

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

MODIFICATION OF DEVELOPMENT CONSENT DA 126-05-2004 (MOD 7)

MULTI UNIT HOUSING DEVELOPMENT

**PURSUANT TO SECTION 80 AND SECTION 96(2) OF THE ENVIRONMENTAL
PLANNING AND ASSESSMENT ACT 1979**

(FILE NO. S09/00340)

I, Chris Wilson, Executive Director, Major Projects Assessment, as delegate of the Minister for Planning, under Instrument of Delegation dated 4 March 2009, pursuant to Section 80 and Section 96(2) of the *Environmental Planning & Assessment Act 1979*, modify the development consent referred to in the attached Schedule 1 in the manner set out in the attached Schedule 2.

The reasons for the modification of this condition are:

- (1) To amend the wording of conditions to reflect the increased number of apartment dwellings;
- (2) To maintain the amenity of the local area; and
- (3) To ensure the orderly development of the site



Chris Wilson
Executive Director
Major Projects Assessment

Sydney, 26. August 2009

SCHEDULE 1**PART A—TABLE**

Application Number:	DA 126-05-2004 (MOD 7)
Application made by:	Meriton Apartments Pty Ltd Level 11, 528 Kent Street Sydney NSW 2000
On land comprising:	Lot 1 DP924841, Lot 1 DP963395, Lot 2 DP963202, Lot F DP166390, Lots 1 to 5 DP11852, Lot 47 DP656332, at 4-14 Merriwa Street and 3-11 McIntyre Street, Gordon.
Local Government Area	Ku-ring-gai
For the carrying out of:	Development described in Condition A1, Part A, Schedule 2
Section 96 (1A) Application	Modify DA 126-05-2004 (7) in the following manner: Increase the number of apartments from 140 to 148 (within the approved building envelope) by altering the apartment mix; Undertake minor façade treatment modifications Increase floor level by 200mm to 900mm to create sufficient floor to ceiling height, to allow a minimum 2.7m ceiling height, Substituting approved pitched roof with flat roof construction, Delete the approved blade walls on the outer edges of the balconies for apartments 506, 507, 516, 517 516, 517, 606, 607, 616, 617, 716 and 717 in the Merriwa Street building, Use of metal and glass balustrade around the pebble roof area on level 4 floor plan of the Merriwa street building, Lift overrun and plant enclosures on the roof of each building; Delete 2 car parking spaces and the inclusion of secure basement storage in the Merriwa Street building basement, Inclusion of air conditioner condensers on each balcony, Provision of a new pedestrian entrance point at the eastern end of the McIntyre Street building, and Amend conditions A2, B2, B6, B14, B22, B24, B25, B26 B27.
Development consent granted by:	Minister for Planning
On:	26 August 2009
Type of development:	Local Development State Environmental Planning Policy No. 53 – Metropolitan Residential Development
S.119 public inquiry held:	No
As modified:	MOD 48-3-2005, approved under section 96 (1A) of the Act by the Director, Urban Assessments, as delegate of the Minister for Infrastructure and Planning on 1 August 2005. MOD 126-05-2004 (4) approved under section 96 (1A) of the Act by the Director General, as delegate of the Minister for Planning on 29 April 2009. MOD 126-05-2004 (5) approved under section 96 (1A) of the Act by the Director, Urban Assessments, as delegate of the Minister for Planning on 26 June 2009. MOD 126-05-2004 (6) approved under section 96 (1A) of the Act by the Director General, as delegate of the Minister for Planning on 29 April 2009. Two previous modification applications - MOD 25-02-2005 and MOD 26-02-2005 – were withdrawn.

PART B—NOTES RELATING TO THE MODIFICATION OF DEVELOPMENT CONSENT NO. DA 126-05-2004 (MOD 6)

Responsibility for other approvals / agreements

The applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

Appeals

The Applicant has the right to appeal to the Land and Environment Court under Section 97 of the *Environmental Planning and Assessment Act, 1979*. The right to appeal is only valid for a development application, within 12 months after the date on which the Applicant received this notice.

