all trucks to convey material to and from the site.

(22) Certification by Mechanical Engineer

To ensure that adequate provision is made for ventilation of the building, mechanical and /or natural ventilation shall be provided. These systems shall be designed in accordance with the provisions of:-

- a) The Building Code of Australia;
- b) Australian Standard AS 1668 Part 1 - 1998;
- c) Australian Standard AS 1668 Part 2 - 2002;
- d) The Public Health Act 2010;
- e) The Public Health Regulation 2012;
- f) Australian Standard 3666.1 - 2002;
- g) Australian Standard 3666.2 - 2002;
- h) Australian Standard 3666.3 - 2000.

Details of all mechanical and /or natural ventilation systems, along with specific certification, provided by an appropriately qualified person, verifying compliance with the abovementioned requirements.

(23) Structural Engineer's Details

Engineer's details prepared by a practising Structural Engineer being used to construct all reinforced concrete work, structural beams, columns & other structural members. The details are to be submitted to the Principal Certifying Authority for approval prior to construction of the specified works.

A copy shall be forwarded to Council where Council is not the PCA.

(24) Protection of Site – Hoarding

A hoarding or fence must be erected between the work site and the public place if:

- the work involved in the erection or demolition of a building is likely to cause obstruction or inconvenience to pedestrian or vehicular traffic in a public place; or
- if it involves the enclosure of a public place.

If necessary an awning is to be erected which is sufficient to prevent any substance from or in connection with the work from falling into a public place.

Any such hoarding, fence or awning is to be removed when the work has been completed.

If the work site is likely to be hazardous to persons in a public place, it must be kept lit between sunset and sunrise.

(25) Ground Anchors

Should the proposed development require the installation of ground anchors to a road reserve the following must be complied with:

- The appropriate Roads Act 1993 approvals shall be obtained.
- The anchoring is to be de-stressed once no longer required.
- The work is to be clear of all services contained within the public roadway and the required dial before you dig investigations are to be undertaken in relation to any services that may be in the proposed anchor locations.
- Public liability insurances being held by the builder/ developer with a copy being submitted to Council.
- A works-as-executed plan showing the exact location of all anchoring points being submitted to Council upon their installation.

It is to be noted that if anchoring into adjacent private properties is required any such approval would need to be obtained from the owners of this property.

(26) Driveway

In respect to vehicular access to the proposed development, the gutter crossing and driveway are to be reconstructed between the kerb and street alignment to Council's specifications.

In this regard a separate driveway application is to be lodged with Council for works outside the property boundary. Furthermore the design boundary level is to be received from Council prior to construction of the internal driveway.

(27) Council Infrastructure Inspection

Prior to the commencement of any works an authorised representative of the applicant is to organise and attend a meeting on site with Council's Infrastructure Compliance Co-ordinator to discuss protection of Council's infrastructure. To organise this meeting contact Council's Customer Service Centre on 9330 6400.

(28) Public Liability Insurance

All nominated contractors / applicants carrying out driveway and/or restoration works on Council property must carry public liability insurance with a minimum cover of twenty million dollars (\$20,000,000.00). In this regard, prior to commencement of works, the principal contractor is to lodge an "Application for the Construction of Work by Private Contractor" to Council, which includes submitting evidence of their current insurance. The principal contractor must ensure that sub-contractors are also adequately insured.

(29) Soil Erosion Controls

Prior to commencement of any site works, erosion and sediment controls are to be installed in accordance with Environmental Site Management Policy and any approved Soil & Water Management Plan and shall incorporate:

- Measures to prevent sediment and other debris escaping from the cleared or disturbed areas into drainage systems or waterways;
- Controls to prevent tracking of sand, soil, aggregates, etc, by vehicles onto adjoining roadways.

(30) Tree Protection

Prior to the commencement of any works on the site the tree protection measures required for the established Tree Protection Zone (TPZ) of the trees to be retained shall be installed in accordance with Section 4 - *Australian Standard AS 4970-2009 - Protection of trees on development sites*.

