

Concept Approval

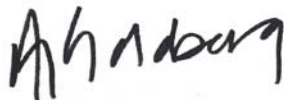
Section 75O of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning and Infrastructure under delegation executed on 14 September 2011, the Planning Assessment Commission of New South Wales (the Commission) determines:

- (a) to approve the concept plan referred to in Schedule 1, subject to the terms of approval in Schedule 2 and the Proponent's Statement of Commitments in Schedule 4, pursuant to Section 75O of the *Environmental Planning and Assessment Act 1979*; and
- (b) pursuant to section 75P(1)(a) of the *Environmental Planning and Assessment Act 1979*, the future environmental assessment requirements for approval to carry out the development as set out in Schedule 3; and
- (c) pursuant to Section 75P(1)(b) of the *Environmental Planning and Assessment Act 1979*, all future applications to be subject to Part 4 or Part 5 of the *Environmental Planning and Assessment Act 1979* (whichever is applicable).



Member of the Commission



Member of the Commission

Sydney

10 May 2013

SCHEDULE 1

PART A: PARTICULARS

Application No.: MP 10_0154

Proponent: Mortlake Consolidated Pty Ltd

Approval Authority: Minister for Planning & Infrastructure

Land:

- 21-31 Edwin Street, Mortlake
- 16-22 Bennett Street, Mortlake
- 15- 23 Bennett St, Mortlake
- 1 Northcote Street, Mortlake
- 14-22 Hilly Street, Mortlake

Project: Residential development, including:

- use of the site for the purpose of residential apartments and associated open space;
- indicative building envelopes for 15 buildings ranging from three to seven storeys
- basement level car parking zones and car parking rates;
- publicly accessible open space and through site links;
- a maximum GFA of 38,459m² across the site;
- pedestrian and cycle networks through the site; and
- street upgrades to public roads and upgrade to stormwater and drainage systems.

PART B: NOTES RELATING TO THE DETERMINATION OF MP No. 10_0154

Responsibility for other approvals/ agreements

The Proponent is responsible for ensuring that all additional approvals and agreements are obtained from other authorities, as relevant.

Appeals

The Proponent has the right to appeal to the Land and Environment Court in the manner set out in the Act and the Regulation.

Legal notices

Any advice or notice to the approval authority shall be served on the Director General.

PART C: DEFINITIONS

| | |
|---------------------------------------|---|
| Act | means the Environmental Planning and Assessment Act, 1979 (as amended). |
| Advisory Notes | means advisory information in relation to the approved development. |
| Department | means the Department of Planning & Infrastructure or its successors. |
| Director General | means the Director General of the Department or his nominee. |
| Environmental Assessment (EA) | means the Environmental Assessment prepared by Mecone Planning dated September 2011. |
| GFA | means gross floor area. |
| Minister | means the Minister for Planning & Infrastructure or his nominee. |
| MP No. 10_0154 | means the Major Project described in the Proponent's Environmental Assessment as amended by the Preferred Project Report. |
| Preferred Project Report (PPR) | means the Preferred Project Report and Response to Submissions prepared by Mecone Planning dated October 2012. |
| Proponent | means Mortlake Consolidated Pty Ltd or any party acting upon this approval. |
| Regulation | means the Environmental Planning and Assessment Regulation, 2000 (as amended). |

End of Schedule 1

SCHEDULE 2

PART A - TERMS OF APPROVAL

Development Description

A1. Concept approval is granted to the development as described below:

- a) use of the site for the purpose of residential apartments and associated open space;
- b) indicative building envelopes for 15 buildings ranging from three to seven storeys;
- c) basement level car parking zones and car parking rates;
- d) publically accessible open space and through site links;
- e) a maximum GFA of 38,458m² across the site;
- f) pedestrian and cycle networks through the site; and
- g) street upgrades to public roads and upgrade to stormwater and drainage systems.