Appeals—Third Party

A third party right to appeal to this development consent is available under section 123, subject to section 101, of the *Environmental Planning and Assessment Act, 1979*.

Legal notices

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

PART C—DEFINITIONS

The definitions within this modification are consistent with the definitions in Schedule 1 of the consent to development application DA 126-05-2004 (as modified).

SCHEDULE 2

MODIFICATION OF DEVELOPMENT CONSENT DA 126-05-2004 (MOD 7)

The development consent is modified as follows:

a) Amend Condition A1 (1) as follows;

A1 Development Description

Development consent is granted only to carrying out the development described in detail below:

- (1) Demolition of 9 existing dwellings and associated structures on the site;
- (2) Relocation and adaptive re-use of a cottage on the site for communal use by the development's residents;
- (3) Construction of 2 buildings containing a total of 140 **148** apartments comprising;
 - (a) McIntyre St building – 6 storey building containing 5 **4** x 1 bedroom, 20 **45** x 2 bedroom and 27 **8** x 3 bedroom dwellings;
 - (b) Merriwa St building – 7 storey building containing 24 **27** x 1 bedroom, 52 x 2 bedroom and 45 **12** x 3 bedroom dwellings;
- (4) Construction of a basement structure under the McIntyre St building containing 101 car parking spaces on three levels;
- (5) Construction of a basement structure under the Merriwa St building containing 429 **127** car parking spaces on three levels;
- (6) Associated landscaping works; and
- (7) Strata title subdivision of the completed development

b) Amend Condition A2 as follows;

A2 Development in Accordance with Plans

The development shall be generally in accordance with development application No. 126-05-2004 submitted by the applicant on 25 May 2004, and in accordance with the supporting documentation submitted with that application, including, but not limited to, the following:

As modified by:

Statement to Accompany Section 96 Application, prepared by urbis JHD, dated March 2005.

Letter from Colston Budd Hunt and Kafes to Stockland Developments Pty Ltd, dated 13 April 2005.

Letter from urbis JHD to Albert Bonanno Planning Consultants Pty Ltd dated 4 May 2005.

Letter from Denny Linker & Co. to Stockland Developments Pty Ltd, dated 10 May 2005.

Letter from urbis JHD to DIPNR, dated 12 May 2005.

Architectural Drawings prepared by *marchese+popov*

Drawing No.	Revision	Name of Plan	Date
-------------	----------	--------------	------

03066-1.05	A	Staging Plan	12 May 2004
03066-2.00	E	Merriwa Street Block RL107	8 February 2005
03066-2.01	E	Merriwa Street Block RL110	8 February 2005
03066-2.02	E	Merriwa Street Block RL113	8 February 2005
03066-2.03	E	Merriwa Street Block RL116	8 February 2005
03066-2.04	E	Merriwa Street Block RL119	8 February 2005
03066-2.05	E	Merriwa Street Block RL122	8 February 2005
03066-2.06	E	Merriwa Street Block RL125	8 February 2005
03066-2.07	E	Merriwa Street Block RL128	8 February 2005
03066-2.08	A	Merriwa Street Block RL131	8 February 2005
03066-2.10	E1	McIntyre Street Block RL107	8 February 2005
03066-2.11	E1	McIntyre Street Block RL110	8 February 2005
03066-2.12	E	McIntyre Street Block RL113	8 February 2005
03066-2.13	E	McIntyre Street Block RL116	8 February 2005
03066-2.14	E	McIntyre Street Block RL119	8 February 2005
03066-2.15	E	McIntyre Street Block RL122	8 February 2005
03066-2.16	E	McIntyre Street Block RL125	8 February 2005
03066-2.18	A	McIntyre Street Block RL131	8 February 2005
03066-3.00	F	Typical Sections	18 April 2005
03066-4.00a	E2	Merriwa St Elevations & Sections	8 February 2005
03066-4.00b	E2	McIntyre St Elevations & Sections	8 February 2005
03066-4.02	F	End Elevations & Sections	18 April 2005
03066-4.03	F	Sectional Elevations	18 April 2005
Landscape Drawings prepared by Context Landscape Design			
Drawing No.	Revision	Name of Plan	Date
LWD 04513-500	G	Landscape Planting Plan Sheet 1	6 April 2005
LWD 04513-501	F	Landscape Planting Plan Sheet 2	6 April 2005
Survey Drawings prepared by Lean, Lackenby and Hayward Pty Ltd			
Drawing No.	Revision	Name of Plan	Date
58170-1 LD1	A	Levels, Contours and Details	13 September 2004
58170-2 LD2	A	Levels, Contours and Details	28 April 2004
58170-3 LD3	B	Levels, Contours and Details	6 December 2004