Unless otherwise specified in AS 4970-2009 a protective fence consisting of 1.8m high fully supported chainmesh shall be erected around the base of the tree. The distance of the fence from the base of each tree is to be in accordance with the TPZ listed below. A layer of organic mulch 100 millimetres thick shall be placed over the protected area and no soil or fill should be placed within the protection area.

There shall be no services installed within the drip line TPZ of the tree. This fence shall be kept in place during demolition, construction and also have a sign displaying "Tree Protection Zone" attached to the fence, this must also include the name and contact details of the Project Arborist.

(31) Unexpected Finds Protocol

Any new information revealed during demolition and/or excavation works that has the potential to alter the previous findings of the Detailed Site Investigation Report shall be immediately notified to Georges River Council and the Principal Certifying Authority prior to further commencement of works.

SECTION D – Construction and Operational Conditions

The conditions that follow in this Section D of the Notice of Determination are imposed to ensure the development is constructed and operates having regard to relevant legislation and does not unreasonably impact on the amenity of the locality or environment during the construction phase or the operation of the use.

(32) Inspections -Multi Unit

The following lists of inspections are the **MANDATORY CRITICAL STAGE INSPECTIONS** that **MUST** be carried out by the Principal Certifying Authority (PCA).

- (a) at the commencement of building works
- (b) prior to covering waterproofing in any wet areas, for a minimum of 10% of rooms with wet areas within a building, and
- (c) prior to covering any stormwater drainage connections, and
- (d) after the building work has been completed and prior to any occupation certificate being issued in relation to the building.

Certificates from your engineer or subcontractor are **NOT** acceptable in the first instance for the above inspections. Failure to have your PCA carry out these inspections could result in a delay or refusal to issue an Occupation Certificate.

In addition to the above, it is recommended that the following inspections be carried out for the subject development;

- Erosion Control
- Earthworks/Excavation
- Building setout
- Concrete reinforcement

- Timber and/or steel framework
- Mechanical/Hydraulic work
- Driveways
- Landscaping
- External Finishes

(33) Storage of materials on Public Road

All building materials or waste containers must be stored within the confines of the site. The storage of such building materials, waste containers or equipment associated with the project upon the public roadway, including the pedestrian footway or unpaved verge, is prohibited.

(34) Use of Crane on Public Road

Prior approval must be obtained from Council a minimum of 24 hours before the use on any site of a crane, hoist or similar machinery that will be used to transfer materials across Council's footpath. This includes cranes that are situated on roadways, footpaths and road reserves.

Any application for approval must be accompanied by the following information:-

- Site sketch indicating the proposed location of the crane, pedestrian controls and traffic controls;
- A copy of current public liability insurance with minimum cover of twenty million dollars (\$20,000,000) indemnifying Council in the event of an incident;
- A copy of an RMS accredited traffic control plan;
- Proof that the local area command of the NSW Police have been advised of the proposal.

The use of a crane, hoist or similar machinery on any site without prior approval is prohibited.

(35) Building Height - Surveyors Certificate

The proposed building is not to be erected at a height greater than that indicated on the approved plan. A certificate from a Registered Surveyor verifying the correct Reduced Level of the ground floor slab and boundary clearances shall be submitted prior to inspection of the steel reinforcement.

(36) Excavation of Site

Excavation of the site is to extend only to that area required for building works depicted upon the approved plans. All excess excavated material shall be removed from the site. In this regard, all excavated waste materials shall be disposed of at an approved Waste Depot (details are available from Council).

All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.

All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

If the soil conditions require it, retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil shall be provided and adequate provision shall be made for drainage.

(37) Stormwater to Kerb

Any stormwater connections to the kerb and gutter are to be in accordance with Council's *'Specification for Construction by Private Contractors'*.