Development in Accordance with the Plans and Documentation

A2. The development shall be undertaken generally in accordance with:

- the Environmental Assessment, except where amended by the Preferred Project Report and including all associated documents and reports;
- the Statement of Commitments in Schedule 4 (except as amended by this approval); and
- the following drawings:

Architectural Drawings prepared for the Preferred Project Report by Cox Richardson Architects

| Drawing No | Name of Plan | Revision | Date |
|------------------------|-----------------------------------|----------|---------------|
| CP_01_03_01 | Site Overlay | | October 2012 |
| CP_02_02_04 | Floor Space Allocation | | October 2012 |
| CP_02_03_04 | Indicative Staging Plan | | October 2012 |
| CP_02_05_05 | Public Domain Plan | | October 2012 |
| CP_02_06_05 | Basement Extents | | October 2012 |
| CP_02_08_03 | Site Elevations | | October 2012 |
| CP_02_10_03 | Site Elevations | | October 2012 |
| CP_02_11_03 | Site 1 – Elevations | | October 2012 |
| CP_02_12_03 | Site 2 – Elevations | | October 2012 |
| CP_02_13a_03 | Site 3 (East) – Elevations | | October 2012 |
| CP_02_14_03 | Buildings to be Demolished | | October 2012 |
| CP_02_15_02 | Street Sections | | October 2012 |
| CP_02_16_02 | Proposed Street Sections | | October 2012 |
| CP_04_01_04 | Pedestrian and Cycle Networks | | October 2012 |
| CP_04_02_04 | Street Access and Address | | October 2012 |
| CP_04_03_04 | Accessible Paths of Travel | | October 2012 |
| CP_02_17_04 | Building Heights in metres to AHD | | October 2012 |
| CP_02_18_01 | Building Separation | | October 2012 |
| Landscape Concept Plan | Taylor Brammer | | November 2012 |

except for as modified by the following pursuant to Section 75O(4) of the Act.

Inconsistencies between Documentation

- A3. In the event of any inconsistency between modifications of the Concept Plan approval identified in this approval and the drawings/documents including Statement of Commitments referred to above, the modifications of the Concept Plan shall prevail.

Mediation

- A4. Where this Concept Plan requires further approval from Council or State Authorities (prior to the lodgement of a future application), the parties shall not act unreasonably preventing an agreement from being reached. In the event that an agreement is unable to be reached within 2 months or a timeframe otherwise agreed to by the Director General, the matter is to be referred to the Director-General or his nominee for resolution. All areas of disagreement and the position of each party are to be clearly stated to facilitate a resolution.

Building Envelopes and Separation

- A5. Building footprints and setbacks are to be generally consistent with the Concept Plan building envelope parameter diagrams for each site and the Concept Plan Building Separation Diagram CP_02_18_01 prepared by Cox Richardson Architects (October 2012), except where amended by the Modifications in Part B of this Approval.

Maximum Gross Floor Area (GFA)

- A6. The maximum GFA for the development shall have a maximum FSR of 1.4:1 and provide a maximum GFA of 38,459m², apportioned as follows:

| Site | Site Area | Precinct (GFA m ²) | GFA (m ²) | FSR |
|--------|-----------|--|-----------------------|--------|
| Site 1 | 10,483m | Precinct 2 (15,542) Precinct 6 (4,910) | 20,452 | 1.95:1 |
| Site 2 | 2,911 | Precinct 5 (2,167) | 2167 | 0.74:1 |
| Site 3 | 14,037 | Precinct 1 (2,793) Precinct 3 (4,806) Precinct 4 (8,241) | 15,840 | 1.13:1 |
| Total | 27,431 | 38,459 | 38,459 | 1.4:1 |

Building Height

- A7. Building height is approved for each building to a maximum RL (top of plant/roof zone) and a maximum RL for the top most residential level. Plant and roof zones are to be designed so that the entire plant zone is not built out for each building and does not contain GFA, as per the approved elevations and as follows:

| Building | Approved Height (storeys) | Approved Height RL AHD (to topmost habitable level) | Approved Height RL AHD (including plant/roof zone) |
|----------|---------------------------|---|--|
| 1A | 3 | 12.3 | 15.3 |
| 1B | 3 | 12.3 | 15.3 |
| 2A | 4 | 16.2 | 19.2 |
| 2A2 | 4 | 19.2 | 22.2 |
| 2B/2C | Part 3/Part 4 | Part 13.2/Part 17.7 | Part 16.2 /Part 20.7 |
| 2D | Part 6/Part 7 | Part 27.8/Part 30.8 | Part 30.8 /Part 33.8 |
| 2D2 | Part 6/Part 7 | Part 27.8/Part 30.8 | Part 33.8 /Part 36.8 |
| 3A | 3 | 12.3 | 15.3 |
| 3B | 4 | 17.5 | 20.5 |
| 4A | 3 | 12.3 | 15.3 |
| 4B | 6 | 23.5 | 26.5 |
| 4C/4D | Part 3/Part 4 | Part 13.1/Part 17.5 | Part 16.1/Part 20.5 |
| 5A | 3 | 12.3 | 15.3 |
| 5B | 4 | 15.3 | 18.3 |
| 6A | 4 | Part 20.8/ Part 23.8/ Part 26.8 | Part 23.8/ Part 26.8/ Part 29.8 |

