

Tables of Compliance

Darling Square Stage 1 Conditions of Approval		Stage 2 Application Response	
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SCHEDULE 2 PART A – TERMS OF APPROVAL			
Development description	A1. Consent is granted to the Concept Proposal as described in the Environmental Impact Statement, as amended by the Response to Submissions and the conditions contained in this development consent.	This proposal constitutes a detailed Stage 2 component of the approved Concept Proposal and is consistent with the development envisaged in the Environmental Impact Statement, as amended by the Response to Submissions and the conditions contained in this development consent.	Y
Determination of future Stage 2 applications	A2. In accordance with section 838(3)(a) of the EP&A Act the Stage 2 works are to be the subject of Future Development Applications.	Noted. This proposal comprises a State Significant Development Application.	Y
	A3. The determination of the future Stage 2 applications is to be generally consistent with the terms of development consent SSD 5878 as described in Schedule 1, and subject to the conditions in Part 8 in Schedule 2.	The proposed development is generally consistent with the terms of development consent SSD 5878 as described in Schedule 1 and subject to the conditions in Part B in Schedule 2. The proposed development provides for: <ul style="list-style-type: none"> • Ground level retail uses; • Residential apartments; • Pedestrian routes; • Public domain treatments; • Development contained wholly within the development plots; • Residential and non-residential GFA in accordance with the maximums; and • Remediation (if required). 	Y
Development in accordance with plans and documents	A4. The applicant shall carry out the project generally in accordance with the: <ol style="list-style-type: none"> a) Environmental Impact Statement, as amended by the Response to Submissions; b) Design Guidelines as set out in the Design Report; and c) following drawings as set out in the table below, 	The proposed development is generally consistent with the reports, guidelines and drawings listed in Condition A4.	Y

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	<p>except for:</p> <ul style="list-style-type: none"> i. any modifications which are Exempt' or Complying Development; ii. otherwise provided by the conditions of this consent. <table border="1"> <thead> <tr> <th colspan="4">Architectural (or Design) Drawings prepared by Denton Corker Marshall</th> </tr> <tr> <th>Drawing No.</th> <th>Revision</th> <th>Name of Plan</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>MCD AR D107</td> <td>P5</td> <td>Proposed Site Plan</td> <td>25/09/2013</td> </tr> <tr> <td>MCD AR D201</td> <td>P3</td> <td>Parameter Plan 01 Maximum Building Envelope Plot Sizes</td> <td>25/09/2013</td> </tr> <tr> <td>MCD AR D202</td> <td>P3</td> <td>Parameter Plan 02 Maximum Envelope Plot Separation</td> <td>25/09/2013</td> </tr> <tr> <td>MCD AR D203</td> <td>P3</td> <td>Parameter Plan 03 Maximum Horizontal Building Envelope</td> <td>25/09/2013</td> </tr> <tr> <td>MCD AR D204</td> <td>P3</td> <td>Parameter Plan 04 Minimum Building Envelope Separation</td> <td>25/09/2013</td> </tr> <tr> <td>MCD AR D205</td> <td>P3</td> <td>Parameter Plan 05 Maximum Vertical Building Envelope</td> <td>25/09/2013</td> </tr> <tr> <td>MCD AR D206</td> <td>P3</td> <td>Parameter Plan 06 Proposed Land Use</td> <td>25/09/2013</td> </tr> <tr> <td>MCD AR D207</td> <td>P2</td> <td>Parameter Plan 07 Maximum Building Plots Overlaid onto Existing Site Plan</td> <td>25/09/2013</td> </tr> <tr> <td>MCD AR D208</td> <td>P2</td> <td>Parameter Plan 08 Maximum Building Plots Overlaid onto Proposed Site Plan</td> <td>25/09/2013</td> </tr> </tbody> </table>	Architectural (or Design) Drawings prepared by Denton Corker Marshall				Drawing No.	Revision	Name of Plan	Date	MCD AR D107	P5	Proposed Site Plan	25/09/2013	MCD AR D201	P3	Parameter Plan 01 Maximum Building Envelope Plot Sizes	25/09/2013	MCD AR D202	P3	Parameter Plan 02 Maximum Envelope Plot Separation	25/09/2013	MCD AR D203	P3	Parameter Plan 03 Maximum Horizontal Building Envelope	25/09/2013	MCD AR D204	P3	Parameter Plan 04 Minimum Building Envelope Separation	25/09/2013	MCD AR D205	P3	Parameter Plan 05 Maximum Vertical Building Envelope	25/09/2013	MCD AR D206	P3	Parameter Plan 06 Proposed Land Use	25/09/2013	MCD AR D207	P2	Parameter Plan 07 Maximum Building Plots Overlaid onto Existing Site Plan	25/09/2013	MCD AR D208	P2	Parameter Plan 08 Maximum Building Plots Overlaid onto Proposed Site Plan	25/09/2013		
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Lapsing of approval	A5. This consent will lapse five years from the date of consent unless works have physically commenced.	Noted.	Y																																												
Building envelopes	A6. Building plots, separation distances and horizontal building envelopes are to be generally consistent with the Concept Proposal building envelope parameter plans listed in condition A4.	The proposed development is consistent with the building plot, separation distances and horizontal building envelopes shown on the relevant parameter plans. Refer to the Architectural Drawings for details regarding compliance.	Y																																												
	A7. The maximum height for the development shall be consistent with the Concept Proposal vertical building envelope parameter plans for each building as detailed below:	The maximum podium and tower heights are consistent with the vertical building height specified for the North East Plot. Refer to the Architectural Drawings for details regarding compliance.	Y																																												

