

5. The recommendation contained in Vipac Engineers and Scientists Report, for Acoustics and Noise and Wind Effects and the Timar Partnership Report for Energy Conservation Study, all prepared in support of the application, shall be incorporated in the design and construction of the building. In this regard details shall be submitted with the Building Application to the satisfaction of the Director of Planning and Environmental Services.

(Reason: Residential amenity)

6. A loading bay, of minimum dimensions (7.6m x 3.0m x 3.6m) shall be provided. Details of the provision are required to be submitted with the Building Application to the satisfaction of the Director of Planning and Environmental Services. **This loading bay shall be accessible from 7.00 am to 7.00 pm to enable furniture to be moved in and out of the apartments and commercial premises.**

(Reason: Adequate residential loading facilities)

7. A 1.2m portion of land across the full frontage of Atchison Lane is required to be dedicated to Council, at no cost, prior to the occupation of the building or release of strata plans, whichever is first. **In this regard, Council shall require easements to be created allowing the encroachment of the balconies to levels 1-5, and below ground for any necessary support for the proposed building. The form and content of any easements or positive covenants shall be to the satisfaction of the Director, Planning and Environmental Services at the applicant's cost.**

(Reason: Lane widening/traffic and pedestrian safety)

8. Bicycle storage and parking is required to be provided in accordance with Council's policy for Bicycle Parking. Details shall be submitted with the Building Application to the satisfaction of the Director of Planning and Environmental Services.

(Reason: Adequate bicycle storage)

9. The openings proposed in the walls on the western and eastern boundaries shall be regarded as interim features only pending the possible development of adjoining land and provided primarily to ameliorate the visual impact of the wall. These openings must not form part of the required access to light and ventilation specified by the Building Code of Australia for the spaces they serve. Accordingly, the following restrictions are imposed and details must be submitted with the Building Application or Application for Construction Certificate to the satisfaction of Council's Director, Planning and Environmental Services:

- a) The openings shall be fitted with fixed, translucent only glazing or glass blocks and must not form part of the required access to light and ventilation specified by the Building Code of Australia for the spaces they serve.
- b) The openings shall be acoustically treated to ensure an appropriate level of internal amenity having regard to the proximity to other uses and noise generating sources in the locality. Details included in the Building Application or Construction Certificate shall be accompanied by a Report from a qualified acoustic Engineer attesting to compliance with this requirement.
- c) A covenant shall be created by the owner of the subject property binding upon all successors in Title and an appropriate restriction entered onto the Title identifying the status of the openings as specified in this condition. The instruments are to be to the satisfaction of Council's Director Planning and Environmental Services, **at the applicant's cost** and registered on Title prior to issue of a Certificate of Occupation.

(Reason: Amenity and Planning)

8. A construction plan, detailing means proposed to be employed to minimise the impacts arising from the construction process and in particular traffic and dust emissions, is required to be submitted with the Building Application or Application for a Construction Certificate to the satisfaction of the Director of Planning and Environmental Services.

(Reason: Maintenance of Existing Amenity)

9. The building is to be setback a minimum 1700mm from Atchison Lane to match the setback on the adjoining property to the east. Provision shall be made for a footpath. Details shall be submitted with the Building Application or Application for a Construction Certificate to the satisfaction of the Director of Planning and Environmental Services.

(Reason: Maintenance of Existing Amenity)

10. The footpath in Atchison Street on its northern side between Christie and Mitchell Streets shall be reconstructed with an enhanced finish paver to Councils selection, at no cost to Council.

(Reason: Pedestrian Amenity)

11. A plan of safe demolition of the proposed building in accordance with AS2601 shall be submitted with the Building Application or Application for a Construction Certificate to the satisfaction of the Director of Planning and Environmental Services.

(Reason: Safety and Compliance)