

**REVISED RECOMMENDED CONDITIONS OF CONSENT FOR
JOINT REGIONAL PLANNING PANEL CONSIDERATION**

**DEVELOPMENT APPLICATION 853/2010/JP
NO. 352 ANNANGROVE ROAD, ROUSE HILL**

GENERAL MATTERS

1. Development in Accordance with Submitted Plans (as amended in red)

The development being carried out in accordance with the following approved plans and details, stamped and returned with this consent except where amended by other conditions of consent.

Amendments in red include reduction of the width of the pylon sign to a maximum width of 2m.

REFERENCED PLANS AND DOCUMENTS

DRAWING NO.	DESCRIPTION	REVISION	DATE
031	Site Plan – Warehouse Level	A	16.11.09
100	Floor Plan – Undercroft Parking Level 1/2	D	21.06.10
101	Floor Plan – Undercroft Parking Level 2/2	D	21.06.10
102	Floor Plan – Warehouse Level 1/2	A	16.11.09
103	Floor Plan – Warehouse Level 2/2	A	16.11.09
104	Floor Plan – Warehouse Mezzanine Level 1/2	A	16.11.09
105	Floor Plan – Warehouse Mezzanine Level 2/2	A	16.11.09
110	Roof Plan – Level 1/2	A	16.11.09
111	Roof Plan – Level 2/2	A	16.11.09
120	Sections 1/2	B	16.11.09
121	Sections 2/2	B	16.11.09
125	Detail Sections ½ North Boundary	A	20.04.10
130	Elevations 1/2	A	16.11.09
131	Elevations 2/2	B	20.04.10
200	Pylon Sign Detail	A	04.05.10
1625 LP-01	Landscape Plan	C	27/05/10
1625 LP-02	Sections & Elevations	B	16/11/09
1625 LP-03	Details	B	16/11/09

No work (including excavation, land fill or earth reshaping) shall be undertaken prior to the issue of the Construction Certificate, where a Construction Certificate is required.

2. Compliance with NSW Office of Water Requirements

Compliance with the requirements of the NSW Office of Water attached to this consent and dated 22 January 2010.

3. Compliance with NSW Police Service Requirements

The proposed development is to be undertaken in accordance with the requirements of the NSW Police – Local Area Command dated 17 March 2010 comprising the following:-

- Use of CCTV coverage to monitor the store inside and undercover car park area.
- The underground car parking areas be painted white to help reflect light.
- Access control or gates to be used in the car park area to allow it to be closed off after hours.
- The use of sensor lights and a security company to monitor the site while construction is in progress.

4. Compliance with NSW RTA Requirements

The proposed development is to be undertaken in accordance with the following:-

- The internal aisle ways to be marked with pavement arrows to direct traffic movements in/out of the site and guide traffic circulation through the car park. Installation of directional signage in the car park is required.
- All works associated with the proposed development are to be carried out at no cost to the RTA.

5. NSW Rural Fire Service Requirements

General Conditions

1. The development is to comply with the recommendations listed in Section 4 of

the Bushfire Assessment Report, prepared by Abel Ecology, August 2006, with exception that the following conditions also be recommended:

Asset Protection Zones - The intent of measures is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting fire fighting activities.

2. At the commencement of building works and in perpetuity the entire property shall be managed as an Inner Protection Area (IPA) as outlined within section 4.1.3 and Appendix 5 of Planning for Bush Fire Protection 2006 and the NSW Rural Fire Service document Standards for Asset Protection Zones. The IPA is critical to providing a defensible space and managing heat intensities at the building surface and shall comprise of:

- Minimal fine fuel at ground level;
- Vegetation that does not provide a continuous path to building/s for the transfer of fire;
- Shrubs and trees that do not form a continuous canopy and vegetation that is planted/cleared into clumps rather than continuous rows;
- Shrubs and trees are pruned or removed so they do not touch or overhang the building/s; and
- Vegetation that is located far enough away from the building/s so that plants will not ignite the building/s by direct flame contact or radiant heat emission.