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Maximum Gross Floor Area (GFA)	A8. The maximum GFA for the development shall not exceed 197,236m ² (excluding ancillary above ground car parking), comprised of a maximum of: <ul style="list-style-type: none"> a) 49,545m² non-residential GFA; and b) 147,691m² residential GFA 		The proposal seeks consent for 51,460m ² of residential GFA, and 2,011m ² non-residential GFA both within the maximum GFA parameters.	Y																																														
Legal notices	A9. Any advice or notice to the consent authority shall be served on the Director-General.		Noted.	N/A																																														
SCHEDULE 2 PART B – CONDITIONS TO BE MET IN FUTURE DEVELOPMENT APPLICATIONS FOR STAGE 2																																																		
Built form	B1. Future Development Applications shall demonstrate that the development achieves a high standard of architectural design incorporating a high level of building modulation / articulation and a range of high quality materials and finishes.		The proposal achieves a high standard of architectural design through modulation / articulation and the use of various materials which relate to the surrounding contexts. Tzannes Associates has outlined the principles for the development at Appendix B , and explained the design intent behind the proposed buildings. A strong relationship and consistent language has been achieved between the three buildings, whilst each has still been provided with a distinct character. Particular consideration has been given to Building NE3, to ensure that a strong corner address is provided to the entry of Darling Square.	Y																																														

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	B2. Future Development Applications shall demonstrate that the architectural feature(s) separating the residential towers from the street wall shall be appropriately designed to ensure that suitable visual separation between the two elements is achieved. Furthermore, contrasting materials or other acceptable alternatives shall be used to give emphasis/visual primacy to the lower levels of the buildings (below the re-entrant feature).	Detailed consideration has been provided to the separation of the podium and tower elements. Tzannes Associates has explained the design rationale of this separation, confirming that a suitable visual separation has been provided and that appropriate emphasis is given to the lower podium levels through the provision of a re-entrant and also variation in materiality of the podium and towers (refer to Appendix B).	Y
	B3. Future Development Applications shall maximise street level activation where possible. A Street Level Activation Plan shall be provided that: <ul style="list-style-type: none"> a) indicates the extent and locations where street level activation has been provided; b) provides justification for the areas where street level activation it has not been provided; and c) provide mitigation measures where necessary to address any inactive building facades at the street level (excluding any vehicular access points). 	Tzannes Associates has prepared a street level activation plan which indicates the extent and location of street level activation (refer to Appendix B). Activation has been provided to the majority of the frontages except on the Harbour Street frontage where a driveway access is proposed. In this location, a shutter door will screen the car park to ensure a neutral presentation. Where services are required on the frontages their extent has been minimised and screening materials have been selected to continue the aesthetic of the podium and negate the presentation of these essential services.	Y
	B4. Future Development Applications shall demonstrate that appropriate pedestrian sightlines / visual safety is achieved at building corner locations. Mitigation measures may include (but are not limited to) providing glazing to the corners of retail shopfronts and residential/commercial lobbies.	Appropriate pedestrian sightlines / visual safety have been provided at the corners of the podium where building entries or retail tenancies are located. The residential entries and retail spaces will be provided with extensive glazing to ensure visual permeability and feelings of safety with heightened casual surveillance.	Y
	B5. Future Development Applications (where above ground car parking is proposed) shall include a detailed Building Design and Laneway Visual Assessment to ensure an appropriate design of the buildings and visual environment within the laneways.	A detailed Building Design and Laneway Visual Assessment has been prepared by Six Degrees and is provided at Appendix B . This Assessment has considered the provision and treatment of above ground parking.	Y