(38) Redundant Driveway

All existing vehicular crossings adjacent to the subject premises that have become redundant shall be removed and the footway and kerb and gutter reinstated at the developer/applicants expense.

(39) Work within Road Reserve

A Development Consent or any related Construction Certificate does not allow for the erection of a structure or to carry out work in, on or over a public road. Should a structure or work be required a separate approval under S138 of the Road Act 1993 must be granted by Council prior to the commencement of any works within the road reserve. Applications may be made at Council's Customer Service Centre.

(40) Damage within Road Reserve & Council Assets

The owner shall bear the cost of restoring any footpath, roadway and any other Council assets damaged due to works at, near or associated with the site. This may include works by Public Utility Authorities in the course of providing services to the site.

(41) Public Utility & Telecommunication Assets

The owner shall bear the cost of any relocation or modification required to any Public Utility Authority assets including telecommunication lines & cables and restoring any footpath, roadway and any other Council assets damaged due to works at, near or associated with the site.

(42) Garbage Room

The proposed garbage room being provided with the following:-

- a) A smooth concrete floor graded and drained to a floor waste connected to the sewer of the Water Board.
- b) The walls being cement rendered with the intersection of the walls and floor being coved to a radius of not less than 25mm.
- c) The door being close fitting to prevent the access of rats and mice.
- d) A cold water hose cock being provided for the cleaning of containers and the room itself.
- e) Ventilation being provided by means of direct connection to the outside air to the satisfaction of Council.

- f) A sign, minimum size 600mm x 600mm, directing residents not to place recyclables in garbage carts and encouraging residents to recycle. Details of an acceptable wording for the sign are available from Council.

(43) Hours of Construction

Construction may only be carried out between 7.00 am and 5.00 pm on Monday to Saturday and no construction is to be carried out at any time on a Sunday or a public holiday.

(44) Restriction on Hours of Excavation (other than single residential dwelling)

Despite the general hours of construction above,

- a) The hours where rock breaking, cutting, hammering and drilling occur shall be limited to 9:00am – 4:00pm on weekdays only.
- b) A noise management plan for the above works, prepared by a suitably qualified acoustical practitioner in accordance with the Interim Noise Construction Guidelines prepared by the Department of Environment & Climate Change NSW, must be submitted to Council prior to commencement of any excavation works.

(45) Provision of Amenities

Toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site or as specified by Workcover requirements .

- each toilet provided must be a standard flushing toilet and must be connected:
- to a public sewer; or
- if connection to a public sewer is not practicable, to an accredited sewage management facility approved by the Council; or
- if connection to a public sewer or an accredited sewage management facility is not practicable, to some other sewage management facility approved by the Council.

The provision of toilet facilities must be completed before any other work is commenced.

(46) Letter Boxes

Suitable letter box facilities (including Owner's Corporation in the case of strata units) shall be provided in accordance with Australia Post specifications.

(47) Oil/Silt Separator

An oil/silt separator sized to the catchment area must be specified on the Stormwater Detailed Plans and located downstream of the proposed basement car park and prior to discharge to councils stormwater system.

(48) Flood Compatible Materials

All building material used to construct this addition must be made using flood proof materials up to the Flood Planning Level and this must be specified by the manufacturer. All electrical services must also be located above this level. The applicant should refer to the NSW Government Publication "Reducing Vulnerability of Buildings to Flood Damage - Guidance on Building in Flood Prone Areas", Chapter 4.3.

(49) Car Wash

To ensure that waste water is treated in an acceptable manner the car wash bay shall be designed and constructed to ensure that waste water is discharged to the sewer in accordance with the requirements of Sydney Water. Evidence of a permit issued by Sydney Water shall be submitted.

(50) Basix Certificate Details – DA Only

Construction of building works given Development Consent must be carried out in accordance with a valid and current BASIX certificate and all required commitments must be satisfied.