Landscaping

3. Landscaping to the site is to comply with the principles of Appendix 5 of Planning for Bush Fire Protection 2006. In this regard the following landscaping principles are to be incorporated into the development:

- Suitable impervious areas being provided immediately surrounding the building such as paths and driveways;
- Grassed areas/mowed lawns/ or ground cover plantings being provided in close proximity to the building;
- Restrict planting in the immediate vicinity of the building which may over time and if not properly maintained come in contact with the building;
- Use low flammability vegetation species and avoid species with rough fibrous bark or which retain/shed bark in long strips or retain dead material in their canopies.
- Avoid climbing species to walls; and
- Locate combustible materials such as woodpiles and flammable liquids away from the building.

6. Provision of Parking Spaces

The development is required to be provided with 409 off-street car parking spaces including 9 disabled parking spaces, 5 parents with prams spaces, 5 motorcycle spaces, 14 bicycle spaces. These car parking spaces shall be available for off street parking during trading hours.

7. External Finishes

External finishes and colours shall be in accordance with the details submitted with the development application and approved with this consent.

8. Separate Application for Other Signs

A separate application is required to be submitted to, and approved by Council prior to the erection of any advertisements or advertising structures other than the sign(s) approved in this consent.

9. Construction Certificate

Prior to construction of the approved development, it is necessary to obtain a Construction Certificate. A Construction Certificate may be issued by Council or an Accredited Certifier. Plans submitted with the Construction Certificate are to be amended to incorporate the conditions of the Development Consent.

10. Building Work to be in Accordance with BCA

All building work must be carried out in accordance with the provisions of the Building Code of Australia.

11. Adherence to Waste Management Plan

The Waste Management Plan submitted to Council must be adhered to at all stages in the demolition/construction/design of facilities and on-going use phases. All waste material nominated for recycling must be reused or recycled. Any material moved offsite is to be transported in accordance with the requirements of the Protection of the Environment Operations Act (1997) and only to a place that can lawfully be used as a waste facility. Dockets/receipts verifying recycling/disposal must be kept and presented to Council when required.

12. Waste Storage and Separation – Construction and Demolition

The reuse and recycling of waste materials must be maximised during construction and demolition. The separation and recycling of the following waste materials is required:

- a) Masonry products (bricks, concrete, concrete roof tiles) to be sent for crushing/recycling;
- b) Timber waste to be separated and sent for recycling;

- c) Metals to be separated and sent for recycling;
- d) Clean waste plasterboard to be returned to the supplier for recycling (excluding plasterboard from demolition); and
- e) Mixed waste (plastic wrapping, cardboard etc) to be sent to a licensed recycling or disposal facility.

This can be achieved by constructing a minimum of five trade waste compounds on-site. Each waste compound must be adequately sized to enclose the waste. Alternatively, mixed waste may be stored in one or more adequately sized waste compounds and sent to a waste contractor/waste facility that will sort the waste on their site for recycling. Waste must be adequately secured and contained within designated waste areas and must not leave the site onto neighbouring public or private properties. Personal waste must not litter the site. Copies of actual weighbridge receipts verifying recycling/disposal must be kept and presented to Council when required.

13. Surplus Excavated Material

The disposal / landfill of surplus excavated material, other than to a DECC licensed facility, is not permitted without formal approval from Council prior to the commencement of works. Any unauthorized disposal of waste, which includes excavated material, is a breach of the *Protection of the Environment Operations Act 1997* and subject to substantial penalties. Unless Council approves an alternate site, then all surplus excavated material must be disposed of at a licensed waste facility. Copies of actual weighbridge receipts verifying recycling/disposal must be kept and presented to Council when required.

14. Garbage Collection – Commercial/Industrial

Collection of waste and recycling material, generated by the premises, must not cause nuisance or interference with the amenity of the surrounding area.

15. Waste Collection

Waste and recycling material, generated by the premises, must only be collected between the hours of 6am and 10pm except for Sundays and public holidays, where collection shall be between 8am and 10pm.