An architectural roof feature that exceeds, or causes a building to exceed, the approved height RL (topmost habitable level) may be carried out subject to the consent authority being satisfied that the architectural roof feature:

- (a) comprises a decorative element on the uppermost portion of the building; and
- (b) is not an advertising structure; and
- (c) does not include floor space area and is not reasonably capable of modification to include floor space area; and
- (d) will cause minimal overshadowing.

Lapsing of Approval

- A8. Approval of the Concept Plan shall lapse 5 years after the determination date shown on this Instrument of Approval, unless an application is submitted to carry out part or all of the development for which concept approval has been given

PART B - MODIFICATIONS

Public Domain Plan

- B1. The plans described above in Part A – Terms of Approval shall be amended as follows:

- a) The public domain plan shall be amended to demarcate the through site link from Whittaker Street to the foreshore and from Northcote Street to the foreshore as publically accessible private open space rather than land to be dedicated to Council.
- b) The concept landscape plans are to be amended to be clear that no works, including landscape works are approved within the Council owned land including Dunny Lane (between Hilly and Bennett Streets) and the Council car park on the corner of Hilly and Edwin Streets

End of Schedule 2

SCHEDULE 3

FUTURE ENVIRONMENTAL ASSESSMENT REQUIREMENTS

Residential Amenity

1. Future Development Applications shall demonstrate compliance with the provisions of the *State Environmental Planning Policy 65 – Design Quality of Residential Flat Development* (SEPP 65) and the accompanying *Residential Flat Design Code 2002*. In particular, future applications shall demonstrate that:
 - (a) a minimum of 60% of apartments within each stage are capable of being naturally cross ventilated; and
 - (b) a minimum of 70% of apartments within each stage receive a minimum of 2 hours solar access to living areas and balconies in mid-winter.

Design Excellence

2. Future Development Applications for buildings must demonstrate that the proposed buildings achieve a high standard of architectural design incorporating a high level of modulation/articulation of the building and a range of high quality materials and finishes.

Industrial Character

3. Future Applications must be designed with consideration for the sites industrial history. Applications must demonstrate how the development will respond to the industrial heritage of the site, retaining links to Mortlake's industrial character, including through the use of materials, finishes and landscaping elements, as well as the provision of interpretive signage.

Privacy

4. Future Development Applications shall demonstrate that adequate privacy screening/treatment has been provided to minimise privacy impacts between buildings located on the site and also address privacy concerns of adjoining developments. Particular attention and design features will be required between Building 6A and 2A2 where the oblique aspect between the two buildings will require design features to ensure privacy.

ESD

5. Future Development Applications shall demonstrate the incorporation of ESD principles in the design, construction and ongoing operation phases of the development, including the selection of fabric and materials, water conservation and management initiatives, and energy efficiency and renewable energy initiatives.

Car Parking

6. Future applications shall provide on-site car parking at the following rates:

| Apt size / use | Parking Rate |
|----------------|--------------------|
| Small (1 bdr) | 1 space |
| Medium (2 bdr) | 1.5 spaces |
| Large (3 bdr) | 2 spaces |
| Visitors | 1 per 5 apartments |

Bicycle Parking

7. Future Development Applications shall provide bicycle parking for each unit with two bedrooms or more.

Traffic and Transport Management

8. The first future application for buildings must include details on the upgrades to the intersection of Patterson Street and Wellbank Street with Concord Road to accommodate the traffic generation specifically attributed to the Mortlake development, and as demonstrated by a specialist traffic impact assessment. The detailed design of the upgrade works shall be to the satisfaction of the RMS or Council.

Alternatively, the application may be accompanied by documentation demonstrating that Council has agreed to a monetary contribution that is proportionate to the value of the upgrade works, in lieu of the works occurring, or to alternative road upgrades of an equivalent value, in the event that upgrades to the intersections of Patterson Street and Wellbank Street with Concord Road are not necessary.