Except as modified by the following:

<i>Except as modified by the Statement of Environmental Effects prepared by Meriton Apartments Pty Ltd, dated May 2009:</i>			
<i>Architectural Drawings prepared by Meriton Apartments Pty Ltd</i>			
Drawing No.	Revision	Name of Plan	Date
<u>S96-000-COV</u>	<u>C</u>	<u>Cover Sheet 2</u>	<u>17 August 2009</u>
<u>S96-101-L01</u>	<u>B</u>	<u>Level 1 Floor Plan</u>	<u>1 June 2009</u>
<u>S96-102-L02</u>	<u>B</u>	<u>Level 2 Floor Plan</u>	<u>1 June 2009</u>
<u>S96-103-L03</u>	<u>B</u>	<u>Level 3 Floor Plan</u>	<u>1 June 2009</u>

<u>S96-104-L04</u>	<u>A</u>	<u>Level 4 Floor Plan</u>	<u>1 June 2009</u>
<u>S96-105-L05</u>	<u>A</u>	<u>Level 5 Floor Plan</u>	<u>1 June 2009</u>
<u>S96-106-L06</u>	<u>A</u>	<u>Level 6 Floor Plan</u>	<u>1 June 2009</u>
<u>S96-107-L07</u>	<u>A</u>	<u>Level 7 Floor Plan</u>	<u>1 June 2009</u>
<u>S96-108-L08</u>	<u>A</u>	<u>Level 8 Floor Plan</u>	<u>1 June 2009</u>
<u>S96-109-RF</u>	<u>A</u>	<u>Roof Level Plan</u>	<u>1 June 2009</u>
<u>S96-111-EL</u>	<u>B</u>	<u>Site Elevations - Street</u>	<u>1 June 2009</u>
<u>S96-113-EL</u>	<u>C</u>	<u>Site Elevations – East & West</u>	<u>1 June 2009</u>
<u>S96-114-EL</u>	<u>B</u>	<u>Site Elevations - Sectional</u>	<u>1 June 2009</u>

c) Amend Condition B2 as follows;

B2 - Confirmation of Areas

The total floor space of the development shall be calculated in accordance with the definition of floor space in the Ku-ring-gai Sites Report and shall not exceed ~~44,867m²~~ **15,090m²**. The floor areas to be excluded from the total floor space calculation shall be in accordance with the floor space exclusions referred to in the Ku-ring-gai Sites Report's General Controls and Guidelines. ~~Storage, garbage areas, plant rooms and car parks, with a floor level above natural ground level, must not be counted as floor space exclusions.~~

The total deep soils area to be included in the development shall be no less than 2,711m². The total deep soils area calculations may include the footprint areas of the relocated heritage item, the swimming pool, and suitably pervious paving areas of minimum dimensions required for access to and between the buildings and around the swimming pool. Areas having a dimension of less than 3 metres shall be excluded from the deep soil area calculations.