(51) Air Conditioning / Offensive Noise

Air conditioning plant and equipment shall be installed and operated so as to not create an offensive noise as defined under the Protection of the Environment Operations Act 1997 and Protection of the Environment Operations (Noise Control) Regulation 2008.

(52) Building Finishes

The building finishes are to be constructed generally in accordance with the schedule of external finishes and perspective submitted with the Development Application.

(53) Allocation of Car Parking Spaces

A minimum of 39 off street car parking spaces shall be constructed, drained, marked and maintained at all times in accordance with the approved plans. These spaces shall be allocated as follows:

- a) 34 spaces are to be allocated to the residential units.
- b) 5 spaces are to be allocated as visitor parking spaces.

(54) Residential Car Parking Spaces

A minimum of one (1) unrestricted car parking space shall be allocated to each residential unit.

(55) Visitor Parking

A directional sign shall be provided at the front of the site indicating the availability of visitor parking on site. Those visitor spaces shall be marked or signposted.

(56) OSD Markers

All on-site stormwater storages that experience permanent or temporary ponding shall be indicated on the site by fixing a marker plate.

(57) Turning Bay

The turning bay on the Basement 2 level shall be signposted as "Turning Bay – No Parking" or similar.

(58) Road Occupancy Licenses

A Road Occupancy License (ROL) shall be obtained from the Roads and Maritime Services Transport Management Centre for any works that may impact on traffic flow on the Princes Highway during demolition and construction at the site.

(59) Works Zones

The installation of a "Works Zone" for the site will require the approval from the Local Traffic Committee. As a result, the applicant shall provide a formal request to Council's Traffic Section with the duration and exact location of the required "Works Zone" at least 6 weeks prior to its required installation date. All costs associated with the installation of a "Works Zone" will be at the applicant's expense.

(60) Road Closures

A Road Closure Application form and associated documents shall be submitted to Council for approval at least 5 business days prior to any proposed lane closure for concrete pours, cranes or other activities involved in the demolition, excavation and construction on the site.

(61) Verification of Levels

For flood affected properties, a registered surveyor shall verify the levels of the design overland runoff path and finished floor levels to AHD and according to the approved plans.

(62) On-Site Detention Treatment

Bark chips, mulch and other floatable materials are not to be used in the gardens forming the above ground On-site Detention stormwater basins.

(63) Stormwater Drainage

All roof water and surface water from paved or concreted areas are to be disposed of in accordance with the Stormwater Plan by means of a sealed pipeline constructed in accordance with AS/NZS 3500.3:2015. The line must pass through a silt arrestor pit.

(64) Tree Protection – Excavation

Excavations around the trees to be retained on site or the adjoining properties shall be supervised by the Project Arborist to ensure that the root system will not adversely be affected.

Where the Tree Protection Zone (TPZ) of trees on site or adjoining sites become compromised by any excavation works, the Project Arborist shall be consulted to establish the position of any major roots and determine the necessary measures to protect these roots. The recommendations of the Arborist shall be submitted to Council prior to any further demolition or construction works taking place.

Tree Protection Zone (TPZ) around the trees to be retained are not to have soil level changes or services installed in this area. Any structures proposed to be built in this area of the trees are to utilise pier and beam or cantilevered slab construction.

(65) Tree Retention

The trees identified in the table below shall be retained and not damaged, pruned or removed without the prior approval of Council. These trees shall be protected in accordance with the requirements of Section 4 - *Australian Standard AS 4970-2009 - Protection of trees on development sites*.

Tree Species	Location of Tree/Tree No.	TPZ
Syragrus romanzoffianum (Cocos Palm)	405-407 Princes Highway / Tree 3	1.5 metres

(66) Tree Removal

The trees identified in the table below may be removed:

Tree Species	Location of Tree/Tree No.	Work Required
Araucaria hetrophylla	399 Princes Highway / Tree 1	Removal
Araucaria hetrophylla	399 Princes Highway / Tree 1	Removal

All tree removals are to be carried out by a certified Tree Surgeon/Arborist to ensure that removal is undertaken in a safe manner and complies with the AS 4373-2007 - Pruning of Amenity Trees) and Tree Works Industry Code of Practice (Work Cover NSW 1.8.98).

