
CONDITIONS OF DEVELOPMENT CONSENT

DA No: DA-290/2017/A.
Property: 331 Blaxcell Street South Granville.
Description: Section 4.56 application to modify an approved child care facility to provide additional general purpose rooms and a rooftop outdoor play area.

A) Amend conditions 1, 4, 5, 50 to read as follows:

1. Approved Plans

The development is to be carried out in accordance with the approved stamped plans as numbered below:

Plan Number	Prepared By	Revision No.	Dated
DEM - Demolition	Nigel Merryweather Architects	-	31/5/2017
A2J - Ground floor	Nigel Merryweather Architects	H	10/5/18
A3E - First floor	Nigel Merryweather Architects	D	17/4/2018
A4F - Second floor	Nigel Merryweather Architects	E	3/4/2018
A5B - Roof	Nigel Merryweather Architects	B	3/4/2018
A6C - Elevations	Nigel Merryweather Architects	C	17/4/2018
17-1282/1 - Landscape	Captivate Landscape Design	3	15/11/2017
DA-1282/2 Landscape Rooftop	Captivate Landscape Design		15/1/2019
SIG - Signage	Nigel Merryweather Architects	A	26/10/2017
A7F - Sections 1	Nigel Merryweather Architects	F	15/5/2018
A8a - Sections 2	Nigel Merryweather Architects	A	26/10/2017
AR9 - Play areas	Nigel Merryweather Architects		31/5/2017
AR1A - Area	Nigel Merryweather Architects		31/5/2017
A9 - Fences	Nigel Merryweather Architects		31/5/2017
SW1 - Stormwater	E2 Design	C	1/2/2018
SW2 - Stormwater ES design	E2 Design	A	15/10/2017
Acoustic Report - R170151R3	Rodney Stevens Acoustics	3	29 April 2019

Emergency Management Plan/Evacuation diagram 331BLA_v1.00	First 5 Minutes	-	23/5/2017
Waste Management plan	-	-	May 2017
Materials & Finishes	Nigel Merryweather Architects	-	-
Plan of Management	-	-	May 2019

except as otherwise provided by the conditions of this determination (Note:- modifications to the approved plans will require the lodgement and consideration by Council of a modification pursuant to Section 4.55 of the Environmental Planning and Assessment Act (as amended)).
Reason:- to confirm and clarify the terms of Council's approval.

[Condition 2 modified by the Section 4.56 modification application 290/2017/A]

4. **Section 94A Contribution**

A monetary contribution comprising **\$19,424.85** is payable to **Cumberland Council** in accordance with Section 94A of the Environmental Planning and Assessment Act 1979 and the Parramatta Section 94A Development Contributions Plan (Amendment No. 5).

The contribution is to be paid to Council prior to the issue of a Construction Certificate.

The contribution levy is subject to indexation on a quarterly basis in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician. At the time of payment, the contribution levy may have been the subject of indexation.

Parramatta Section 94A Development Contributions Plan (Amendment No. 5) can be viewed on Cumberland Council's website at: www.cumberland.nsw.gov.au

Reason:- to comply with legislative requirements.

[Condition 4 modified by the Section 4.56 modification application 290/2017/A]

5. **Operational Plan of Management**

The premises shall be operated in accordance with the operational plan of management dated May 2019. Where there is any conflict between the provisions of the operational plan of management and specific conditions of this consent, the specific conditions of this consent shall prevail.

Reason:- to ensure on-going management of the Child care centre is in accordance with the operational plan of management.

[Condition 5 modified by the Section 4.56 modification application 290/2017/A]

50. **Compliance with Submitted Acoustic Report**

The noise control measures specified in the acoustic report prepared by Rodney Stevens

Acoustics, report number R170151R3, revision 3 and dated 29 April 2019, shall be installed prior to the issuing of the occupation certificate. All noise reduction measures specified in the acoustic report shall be complied with at all times during the operation of the premises.

Reason:- to ensure all acoustic measures are installed into the child care centre as per the recommendations that are made.

[Condition 50 modified by the Section 4.56 modification application 290/2017/A]

B) Add the following conditions 96 and 97 to read as follows:-

96. **Acoustic Certification**

Within three months of the premises being occupied by the childcare centre, an acoustic report prepared by a suitably qualified person, is to be submitted to the consent authority demonstrating that the noise emitted from the premises complies with the criteria contained in the acoustic report prepared by Rodney Stevens Acoustics, report number R17015R3, dated 29 April 2019. Where the criteria are not met, the acoustic report is to include recommendations of noise control measures that are to be implemented to ensure compliance with the criteria.

Reason:- to ensure that excessive noise is avoided to adjoining premises.

[Condition 96 added by the Section 4.56 modification application 290/2017/A]

97. **Plan of Management**

An amended noise management plan prepared by a suitably qualified person shall be submitted to Council or the Private Certifier as part of the Construction Certificate approval. The modified plan should, as a minimum, provide details of child to staff ratios, noise control measures of children while in outdoor play areas and seasonal play times. The plan should also incorporate a complaint management and response protocol.

Reason:- to ensure the child care centre is managed in a satisfactory manner to avoid nuisance to the local area.

[Condition 97 added by the Section 4.56 modification application 290/2017/A]