Prior to the issue of the first Construction Certificate for above ground works (with the exception of basement car parking levels that protrude above ground level, which may also be directly/physically connected to a residential unit/s due to the slope of the land), the applicant shall submit for the PCA's approval, a qualified surveyor's certificate certifying compliance with the above areas, accompanied by dimensioned site and floor plans at a scale of 1:200, identifying the deep soil and floor space areas that have been included and excluded from the total deep soil area and total floor space calculations. A copy of the documents approved by the PCA is to be referred to the Department.

d) Amend Condition B6 as follows;

B6 Disabled Access

Access and facilities for people with disabilities shall be provided in accordance with the recommendations of the ~~DA Access Report contained in Volume 3 Supporting Documents, referred to in Condition A2, and Australian Standard 4299-1995 Adaptable Housing~~ **accessibility report, provided by Morris-Goding Accessibility Consulting dated 3 June 2009**

e) Amend Condition B14 as follows;

B14 Number of Car Spaces

Car space numbers for the development must comply with the table below. Confirmation of this shall be submitted to the Certifying Authority prior to issue of a Construction Certificate for below ground works.

Car parking allocation	Number
Maximum residential car parking spaces in the Merriwa St building	116 118
Minimum visitor car parking spaces in the Merriwa St building	43 9
Minimum disabled persons' car spaces in the Merriwa St building	1
Car wash bays in the Merriwa St building	1
Maximum residential car parking spaces in the McIntyre St building	94
Minimum visitor car parking spaces in the McIntyre St building	7
Minimum disabled persons' car spaces in the McIntyre St building	1
Car wash bays in the McIntyre St building	1

f) Amend Condition B16 as follows;

B16- Car Park and Service Vehicle Layout

- (1) Layout of the car parks, including sight distance requirements, aisle widths, ramp grades, turn paths, driveway widths and parking bay dimensions shall comply with *Australian Standard for Parking Facilities (Part 1: Off-street car parking)* AS2890.1-2004. All parking spaces are to be linemarked.
- (2) Layout of service vehicle areas shall comply with *Australian Standard for Parking Facilities (Part 2: Off-street commercial vehicles facilities)* AS2890.2-2002.
- (3) The sizes and headroom clearances of the loading areas shall accommodate Council's garbage and recycling collection vehicles and comply with Council's requirements. **For access by Councils small waste collection vehicle, a minimum headroom of 2.5 metres is to be provided at the entry into the basement carpark and for the whole of the required path of travel to and from the waste collection points.**
- (4) Stacked parking spaces are to be allocated to the same apartment.
- (5) Driveways and access ramps must be designed not to scrape the underside of cars.
- (6) Details demonstrating compliance with this condition shall be submitted to the satisfaction of the PCA prior the issue of each Construction Certificate for below ground works.

Note 1: This shall include certification that headroom requirements are met below all suspended service lines, stormwater and sewer lines, structural supports, building and balcony overhangs.

Note 2: All driveway access widths, grades, transitions, circulation aisle widths, sight distances, signage and clearances are to comply with these requirements.

g) Amend Condition B22 as follows;

B22 - Ecologically Sustainable Development (ESD)

- (1) "The following NatHERS rating requirements shall be complied with:
 - a) an average rating for all apartments of 4 stars or better,

- b) at least 20% of all apartments shall achieve better than 4.5 stars or better,
 - c) at least 80% of all apartments shall achieve at least 3.5 stars, and
 - d) all apartments shall achieve 3 stars or better".
- (2) "Prior to the issue of each Construction Certificate for above ground works, the Applicant shall submit to the Certifying Authority a NatHERS certificate, prepared by an accredited NatHERS assessor, demonstrating compliance with the requirements of this condition".
- (3) "All classes of appliances that are available with an energy label or a Minimum Energy Performance Standard to be installed within the premises are to have an energy star rating of 3 stars or more (excluding clothes dryers which are to have a rating of 2 stars or more). The Applicant shall submit to the Certifying Authority a statement demonstrating compliance with the requirements of this condition".
- (4) The development shall incorporate the additional treatments referred to in ~~Table 3 of Part 2 (Energy Performance Report) of the Environmental Sustainability Report~~ **the thermal comfort overview report completed by Efficient Living, dated 20 May 2009.**
- (5) The recommendations of the Environmental Sustainability report contained in Volume 3 Supporting Documents, referred to in Condition A2, in respect of, but not limited to, building materials, interior colours, demolition and construction site waste management, recycling, materials' packaging and glazing types, shall be incorporated in the development, **except where relevant matters are superseded by the BASIX Water Study report by Efficient Living, dated 1 May 2009.**