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	B6. To the extent that an undercroft is contemplated in the design, the Future Development Application for the South East Plot shall include an Undercroft Design Assessment relating to the proposed undercroft area adjacent to (pedestrianised) Hay Street. The Assessment shall provide detailed design, use and management of the space.	The proposal relates to the North East Plot.	N/A
	B7. Future Development Applications shall include a Reflectivity Analysis and demonstrate that the buildings do not cause adverse excessive glare.	A Façade Reflectivity Report has been prepared by CPP and is provided with the EIS at Appendix T . It has been determined that the proposal will not result in any adverse excessive glare which could not be managed or mitigated.	Y
	B8. Future Development Applications shall include an Access Review and demonstrate that an appropriate degree of accessibility.	An Access Report has prepared by MGAC and is provided at Appendix R of the EIS. It has been determined that an appropriate degree of accessibility will be achieved in the proposed development subject to the detailed design of the development.	Y
Landscaping and open space	B9. Future Development Applications shall include detailed landscaping plans for public, communal and private open space areas and the landscape and treatment of all public domain areas.	A detailed landscaping/public domain plan is provided with the EIS at Appendix B .	Y
	B10. Open spaces and public domain improvements shall be delivered in the sequence indicated within the approved Design Report, Illustrative Development Staging Diagram, unless otherwise modified in a Future Development Application. The open spaces and public domain works are to be completed prior to the occupation of the building(s) of the appropriate development application, unless otherwise approved in writing by the Director-General.	Noted. The public domain improvements contained within the proposal will be carried out in accordance with the approved Design Report and Illustrative Development Staging Diagram.	Y
	B11. The Future Development Application for the relevant Plot that includes the Haymarket Square shall include a Public Square Management Plan that has been prepared in consultation with SHFA.	The proposal relates to the North East Plot and does not include the Haymarket Square.	N/A

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Public art	B12. Future Development Applications shall include a Public Art Strategy.	A Public Art Strategy has been prepared by Studio Elicio Pty Ltd and is provided at Appendix AA .	Y
Crime prevention	B13. Future Development Applications shall include a Crime Prevention Through Environmental Design (CPTED) assessment, including mitigation measures where necessary. To the extent that an undercroft is contemplated in the design the Future Development Application for the South East Plot shall make particular reference to the design of the undercroft area adjacent to (pedestrianised) Hay Street.	A Crime Prevention Through Environmental Design (CPTED) Report has been prepared by Harris Crime Prevention Services and included at Appendix N of the EIS.	Y
Housing affordability and diversity	B14. Future Development Applications shall investigate the provision of additional forms of housing that are affordable on the site (which could include rental residential accommodation, key worker accommodation and/or student accommodation).	An investigation of additional forms of housing that are affordable has been undertaken on a site wide basis. Within the overall SICEEP precinct, a variety of housing types and mixes will be provided, ensuring that a diverse range of price points are met in the market. Affordable housing options will be provided in the form of student housing in the Darling Drive (Western) Plot, with an envisaged 1000 beds to be provided. The delivery of this form of affordable housing is considered the most desirable due to the locational advantages of nearby tertiary education facilities, as well as proximity to facilities and services. SSSDA3 relating to a portion of the Darling Drive (Western) Plot has been approved and includes the provision of 228 apartments for the purpose of student housing.	Y
Traffic	B15. The Future Development Application(s) for the Darling Drive Plot shall include details of the provision of signalised pedestrian crossing facilities across Darling Drive opposite Dickson's Lane and the Applicant shall liaise with RMS during the detailed design phase of that crossing.	The proposal relates to the North East Plot.	N/A
	B16. The Future Development Application for the South West Plot shall demonstrate that the Hay Street driveway and crossover are appropriately designed and will encourage safe pedestrian movement.	The proposal relates to the North East Plot.	N/A