9. Future Development Applications for residential buildings shall include a Travel Access Guide (TAG)/Green Travel Plan, to encourage public and active transport use, for future occupants and visitors.

Building Separation – Non Habitable Facades

10. Future Development Applications for buildings which include facades denoted 'without openings to habitable rooms', on the Building Separation Plan (CP_02_18_01) prepared by Cox Richardson Architects, must demonstrate what architectural treatments, articulation and/or landscape screening will be used, to ensure the attractive presentation of these walls.

Ground Floor Apartments

11. Future Development Applications for buildings addressing Hilly, Northcote, Edwin and Bennett Streets must provide ground floor apartments with individual entries and private courtyards.

Building 6A Design

12. The Future Development Application for Building 6A shall include a design assessment which details those measures used to articulate the building to prevent it having a monolithic form. Design features such as breaks in the façade, modulation, articulation and stepping of the built form up the slope of Edwin Street, and use of ground floor courtyards and separate entrances fronting the street are to be explored. Alternatively, the building may need to be 'broken' up in the detailed design stage.

Roads and Maritime Services Requirements

13. Future Developments Applications which include driveways, must include "No stopping" signs on the either side of the driveway. Council's Local Traffic Committee Meeting shall review and determine the suitability of the signs.
14. The Future Application which proposes the upgrading of the existing bus stop in Whittaker Street must demonstrate that Council and the Ministry of Transport have reviewed and approve of the works.
15. Relevant Future Development Applications shall demonstrate the swept path of the longest vehicle (including garbage trucks) entering and exiting the subject site, as well as its maneuverability through the site, is in accordance with AUSTROADS, AS 2890.1 – 2004 and AS 2890.2 – 2002.
16. Relevant Future Development Applications shall demonstrate that the layout of the proposed car parking areas (including, driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths, and parking bay dimensions) are in accordance with AS 2890.1 – 2004, AS 2890.2 – 2002, and AS 2890.6 – 2009.

17. Relevant Future Development Application shall demonstrate that clear sight lines will be provided at the property boundary line to ensure adequate visibility between vehicles leaving the car park and pedestrians along the frontage road footpath in accordance with Figure 3.3 of AS 2890.1 – 2004 for light vehicles and AS 2890.2 – 2002 for heavy vehicles.
18. Relevant Future Development Application shall demonstrate that vehicles are able to enter and exit the site in a forward direction.
19. Each Future Development Application which seeks consent for the construction of a residential building must be accompanied by a Draft Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted with each future Development Application.

Open Space/Public Access/Seawall

20. Future application/s shall:

- (i) Provide for the embellishment (to Council's requirements and standards) and dedication (free of cost) a minimum of 3,395m² of public foreshore open space to Council. Embellishment works requested by Council may include the repair of the sea wall.
- (ii) Provide for the embellishment of a minimum of 2,386m² of publicly accessible open space to be maintained in private ownership by the future body corporate to specifications agreed to with Council.

Future applications for each relevant stage shall clearly set out the mechanism for creating rights of public access all publicly accessible areas of open space and through site links, with the relevant instrument/s to be executed prior to commencement of the occupation/use of the development.

Future applications must also demonstrate what strategies will be used to make the public aware of their right to use these spaces, including any purchaser or residential units.

The Concept Plan does not require Council to accept land for dedication that it considers to be through site links or ancillary spaces for the proposed buildings. Accordingly, if Council does not agree to take ownership of this land, the proponent will identify a suitable alternative public or private land ownership option.

Section 94 Contributions

21. Future applications shall be required to pay developer contributions to the Council towards the provision or improvement of public amenities and services. The amount of the contribution shall be determined by Council in accordance with the requirements of the Contributions Plan current at the time of approval.

Section 94 contributions are required in addition to any public benefit delivered through a voluntary planning agreement.

Street/footpath/intersection upgrades will require discussion between the developer and Council to determine what is expected as part of the development and what is considered as material public benefit and works-in-kind.

Note: The dedication of foreshore land and the upgrade of seawalls is part of the community benefit required to allow for the incentive height and GFA on the site and is not a material public benefit which may be used to offset a monetary contribution for local infrastructure (i.e. Section 94 contributions).