The Applicant shall submit to the Certifying Authority a statement demonstrating compliance with the requirements of this condition.

h) Amend Condition B23 as follows;

B23 - Storage and Handling of Waste

The provision and management of facilities for the minimisation of waste, the storage, handling and disposal of waste and recyclable materials shall comply with the requirements of Council's Development Control Plan No.40.

The Applicant shall submit a Waste Management Plan for the design, demolition, excavation, construction and operational stages of the development in accordance with the Waste Management Guidelines in Development Control Plan No.40. The Plan shall address, but not necessarily be limited to the following:

- (1) building design, materials selection and construction practices;
 - (2) the types, amounts, storage, handling and disposal of material during the demolition, excavation and construction stages of the development and for its occupation;
 - (3) methods for handling and transferring recyclables to holding bays;
 - (4) the reuse, source separation and recycling of materials;
 - (5) the methods for achieving adequate storage and separation of recyclables, including the locations on each residential floor for building occupants to place this material;
 - (6) the provision of adequate storage in the waste holding bays in the development for the bin numbers nominated by Council, including recycling containers, that allows for adequate manoeuvring of the containers when serving.
- (7) **For access by Councils small waste collection vehicle, a minimum headroom of 2.5 metres is to be provided at the entry into the basement car parks and for the whole of the required path of travel to and from the waste collection points.**

Note: Council has indicated that it will provide 1 x 120 litre waste container per each residential unit; and recycling bins will be supplied at a rate of 1 x 240 litre paper bin and 1 x 240 litre household containers bin for every 4 units or part thereof.

In order to allow unrestricted access for Council waste collection vehicles to the garbage storage areas, no doors or gates shall be provided in the access driveways to the car parks which would prevent this service.

For the purpose of access, health, safety and cleanliness, all waste and recycling storage rooms shall be designed as follows:

- a) no locking devices on doors or are to be installed leading to waste storage rooms;
- b) constructed of masonry having a steel trowel finish to internal walls and floors;
- c) provided with hot and cold hose cocks for cleaning;
- d) provided with a floor waste connected to the sewer;
- e) provided with adequate night lighting and ventilation.

Note: Council has indicated it will not service premises utilising locking devices on waste access doors.

Prior to the issue of each Construction Certificate for below ground works, the Applicant shall submit the Waste Management Plan and a statement demonstrating compliance with the requirements of this condition to the satisfaction of the Certifying Authority.

i) Amend Condition B24 as follows;

B24 – Section 94 Contributions.

The amount of the contributions shall be in accordance with the Section 94 charges as at the date of payment. The charges may vary at the time of payment in accordance with the Ku-ring-gai Section 94 Contributions Plan 2000–Residential Development to reflect changes in land values, construction costs and the consumer price index.

The contribution amount payable shall be in accordance with the Council's adopted Section 94 Contributions Plan for Residential Development, effective from 20 December 2000.

After allowances have been made for existing small, medium and large dwellings on the site that are to be demolished or adapted onsite for non-residential use, the proposed development has been calculated as containing the following dwelling number and sizes:

25 ~~30~~ small dwellings (under 75m²)

69 ~~95~~ medium dwellings (75m² – under 110m²);

39 ~~23~~ large dwellings (110m² – 150m²);

The above dwelling sizes have been based on strata areas. Allowances in the form of Section 94 credits have also been made for existing very large dwellings (150m² or more) on the site that are to be demolished.