No trees are to be removed on the site or neighbouring properties without the prior written approval of Council.

(67) Tree Preservation

No trees are to be removed, pruned or damaged on site or neighbouring properties unless there is written approval from Council in accordance with Clause 5.9 of Kogarah Local Environmental Plan 2012.

(68) Health and Public Nuisance

The use of the premises shall not give rise to an environmental health nuisance to the adjoining or nearby premises and environment. There are to be no emissions or discharges from the premises, which will give rise to a public nuisance or result in an offence under the *Protection of the Environment Operations Act 1997* and Regulations. The use of the premises and the operation of plant and equipment shall not give rise to the transmission of a vibration nuisance or damage other premises.

SECTION E – Prior to Occupation or Subdivision Certificate Conditions

The conditions that follow in this Section E of the Notice of Determination relate to conditions that ensure that the development is completed in accordance with the requirements of the Development Consent prior to the issue of either an Occupation Certificate or a Subdivision Certificate.

(69) Adaptable Housing Certification

Certification shall be provided by a person suitably accredited by the Association of Consultants in Access Australia, verifying that the development has been constructed in accordance with the requirements of AS4299 - *Adaptable Housing* and AS1428 - *Design for Access and Mobility* and in accordance with the report and checklist submitted with the Construction Certificate.

(70) SEPP No 65 Certification

A design verification statement from a qualified designer shall be submitted verifying that the development achieves the design quality of the development as shown in the plans and specifications in respect of which the construction certificate was issued, having regard to the design quality principals of State Environmental Planning Policy No. 65.

(71) Completion of Landscaping

Certification shall be provided from a suitably qualified and experienced Landscape Designer or Landscape Architect. This Certification shall verify that the landscape works have been completed in accordance with the approved landscape plans and relevant conditions of this consent.

Note: A Landscape Designer is a person eligible for membership of the Australian Institute of Landscape Designers and Managers and a Landscape Architect is a person eligible for membership of the Australian Institute of Landscape Architects as a Registered Landscape Architect.

(72) Consolidation of Lots

The lots covered by this development consent shall be consolidated into one lot and proof of registration of the consolidation shall be submitted to Council.

(73) Section 73 Compliance Certificate

A Section 73 Compliance Certificate under the Sydney Water Act, 1994 must be obtained from Sydney Water Corporation.

Application must be made through an authorised Water Servicing Coordinator. Please refer to the Building Developing and Plumbing section of the web site www.sydneywater.com.au then refer to “Water Servicing Coordinator” under “Developing Your Land” or telephone 13 20 92 for assistance.

Following application a “Notice of Requirements” will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Coordinator, since building of water / sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

The Section 73 Certificate must be submitted to the Principal Certifying Authority.

(74) Stormwater Compliance Certificate

A Stormwater Compliance Certificate is to be obtained for the constructed on-site stormwater management systems in conjunction with the works-as-executed drawings and the final inspection. This Certificate is to be signed by an accredited hydraulic engineer (preferably be the original design consultant) and submitted to the Principal Certifying Authority. Copy of the standard Stormwater Compliance Certificate is shown in Council's Water Management Policy.

If the proposed works involve Council owned stormwater infrastructure (or infrastructure to be owned by Council), then the applicant should organise inspection with Council and pay Council the appropriate inspection fee. Inspection is to be carried out at the following specified stages:

- Prior to backfilling of pipelines trenches.
- Prior to backfilling of drainage connection to pipeline or channels.
- Prior to casting pits and other concrete structures including kerb and gutter, aprons, pathways, vehicular crossings, dish crossings and pathway steps.