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	B17. Future Development Applications shall demonstrate that ground floor car parking has been avoided where possible. However, should ground floor car parking be provided, it shall be appropriately screened so not to be visible from the public domain (excluding those times when the car park entry door is in use).	The proposed ground floor car parking is well screened by active uses fronting the public domain. The majority of the podium is provided with active uses including residential entries and retail tenancies. The only areas of non-activation relates to the single car park entry door which is screened to minimise its appearance in the streetscape together with other essential services.	Y
	B18. The Future Development Application for the South West Plot shall include an analysis of the transition, route and pedestrian experience of the east/west Macarthur Street pedestrian connection.	The proposal relates to the North East Plot.	N/A
Residential car parking	B19. Future Development Applications shall provide on-site residential car parking at the following maximum rates: a) Studio 0.1 spaces / unit b) 1 bed / 1 bed + study 0.5 spaces / unit c) 2 bed / 2 bed + study 1.0 spaces / unit d) 3 bed+ 1.5 spaces / unit	The proposal provides on-site residential car parking in accordance with the maximum rates. The total provision of parking in the North East Plot is below the maximum allowable number of parking spaces calculated in accordance with the approved parking rates.	Y
Bicycle parking	B20. Future Development Applications shall include an appropriate amount of bicycle parking for residents and visitors, including visible public bicycle parking in the public domain for visitors and appropriate end of trip facilities within non-residential accommodation.	The proposal includes provision for bicycle parking for each apartment (in the form of storage cages in the car park) together with 50 resident visitor bicycle parking spaces and 10 bicycle storage spaces for staff working within the North East Plot. Convenient End of Trip facilities for staff within the North East Plot will also be provided. Opportunities for public bicycle parking within the public domain will be further developed and detailed as appropriate in subsequent Development Applications.	Y
	B21. The Future Development Application for the North Plot shall include an investigation into the provision of a Bike Hub. Any provision should be designed in consultation with SHFA and/or Council and/or a nominated community organisation(s).	The proposal relates to the North East Plot.	N/A

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Heritage and archaeology	B22. Future Development Applications shall include a Heritage Impact Assessment and a Heritage Interpretation Strategy.	A Statement of Heritage Impact and a Heritage Interpretation Strategy prepared by TKD Architects have been provided at Appendix D of the EIS.	Y
	B23. Future Development Applications shall include baseline aboriginal and non-aboriginal archaeological assessments identifying the areas of the site which may contain significant archaeology and how impacts will be mitigated. Any recommendations of the assessment shall be adopted as part of future Development Applications.	A Non-Indigenous Archaeological Assessment and Impact Statement prepared by Casey and Lowe is submitted with the EIS at Appendix E . Recommendations of this report will be adopted in the detailed design of the development and are included within the proposed Mitigation Measures.	Y
Environmental performance	B24. Future Development Applications shall demonstrate achievement of the following minimum Green Star ratings (or equivalent rating of a superseding environmental rating system): <ul style="list-style-type: none"> a) 5 star Green Star Office for the North West Plot (excluding the public car park); b) 4 star Green Multi Unit Residential rating on all residential towers; and c) 4 star Green Star Custom rating for student accommodation. 	The proposal is targeting a 5 star Green Star Multi Unit Residential rating. The ESD Report provided at Appendix K of the EIS establishes specific sustainability objectives and initiatives which will be incorporated into the detailed design of the proposed development.	Y
	B25. Future Development Applications relating to the N, NE, SE and SW Plots shall include an investigation into the provision of green roofs at podium level.	A green roof has been provided on the podium between the three proposed buildings. The landscaped podium will act as an open space for residents, offering various spaces for relaxation, as well as providing a pleasant outlook for apartments facing the space.	Y
	B26. Future Development Applications shall demonstrate the incorporation of ESD principles in the future design, construction and ongoing operation phases of the development.	An ESD Report has been prepared by Lend Lease and is submitted with the EIS at Appendix K . This report determines that ESD principles would be included throughout the lifecycle of the development, from the construction to operation phase.	Y
Flooding and stormwater	B27. The Future Development Application for the SE Plot shall include the location and detailed design of the stormwater amplification / new culvert, which shall be developed in consultation with Sydney Water.	The proposal relates to the North East Plot.	N/A