Contamination

22. The first application for works on site must include a Remediation Action Plan for the entire site. The Remediation Action Plan must take into account any staging of development and be accompanied by advice from a Site Auditor, accredited under the CLM Act, on whether the works proposed in the Remediation Action Plan will make the site suitable for the proposed use, and the suitability of any proposed staging of the remediation works.
23. Each development application must demonstrate compliance with the Remediation Action Plan, endorsed by a Site Auditor, accredited under the CLM Act. Following remediation and validation works, a site audit statement must be issued by an accredited Site Auditor commenting on the suitability of the site for the proposed use.

Sydney Water Requirements

24. Future Development Applications shall address Sydney Water's requirements in relation to:
 - (a) required amplification works to existing drinking water mains;
 - (b) required amplification works to the wastewater system;
 - (c) application for a Section 73 certificate. as necessary.

The developer should engage a Water Servicing Coordinator to get a Section 73 Certificate and manage the servicing aspects of the development. The Water Servicing Coordinator will ensure submitted infrastructure designs are sized and configured according to the Water Supply Code of Australia (Sydney Water Edition WSA 03-2002) and the Sewerage Code of Australia (Sydney Water Edition WSA 02-2002).

Transport for NSW Requirements

25. Future applications that proposed any changes to on-street traffic and parking arrangements associated with the new development must accommodate the parking, manoeuvring and turning requirements of low-floor buses in consultation with the State Transit Authority (STA). Any new kerbside plantings or placements of street furniture including posts and poles, need to be placed with sufficient clearances to facilitate the safe operation of buses.
26. Future Development Applications for residential buildings must incorporate appropriate noise mitigation measures for its future residents to avoid adverse impact from the operations of buses.

Groundwater

27. Future applications shall provide an assessment of ground water, including the need for licences in relation to taking or interfering with groundwater and dewatering.

Stormwater

28. Future applications shall provide for treatment of stormwater prior to discharge to surface water and/or groundwater sources.

Flooding

29. Future applications shall demonstrate consistency with the requirements and recommendations of the Worley Parsons Flood Assessment Report 301015-02438 – EN-REP-0001 [E], dated September 2012.

Staging

29. The first future application shall be accompanied by details of the intended future staging of the development, to ensure the orderly and coordinated development of the site. The indicative staging plan is to be updated and re-submitted with each subsequent application to ensure the documentation outlined in the indicative staging plan remains current as development of the site progresses.

Each subsequent stage shall be delivered in full to ensure adequate open space, road upgrades and other elements essential to the delivery of the precinct. The proponent shall demonstrate with each development application that the proposed development represents orderly and coordinated development in that:

- It may be serviced by existing infrastructure or is capable of being serviced;
- Access for vehicles and pedestrians is available and can be made available;
- Adequate on-site facilities including open space exist or will be provided to serve future occupiers/residents of the site; and
- Obligations for the provision of these facilities are provided.

End of Schedule 3

SCHEDULE 4

STATEMENT OF COMMITMENTS (Source: Mecone Planning, PPR, 2012)

Revised Statement of Commitments

The revised Statement of Commitments is detailed in Table 13 below following the design changes of the preferred project, with deletions shown ~~struck through~~ and insertions shown in **bold italics**.

| Table 14. Revised Statement of Commitments | | | |
|--|---|--|--|
| Item | Issue | Commitment | Delivery |
| 1 | Consultation | The proponent shall hold another community consultation session to be held at a local venue and shall incorporate and address any feedback from the public. | During formal exhibition of Concept Plan application. Completed |
| 2 | Consultation (Project Development Applications) | <p>The proponent shall engage with and consult the following authorities:</p> <ul style="list-style-type: none"> Canada Bay City Council; NSW Department of Planning & Infrastructure; Roads and Traffic Authority Maritime Services; Sydney Water; NSW Office of Environment and Heritage Department of Climate Change; NSW Office of Water; NSW Maritime; Transport for NSW Transport and Infrastructure; Sydney Transit Authority. | <p>Prior to lodgement of future Project Development Applications.</p> <p>Much of this consultation was undertaken in preparation of the preferred proposal.</p> <p>Consultation as required will be undertaken for the detailed Development Application stages.</p> |
| 3 | VPA-Land Transfers | The proponent will continue to discuss arrangements for the dedication and transfer of land with Council, specifically the dedication to the public of the foreshore land and through site links, (and agreed | <p>Prior to lodgement first approval of the applicable Project Development Applications in relation to foreshore land and</p> <p>To ensure foreshore open space and through site links are discussed and</p> |