The total contribution for this development is calculated as follows:

25 30 small dwellings @ \$11,806.15 =	\$295,154	<u>\$354,184.50</u>
69 95 medium dwellings @ \$16,528.61 =	\$1,140,474	<u>\$1,570,217.95</u>
39 23 large dwellings @ \$25,973.53 =	\$1,012,968	<u>\$597,391.19</u>
Less 3 very large dwellings @ \$33,057.22 =	\$99,172	
Total Section 94 Contribution =	\$2,349,424	<u>\$2,422,621.64</u>

Timing and Method of Payment

Section 94 contributions payable for each development stage shall be paid in full to Ku-ring-gai Council prior to the issue of the first Construction Certificate for each development stage for below ground works. The contributions payable for each development stage shall be calculated

on the basis of its total number and mix of dwellings and in accordance with the above contributions rates that are applicable to the dwelling sizes. The contributions shall be paid in the form of cash or bank cheque, made out to Ku-ring-gai Council. For accounting purposes, the contribution may require separate payments for each category of facility or service for which a contribution is required under the Section 94 Contributions Plan, and you are advised to check with Ku-ring-gai Council.

Evidence of the payment to Ku-ring-gai Council shall be submitted to the Certifying Authority prior to the release of the first Construction Certificate for the above ground works.

The deferral of the contribution payment may be permitted subject to Council's agreement.

The amount of the contribution payment shall be in accordance with the Section 94 charges as at the date of payment. The charges may vary at the time of payment in accordance with the Section 94 Contributions Plan to reflect changes in land values, construction costs and the consumer price index."

j) Amend Condition B25 as follows;

B25 Design of Drainage System

Stormwater runoff from new hard surfaces generating runoff or landscaped areas that are not at natural ground level (with the exception of those areas which are to be drained to the interallotment drainage easement within 23 McIntyre Street) shall be piped to the street drainage system. New drainage line connections to the street system shall conform and comply with the requirements described in sections 5.3 and 5.4 of Council's Water Management Development Control Plan No.47. If necessary, the extension of the street drainage system in 375mm diameter concrete pipe and construction of kerb inlet pit(s) in accordance with Council's specification to achieve gravity drainage and free drainage of the on site detention tanks.

Stormwater runoff from areas which cannot drain directly to the street drainage system shall be piped to the interallotment stormwater drainage line benefitting the subject site. The interallotment line is to be covered by the necessary easement for drainage, which may exist or need to be created under this consent. The terms of the easement are to specifically include all lands which drain to it.

The Applicant is to provide details of the drainage from the site to the connection to Council's trunk drainage system, including pit details and levels, as well as showing the effect of the drainage from the site on the exiting trunk drainage system.

The Applicant is to provide details of any changes to the existing drainage into, through and out of the property. The details will include any existing pipes and overland flowpaths, their capacities as well as details of all proposed drainage, including pipe, overland flowpaths, detention and retention, and any easements to be created to protect these.

The Applicant shall submit documentary evidence to the PCA that all lots to be drained via the drainage easement through 23 McIntyre Street benefit from the easement. This information is to include, as a minimum, registered title documents and the instruments describing the terms of the drainage easement(s).

For stormwater control all paved areas are to be drained to the main drainage system. This may require the installation of suitable cut-off structures, inlets and/or barriers that direct runoff to the formal drainage system.

For stormwater control all balconies are to be drained to the main drainage system via outlets fitted with leaf guards.

Prior to issue of each Construction Certificate for below ground works the applicant shall submit, for approval by the PCA, construction design drawings and calculations for the stormwater quality control measures required. Plans and calculations are to be prepared by a suitably

qualified and experienced civil/hydraulic engineer in accordance with Councils Water Management Development Control Plan No.47.