(75) Positive Covenant

A Restriction on Use of the land and Positive Covenant shall be created and registered on the title of the property, which places the responsibility for the maintenance of the on-site stormwater management system on the owner of the land. The terms of the instrument are to be generally in accordance with the Council's standard terms and conditions for Restriction on Use of the land and Positive Covenant shown in Council's Water Management Policy.

(76) Maintenance Schedule

A Maintenance Schedule for the proposed on-site stormwater management measures is to be prepared and submitted. The Maintenance Schedule shall outline the required maintenance works, how and when these will be done and who will be carrying out these maintenance works.

(77) Fire Safety Schedule

Certain items of equipment or forms of construction shall be nominated as "fire safety measures" within the building.

Upon completion of works, and before occupation of the building, each of the fire safety measures is required to be certified by an appropriately competent person (chosen by the owner of the building). The certificate is to state that the measure was inspected and found to be designed, installed and capable of operating to a standard not less than that required by the relevant regulations.

Further, it is the responsibility of the owner of the building that each fire safety measure is again inspected and certified as to its condition every twelve (12) months following the submission to Council of the original certification.

(78) BASIX Completion Receipt

In accordance with clause 154C of the Environmental Planning and Assessment Regulation 2000, prior to issuing a final occupation certificate the certifying authority must apply to the Director-General for a BASIX completion receipt.

(79) Acoustic Validation

A report prepared by an accredited Acoustic Consultant shall be submitted to the Principal Certifying Authority (PCA) certifying that the development complies with the requirements of State Environmental Planning Policy (Infrastructure) 2007, acoustic conditions of this development consent and recommendations of the acoustic report 03-165 prepared by Alan Parks Consulting, entitled "Traffic Noise Impact Assessment 399-403 Prince Highway Carlton" submitted on 5 August 2016. The acoustic report shall include post construction validation test results.

SECTION F – Prescribed Conditions

The following are prescribed conditions of development consent pursuant to s.80A(11) of the Environmental Planning and Assessment Act 1979 and cl.98 of the Environmental Planning and Assessment Regulation 2000.

(80) Compliance with the Building Code of Australia

The development must be carried out in accordance with the provisions of the Building Code of Australia.

(81) Insurance Requirements under Home Building Act 1989

The builder or person who does the residential building work must comply with the applicable requirements of Part 6 of the Home Building Act, 1989. This means that a contract of insurance must be in force in accordance with Part 6 of that Act before any building work authorised to be carried out by the consent commences.

It is the responsibility of the builder or person who is to do the work to satisfy Council that they have complied with the applicable requirements of Part 6 of the Home Building Act, 1989.

If Council is the Principal Certifying Authority it will not carry out any inspections until a copy of the insurance certificate is received.

(82) Erection of Signs

A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

- (a) showing the name, address and telephone number of the principal certifying authority for the work, and
- (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- (c) stating that unauthorised entry to the work site is prohibited.

The sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

(83) Notification of Home Building Act 1989 Requirements

Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the following information:

- (a) in the case of work for which a principal contractor is required to be appointed:
 - (i) the name and licence number of the principal contractor, and
 - (ii) the name of the insurer by which the work is insured under Part 6 of that Act,
- (b) in the case of work to be done by an owner-builder:
 - (i) the name of the owner-builder, and
 - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified above becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the updated information.

(84) Shoring and Adequacy of Adjoining Property

If the development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:

- (a) protect and support the adjoining premises from possible damage from the excavation, and
- (b) where necessary, underpin the adjoining premises to prevent any such damage.

The above condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

(85) Council Notification of Construction

The erection of a building which is the subject of a Development Consent must not be commenced until:

- a) *Detailed plans and specifications of the building have been endorsed with a construction certificate by Council or an accredited certifier.*
- b) *the person having the benefit of the development consent has:*
 - *appointed a Principal Certifying Authority (PCA), and*
 - *notified Council (if Council is not the PCA) in writing of the appointment, and*
 - *given at least 2 days notice to Council of their intention to commence the erection of the building. The notice may be in writing or by phone.*

SECTION G – Demolition Conditions

The following conditions are imposed to ensure the demolition associated with the proposed development is carried out having regard to relevant legislation and does not unreasonably impact on the amenity of the locality or environment.