16. Waste Management – Commercial/Industrial

To ensure the adequate storage and collection of waste from the occupation or use of the premises, all garbage and recyclable materials emanating from the premises must be stored in designated waste storage bins as specified in the Bunnings/SITA Recycling and Waste Management Report submitted with the Development Application. Arrangements must be in place in all areas of the development for the separation of recyclable materials from general waste and for the movement of recyclable materials and general waste to the main waste/recycling bins

17. Construction and Fit-out of Food Premises

To ensure that adequate provision is made for the cleanliness and maintenance of all food preparation areas, all work involving construction or fitting out of the premises shall comply with the requirements of Australian Standard – Design, construction and fit-out of food premises AS 4674-2004 and the provisions of the Food Safety Standards Code (Australia).

Note: Copies of AS 4674-2004 may be obtained from Standards Australia Customer Service on telephone 1300 654 646 or by visiting the website: www.standards.com.au

Copies of the Food Safety Standards Code (Australia) may be obtained by contacting the Food Standards Australia New Zealand Authority on Telephone:

(02) 6271-2222, e-mail: info@foodstandards.gov.au or by visiting the website: www.foodstandards.gov.au

18. Coving (Food Shop)

The intersection of floors with walls and exposed plinths in food preparation, storage and servery are to be coved. Coving is defined as a concave curve at the junction of two surfaces with the radius of the curve to be not less than 25mm.

19. Walls and Partitions (Food Shop)

All walls are to be solid construction. Solid construction is defined as brick, concrete blocks, structural fibrous cement or preformed panels that are filled with suitable material.

20. Hand Wash Basin (Food Shop)

Hand-wash Basins:

1. Must be provided and must not be obstructed. Must be accessible at bench height and no further than 5 metres from any place where open food is handled or prepared; and
2. Must be fitted with a tap that operates hands free with a permanent supply of warm running potable water delivered through a single outlet. A soap dispenser and paper towel holder shall be provided adjacent to the hand-wash basin.

21. Contamination

Any new information, which comes to light during construction works, which has the potential to alter previous conclusions about site contamination, shall be immediately notified to Council.

22. Supervision of Works

All work in the road reserve shall be supervised by a suitably qualified and experienced Civil Engineer, Registered Surveyor or Civil Engineering Foreman. The supervisor's name, address and contact phone number shall be submitted to Council prior to the commencement of construction in the road reserve.

In this regard a construction programme and anticipated duration of construction for all work in the road reserve shall be submitted in writing to Council prior to the commencement of any works in the road reserve.

23. Gutter & Footpath Crossing Application

The submission to Council of an application for gutter and footpath crossings, accompanied by the current fee as prescribed in Council's Schedule of Fees and Charges.

24. Public Liability Insurance

All contractors working in the public road shall take out public liability insurance for a minimum amount of \$10 million. The policy shall specifically indemnify Council from all claims arising from the execution of the works. Written evidence of this insurance shall be submitted to Council prior to the commencement of construction in the road reserve.

25. Protection of Public Infrastructure

Council must be notified of any damage to the public infrastructure such as road pavement, kerb and gutter, concrete footpaths, drainage structures, utilities and landscaping fronting the development.

Adequate protection must be provided for public infrastructure prior to work commencing and during building operations.

Any damage to public infrastructure caused during construction shall be made good prior to the issue of an Occupation Certificate.

26. Overland Flow

Provision for overland flow and access for earthmoving equipment shall be maintained along all existing and proposed drainage easements in favour of Council. No overland flow is to be diverted out of the easement(s).

27. Fencing over Council Drainage Easement(s)

New or replacement fencing across drainage easements in favour of Council must be approved by Council. Open style fencing must be used.

28. Earthworks in Council Drainage Easement(s)

Unless otherwise approved by Council, the existing ground levels within the drainage easement(s) shall not be altered by cut and/ or fill. Any fill, stockpiles, building materials and sheds shall not be placed within the easement(s).