Table 14. Revised Statement of Commitments

| Item | Issue | Commitment | Delivery | Reasons for change |
|------|-----------------------------|--|---|---|
| | | improvements thereof), and the transfer of the "dunny lane" and "car park" to the proponent. Any VPA should include a provision, which creates a mechanism to value the land elements to allow for an equitable outcome. | through site links. Prior to the approval of the applicable Development Applications in relation to the "dunny lane" and "car park". | resolved as part of the relevant DA approvals, which is typical for a development of this type. To allow flexibility to continue discussions with Council in relation to its land holdings the "dunny lane" and the "car park" for potential inclusion of this land in the site in the future. |
| 4 | VPA-Developer Contributions | <p>Given the substantial public benefits associated with the proposal it is proposed to enter into a VPA with Council that could address relevant \$94 contributions. Contributions within the VPA may include monetary contributions and works in kind.</p> <p>Proposed contributions proposed to be discussed with Council include:</p> <ul style="list-style-type: none"> - implementation of a resident's parking scheme including relevant signposting - Provision of a car share scheme (such as GoGet) within the development as an alternative form of transport - Provision of a bicycle to each unit with 2 bedrooms or more as an alternative form | As part of VPA and on a Project basis. | Following the concerns raised in the consultation and exhibition process, contributions that benefit the local area have been identified in response to these concerns. |

Table 14. Revised Statement of Commitments

| Item | Issue | Commitment | Delivery | Reasons for change |
|------|---------|---|---|--|
| | | <p>of transport</p> <ul style="list-style-type: none"> - Street upgrades to public roads including resurfacing, new kerb and guttering, footpaths and street tree planting - Infrastructure upgrades to stormwater and drainage system including implementation of Gross Pollutant Traps and bioretention - Contributions to local roads in the immediate vicinity or if nil, potential intersection upgrades at the Patterson Street and Wellbank Street intersections along Concord Road as per TTPA report prepared for Council in September 2011 - Sea wall – the proponent will undertake detailed studies and repair work where necessary as part of relevant Development Applications | | |
| 5 | Staging | <p>Precinct 1 (Buildings 1A and 1B) will are proposed to be first to be completed and shall include access to the foreshore and the dedication of the foreshore land to Council at the western portion of the Precinct.</p> <p>Flexibility is sought with respect to the sequence of the remaining stages. However, each stage as should shown in the accompanying documentation once commenced shall be delivered in full to ensure adequate open space, roads upgrades and other elements essential to the orderly development of the Precinct.</p> | <p>Future Project Development Applications</p> | <p>Detailed applications to be assessed as DAs by Council following repeal of Part 3A.</p> <p>Correct minor errors/ misdescriptions.</p> |

| Table 14. Revised Statement of Commitments | | | | |
|--|---|--|--|---|
| Item | Issue | Commitment | Delivery | Reasons for change |
| 6 | Construction Management Plans | <p>The Proponent shall prepare a detailed Construction Environmental Management Plan (CEMP) in order to ensure appropriate measures are in place to minimise any potential impacts. The CEMP will include but not be necessarily limited to the following:</p> <ul style="list-style-type: none"> ▪ Demolition Plan; ▪ Waste Management Plan; ▪ Erosion and Sediment Control Plan; ▪ Soil and Water Management Plan; ▪ Traffic Management Plan; and ▪ Air Quality Management Plan. <p>The CEMP shall be prepared to the satisfaction of Council.</p> | With each Project Development Application | Detailed applications to be assessed as DAs by Council following repeal of Part 3A. |
| 7 | Contamination, Salinity and Hazardous Materials | The Proponent will implement all recommendations made by Aargus in the Environmental Site Assessments and Salinity Assessment accompanying this application. | Prior to and during construction | - |
| 8 | Geotechnical Assessment | The recommendations provided in the Aargus Environmental Preliminary Geotechnical Assessment at Section 4.7, be implemented. | Prior to and during construction | - |
| 9 | Basement Entry Levels | Finished ground levels at the entry to basements shall be set at a minimum of RL. 2. Civil design shall be prepared on the basis of diverting overland storm water flows from entering the basement. | Project Development Application | Detailed applications to be assessed as DAs by Council following repeal of Part 3A. |