(86) Demolition Conditions-Asbestos

- (a) Demolition of buildings where asbestos is determined to be present should only occur 7am – 5pm Monday to Saturdays, and must not occur on Sundays or Public Holidays, to ensure that the persons carrying out the work have access to WorkCover professionals if required.
- (b) All asbestos removal shall be undertaken in accordance with the requirements of WorkCover's 'How to Safely Remove Asbestos' Code of Practice and Council's Asbestos Policy.
- (c) Written notice must be provided to Georges River Council five (5) working days (excluding public holidays) prior to commencement of any works.

Written notice is to include the following details:

- Date the demolition will commence
- Name, address, contact details (including after hours) and licence number of the demolisher and asbestos removalist (if different)

Work must not commence prior to the nominated demolition date.

Note: it is the responsibility of the persons undertaking demolition work to obtain the relevant WorkCover licences and permits.

- (d) The owner is to notify all owners and occupiers of premises on either side, opposite and at the rear of the development site five (5) working days prior to demolition. Such notification is to be clearly written on A4 size paper stating the date the demolition will commence and is to be placed in the letterbox of every premises (including every residential flat or unit, if any). The demolition must not commence prior to the date and time stated in the notification.
- (e) A demolition or asbestos removal contractor licensed under the *Work Health and Safety Regulations 2011* must undertake removal of more than 10m² of bonded asbestos (or otherwise specified by WorkCover or relevant legislation).

Removal of friable asbestos material must only be undertaken by a contractor that holds a current AS1 Friable Asbestos Removal Licence.

- (f) Demolition sites that involve the removal of asbestos must display a standard commercially manufactured sign containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' measuring not less than 400mm x 300mm is to be erected in a prominent visible position on the site to the satisfaction of Council's officers. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos has been removed from the site to an approved waste facility.
- (g) All asbestos waste must be stored, transported and disposed of in compliance with the Protection of the Environment Operations (Waste) Regulation 2005. All receipts detailing method and location of disposal must be submitted to Council as evidence of correct disposal.

- (h) A Clearance Certificate or Statement, prepared by a suitably qualified occupational hygienist must be provided to Council upon completion of demolition and asbestos related works, which confirms that the relevant legislative requirements in relation to safe removal and disposal have been satisfied.
- (i) A Work Cover Licensed Demolisher is to be engaged to carry out any demolition works using mechanical equipment where the structure is over 4 metres in height or to carry out any manual demolition works on a structure over 10 metres in height.
- (j) The provision of temporary fences and footpath crossing pads prior to commencement of demolition operations. Further, no waste materials or bins are to be placed on Council's roadways or footpaths.
- (k) No waste materials are to be burnt on site.
- (l) No trees as defined by Council's Tree Preservation Order being removed or damaged on the site without the prior written approval of Council.
- (m) Compliance with the provisions of Australian Standard AS 2601-1991:"The Demolition of Structures", which requires notification of demolition to be submitted at least seven (7) days prior to demolition to the NSW Workcover Authority.
- (n) Effective erosion and sediment control measures are to be undertaken during the course of demolition and building works in accordance with Council's 'Environmental Site Management Policy'. Failure to implement appropriate measures may result in a \$750 Penalty Infringement Notice (individual) and/or \$1,500 (corporation) being issued and/or the incurring of a maximum penalty of \$250,000 (corporation) or \$120,000 (individual) through the Land and Environment Court.
- (o) Appropriate measures are to be implemented on site to control dust and other air borne matter and demolition material is to be stored and stacked in a manner so as to minimise the risk of damage or nuisance to neighbouring properties.
- (p) Council being notified upon completion of the demolition works so that an inspection can be made of the roadway and footpath.
- (q) All non-recyclable demolition material being disposed of at an approved waste disposal depot. Details as to the method and location of disposal of demolition materials (weight dockets, receipts, etc.) should be kept as evidence of approved method of disposal.
- (r) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - (a) showing the name, address and telephone number of the principal certifying authority for the work, and
 - (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - (c) stating that unauthorised entry to the work site is prohibited.

The sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed

END CONDITIONS

Advisory Notes

(i) **Worksite Safety**

It is usually the owner/applicant's responsibility to ensure that the development site is a safe working environment. This may be by the engagement of an appropriately competent principal contractor. There are various legislative and WorkCover requirements with respect to maintaining a safe work-site. Details of these requirements and legislation, as well as, guidance and advisory material, can be found on the WorkCover Website www.workcover.nsw.gov.au.

(ii) **Worksite Safety Scaffolding**

Council is committed to worksite safety and requiring that all scaffolding is installed by competent and qualified professionals with the relative appropriate standards. The applicable Australian Standards for the scaffolding is AS/NZS1576 in respect of the design of the scaffolding and AS/NZS4576 with respect to the erection of the scaffolding. Also, you should ensure that those erecting scaffolding are appropriately qualified and have the appropriate qualifications to erect scaffolding. For further information regarding this please see www.workcover.nsw.gov.au.

(iii) **Kid Safe NSW**

Kidsafe NSW has produced Safer Homes for Children Design and Construction Guidelines for builders, renovators and home owners. The guidelines identify common hazards for children and recommended practical design applications to improve child safety for all areas of the home. Free copies of the Guidelines are available from Council's Customer Service Centre, or contact Kidsafe on (02) 9845 0890 or their website <http://www.kidsafensw.org/homesafety/index.htm> for more information.

(iv) **Dial Before You Dig**

Underground pipes and cables may exist in the area. In your own interest and for safety, telephone 1100 before excavation or erection of structures. Information on the location of underground pipes and cables can also be obtained by fax on 1300 652 077 or through the following website www.dialbeforeyoudig.com.au.

(v) **Disability Discrimination Act**

This authorisation does not imply that the proposal complies with *Disability Discrimination Act 1992*. The Proponent is responsible to ensure compliance with this and other anti-discrimination legislation. The *Disability Discrimination Act 1992* covers disabilities not catered for in the minimum standards called up in the Building Code of Australia which references AS 1428.1 – Design for Access and Mobility. AS1428 Parts 2, 3 & 4 provides the most comprehensive technical guidance under *The Disability Discrimination Act 1992*.

(vi) Demolition Waste

Sorting your construction and demolition waste will save you money. For pricing and disposal options for sorted loads of tiles, bricks, timber concrete or asphalt call Waste Service NSW on 1300 651 116.

(vii) Property Address

Property addresses shall be allocated by Council in accordance with the Addressing Standard AS/NZS 4819:2011.

(viii) Flood Related Development Controls

The property is identified as flood liable in the Kogarah Bay Creek Flood and Overland Flows Risk Management Study and Plan (June 2009) and as such Flood Related Development Controls will apply. For Lot B of DP 101176, the Flood Planning Level (FPL) was identified at 16.0m (AHD) and this includes a freeboard of 500 mm. The Design 100 year flood level was identified at 15.5m (AHD). For Lot C of DP 101176, the Flood Planning Level (FPL) was identified at 15.3m (AHD) and this includes a freeboard of 500 mm. The Design 100 year flood level was identified at 14.8m (AHD). The proposed ground floor level of 16.25m (AHD) is above both Flood Planning Levels and therefore acceptable with respect to flood controls. The basements have been approved below the 100 year flood levels subject to their protection from flooding up to RL 15.5m (AHD) as specified in this consent.