Prior to issue of each Construction Certificate for below ground works the applicant shall submit, for approval by the PCA, construction design drawings and calculations for the property drainage system components. The property drainage system (including but not limited to gutters, downpipes, pits, joints, flushing facilities and all ancillary plumbing) shall be designed for a 235mm/hour rainfall intensity for a duration of five (5) minutes (1:50 year storm recurrence) and shall be compatible with the necessary retention and/or detention devices. Plans and calculations are to be prepared by a suitably qualified and experienced civil/hydraulic engineer in accordance with Councils Water Management Development Control Plan No.47 and AS 3500.2 - *Plumbing and Drainage Code*.

Prior to issue of each Construction Certificate for below ground works the applicant shall submit, for approval by the PCA, a design detailing the provision of an interceptor drainage system. This system is to capture and convey all stormwater runoff arriving at the subject property from upslope areas to a formal drainage system, bypassing any on-site stormwater detention systems. Design details are to be prepared by a suitably qualified and experienced civil/hydraulic engineer and shall comprise suitable inlet pits, grated drains, pipes and channels. This drainage system is to be designed for storm events up to and including the 100-year ARI and in accordance with Councils Water Management Development Control Plan No.47.

If a BASIX Certificate demonstrating a Water Score of 40% is submitted to justify some other rainwater re-use regime, then the retention component of site water management is to be in accordance with those requirements.

k) Amend Condition B26 as follows;

B26 On-site Stormwater Detention System

To maintain capacity of the public drainage system, an On-site Stormwater Detention System(s) must be provided in accordance with Council's Water Management Development Control Plan No.47. An overflow is to be incorporated that will direct any excess flow to the downstream drainage system and subsoil drainage is to be provided from the underside of the sediment control sump to the outlet line or other approved location.

The system is to be cleaned regularly and maintained to the satisfaction of Council.

NOTE 1: The on-site stormwater detention system and property drainage system is not to require excavation or fill underneath the canopy areas of any trees to be retained unless as approved by a qualified arborist's certification that such excavation will not affect the longevity of the subject tree(s).

NOTE 2: All roof, driveway and other hard-surface runoff water is to be intercepted and directed to the on-site stormwater detention system. If some areas of hard-surface are unable to be directed to the detention system an adjustment to the rate of discharge is to be made to attain the required site discharge.

NOTE 3: If a landscaped surface type detention system is used the storage volume required is to be increased by 20%.

Prior to issue of each Construction Certificate for below ground works the applicant shall submit, for approval by the PCA, full construction drawings for the proposed method of achieving Council storage volume requirements for an on-site stormwater detention/retention system. The design shall be generally based on the Water Management Plan prepared by, Steve Paul and Partners (Drawing 040050-SW-001-PR-01, plotted 10 September 2004) and accompanying report, and shall be advanced for construction issue purposes. The design and construction plans, with all supporting documentation, are to be prepared by a qualified and experienced civil/hydraulic engineer and may be incorporated on the overall site drainage plan. Where direct connection to a street drainage pit is proposed, a hydraulic grade line analysis is to be carried out to demonstrate that the detention system will be free-draining for flows up to and including the 100 year ARI event.

If a BASIX Certificate demonstrating a Water Score of 40% is submitted to justify some other rainwater re-use regime, then the retention component of site water management is to be in accordance with those requirements.

I) Amend Condition B27 as follows;

B27 Rainwater Retention and Re-use System

A rainwater re-use tank system shall be provided for the development and connected for irrigation and carwashing.

Prior to issue of each Construction Certificate for below ground works the applicant shall submit, for approval by the PCA, details for the proposed method of achieving the proposed re-use of water on the property including garden irrigation and carwashing. The necessary pumping, housing, filtration and delivery plumbing equipment for re-use shall be shown on this design. The plans, with all supporting documentation, are to be prepared by a qualified and experienced civil/hydraulic engineer. These details may be incorporated on the overall stormwater management plan and design for the retention/detention system.

If a BASIX Certificate demonstrating a Water Score of 40% is submitted to justify some other rainwater re-use regime, then the retention component of site water management is to be in accordance with those requirements.

END OF MODIFICATIONS TO DA 126-05-2004