| Table 14. Revised Statement of Commitments | | | |
|--|---------------------|---|--|
| Item | Issue | Commitment | Delivery |
| 10 | Further Information | <p><u>Urban Design</u></p> <p>In response to those detailed design requirements set out in Morlake DCP 2007, the proponent shall provide all necessary information to allow for a comprehensive assessment in this respect at Project Development Application Stage.</p> <p><u>Acoustics</u></p> <p>Further detailed acoustic assessments shall accompany each future Project Development Application. Future stages will be designed to comply with the following criteria:</p> <ul style="list-style-type: none"> ▪ Interim Construction Guideline – DECCW; ▪ AS2107 Recommended Design Sound Levels and Reverberation Times for Building Interiors; ▪ NSW Industrial Noise policy. <p><u>Wind</u></p> <p>Further detailed wind assessments shall accompany each future Project Development Application. Further Wind Assessments will:</p> <ul style="list-style-type: none"> ▪ Take into account the known characteristics of mean and gust speeds on both an annual and seasonal basis associated with the local (e.g. Sydney) wind climate, i.e. taking into account the strength characteristics of prevailing Sydney wind directions on a seasonal basis. ▪ identify all public spaces of interest, e.g. footpaths, building entry points, areas designated for quiescent type activities (e.g. | <p>Project Development Application</p> <p>Detailed applications to be assessed as DAs by Council following repeal of Part 3A.</p> |

Table 14. Revised Statement of Commitments

| Item | Issue | Commitment | Delivery | Reasons for change |
|------|------------------------------|--|---|---|
| | | <p>outdoor eating areas).</p> <ul style="list-style-type: none"> identify potential adverse wind conditions and the likely wind intensities compared to standard acceptability criteria for pedestrian and occupant safety and comfort. make recommendations to reduce adverse wind effects, e.g. using landscaping, porous windbreaks, awnings and canopies, etc. <p>These modifications would be developed in tandem with the Project Team (for viability, practicality, cost-effectiveness, aesthetic impact, etc).</p> | | |
| 11 | Heritage | <p>An archival recording of the former public baths shall be conducted prior to demolition.</p> <p>Monitoring shall be carried out during site excavation to observe any archaeological relics.</p> | <p>Prior to demolition</p> <p>During excavation</p> | - |
| 12 | Motorcycle and cycle parking | <p>Future Project Development Applications will include the provisions of parking/storage for motorcycles and cycles at the following rates:</p> <ul style="list-style-type: none"> Motorcycles - 1 space per 20 units; Cycle storage - 1 space per unit; Visitor cycles – 1 space per 12 units. | Project Development Application | Detailed applications to be assessed as DAs by Council following repeal of Part 3A. |
| 13 | Public Transport | <p>Letters shall be sent to the NSW Minister for Transport and Transport for NSW the Sydney Transport Authority informing them of this residential development and the opportunities it creates to increase in public transport use and a request that existing services are</p> | <p>Prior to first Project Development Application.</p> | Detailed applications to be assessed as DAs by Council following repeal of Part 3A. |

| Table 14. Revised Statement of Commitments | | | | |
|--|---------------------------|---|--------------------------------------|--------------------|
| Item | Issue | Commitment | Delivery | Reasons for change |
| | | <p>extended and intensified in frequency to better serve the Mortlake locality.</p> <p>In addition, further consultation is to occur with Transport for NSW STA on the upgrade and design of the Whittaker Street bus stop.</p> <p>It is also proposed to undertake further consultation with Canada Bay Council regarding the implementation of a car share scheme.</p> | | |
| 14 | Travel Access Guide | A Travel Access Guide shall be prepared for the future residents and visitors to the area. | Prior to Occupation of first Stage. | - |
| 15 | Water Quality Maintenance | <p>The following on-going maintenance schedule for water quality systems shall be implemented:</p> <ul style="list-style-type: none"> 6 Monthly – Inspection of Bio-retention basis and removal of any coarse sediments, litter and other gross pollutants, replacement of vegetation as necessary. 3 Monthly (and after any storm greater than 1 yr ARI) – Removal of trapped pollutants from Gross Pollutant Traps. | Project Approval – on going. | - |
| 16 | Further Approvals | The Proponent commits to obtaining all further statutory approvals such as s.68 Approval under the <i>Local Government Act 1993</i> for any connection to Council's stormwater infrastructure and s.138 Approval under the <i>Roads Act 1993</i> for works in the road reserve. | Prior to commencement of such works. | - |