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Operational noise	B28. Future Development Applications shall include site specific Noise Assessments and demonstrate that an appropriate acoustic amenity is achieved and include mitigation measures where necessary.	A site specific Noise and Vibration Assessment has been prepared by Renzo Tonin and submitted at Appendix M of the EIS. This assessment has determined that the proposal will achieve an appropriate acoustic amenity subject to mitigation and management measures to be adopted in the detailed design of the development.	Y
Wind assessment	B29. Future Development Applications shall include site specific wind assessments and include mitigation measures to prevent an adverse wind environment where necessary.	A Wind Report has been prepared by CPP and is provided at Appendix U of the EIS. This report identifies mitigation measures required to achieve an acceptable wind environment. These measures will be adopted in the detailed design of the development.	Y
Waste	B30. Future Development Applications shall include a Waste Management Plan to address storage, collection, and management of waste and recycling within the development.	A Waste Management Plan prepared by Waste Audit and Consultancy Services is provided at Appendix S of the EIS. This plan addresses the storage, collection, and management of waste and recycling within the proposed development.	Y
Signage	B31. The signage controls are deleted from the Design Guidelines.	Noted.	Y
Construction	B32. Future Development Applications shall analyse and address the impacts of construction and include: <ol style="list-style-type: none"> a) Construction Transport Management Plan, addressing traffic and transport impacts during construction; b) Cumulative Construction Impact Assessment (i.e. arising from concurrent construction activity); c) Noise and Vibration Impact Assessments, addressing noise and vibration impacts during construction; d) Community Consultation and Engagement Plans, addressing complaints during construction; e) Construction Waste Management Plan, addressing waste during construction; f) Air Quality Management Plan, addressing air quality during construction; 	The potential impacts of construction have been addressed in the EIS through the following specialist reports: <ul style="list-style-type: none"> ▪ Transport and Traffic Impact Assessment prepared by Hyder (Appendix Q); ▪ Noise and Vibration Assessment prepared by Renzo Tonin (Appendix M); ▪ Community and Stakeholder Consultation Report prepared by Lend Lease (Appendix L); ▪ Waste Management Plan prepared by Waste Audit and Consultancy Services (Appendix S); ▪ Flooding, Stormwater and WSUD Report prepared by Hyder (Appendix J); and 	Y

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	<p>g) Water Quality Impact Assessments and an Erosion and Sediment Control Plan (including water discharge considerations) in accordance with 'Managing urban storm water, soils and construction (Landcom 2005)'; and</p> <p>h) Acid Sulphate Soil Assessment and Management Plan.</p>	<ul style="list-style-type: none"> ▪ Construction Management Plan prepared by Lend Lease (Appendix X). <p>In terms of Acid Sulphate Soils, this has been addressed as part of the Acid Soils Assessment and Preliminary Management Plan (ASSMP) prepared by Coffey and included within the Concept Proposal (SSDA2). A detailed acid sulphate soils management plan will be prepared generally in accordance with the Acid Soils Assessment and Preliminary Management Plan prepared by Coffey dated 11 March 2013 (submitted with SSDA2).</p>	
	B33. Future Development Applications shall include detailed investigations and assessment of the impact on utilities.	The Services Infrastructure Report prepared by Hyder submitted at Appendix G of the EIS has investigated and assessed the impact of the proposal on utilities. It has been determined that the extension, realignment and augmentation of utilities is capable of being achieved and there will not be any adverse impacts on existing utilities which cannot be mitigated.	Y
Contamination	B34. Future Development Applications shall include a Remediation Action Plan addressing the potential contamination of the land including mitigation measures where necessary in accordance with SEPP 55.	A Remedial Action Plan (RAP) has been prepared by Coffey Environments to ensure that the site is suitable for its future use in accordance with SEPP 55 (Appendix I).	Y
Community facilities	B35. An appropriate area of land shall be provided within the development for the delivery of a community building/facility by a community organisation, or as agreed with the Director General. The developer shall provide infrastructure and services to the land and prepare a Future Development Application for the relevant works in consultation with SHFA and Council.	Noted. Discussions with relevant organisations are currently being advanced and an appropriate area of land will be provided for this purpose in a future application which, subject to those discussions, may include some or all of the following elements: a Library, bike hub, retail, community facilities, childcare centre and associated sustainable uses.	Y

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IQ Hub	B36. The Future Development Applications shall include an investigation into the provision of IQ Hub accommodation and shall consult with Council and/or SHFA and local tertiary educational institutions regarding the quantum and location of the accommodation.	The provision of IQ Hub accommodation within Darling Square is currently being investigated, with discussions ongoing regarding the establishment of a working group. This working group is set to be established in the first quarter of 2015. Initial operating and funding models have been reviewed during the first to third quarters of 2014 in anticipation of the establishment of the working group.	Y