29. Works Adjacent to Piped Drainage Easement

Buildings and structures (including footings and brick fences) adjacent to the easement must be located wholly outside the easement and be designed by a structural engineer to ensure that no load is imparted on the pipe in the easement.

30. Separate Development Application for Subdivision

A separate development application must be submitted to Council for any proposed community or strata titled subdivision of the approved development.

31. Minor Engineering Works

The design and construction of all the minor engineering works outlined below must be provided for in accordance with:

- a) Council's Design Guidelines Subdivisions/ Developments
- b) Council's Works Specifications Subdivisions/ Developments

Copies of the above documents can be found on Council's website:

<http://www.thehills.nsw.gov.au/Engineering-Specifications.html>

NOTE: Works on existing public roads or reserves and any land under the care and control of Council must be approved and inspected by Council (including payment of all applicable fees) in accordance with the Roads Act 1993 and/ or the Local Government Act 1993.

i. Gutter Removal

The removal of all disused layback and footpath crossings and their replacement with full kerb and gutter together with the restoration and turfing of the adjoining footpath verge area.

ii. Heavy Duty Crossings

Heavy duty gutter and footpath crossings at all points of vehicular access.

The design and layout of the driveway from Annangrove Road must be generally as shown on the general arrangement plan (Drawing 00452_C201 Revision G) prepared by C&M Consulting Engineers.

ii. Site Stormwater Drainage

The entire site area must be graded, collected and drained by pits and pipes to a suitable point of legal discharge. Site stormwater drainage is to be provided based on a 1:10 year ARI storm event.

32. Vehicular Access and Parking

The design and construction of all vehicular access and parking areas must comply with:

- a) AS/ NZS 2890.1:2004 – Parking facilities – Part 1: Off-street car parking

- b) AS 2890.2:2002 – Parking facilities – Part 2: Off-street commercial vehicle facilities
- c) BHDGP Part D Section 1 – Parking

NOTE: Where conflict exists the Australian Standard is to be used.

The following must be provided:

- i. All internal car parking spaces and access roads must be prominently and permanently line marked, signposted and maintained to ensure entry and exit is in a forward direction at all times and that parking and traffic circulation is appropriately controlled.
- ii. All access roads and car parking areas are to be separated from landscaped areas by a concrete kerb or wall.

33. Upgrading of Existing Water and Sewerage Services

Should the development necessitate the installation (or upgrade) of water and/ or sewerage services within an area which is either heavily vegetated or traversed by a natural watercourse, such services must be located in a route that causes the least amount of impact on the natural environment.

Excavation by hand and/ or small machinery is required where the ecological impact would otherwise be considered excessive.

34. Recycled Water

The subject site must be connected to Sydney Water's Rouse Hill Recycled Water Scheme. This connection must be included as part of the Section 73 Compliance Certificate acquired for the development.

PRIOR TO THE ISSUE OF CONSTRUCTION CERTIFICATE

35. Notice of Requirements

The submission of documentary evidence to the Certifying Authority, including a Notice of Requirements, from Sydney Water Corporation confirming that satisfactory arrangements have been made for the provision of water and sewerage facilities.

Following an application a "Notice of Requirements" will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Co-ordinator, since building of water / sewer extensions can be time consuming and may impact on other services and building, driveway and landscape design.

36. Section 94 Contribution

The following monetary contributions must be paid to Council in accordance with Section 94 of the Environmental Planning and Assessment Act, 1979, to provide for the increased demand for public amenities and services resulting from the development.

Payments comprise of the following:-

Industrial

Purpose	Rate per additional m2	Total 11810m2
Land	\$ 16.97	\$ 200,415.70
Capital	\$ 85.66	\$ 1,011,644.60
Total	\$ 102.63	\$ 1,212,060.30

The contributions above are applicable at the time this consent was issued. Please be aware that Section 94 contributions are updated quarterly.

Prior to payment of the above contributions, the applicant is advised to contact Council's Development Contributions Officer on 9843 0268. Payment must be made by cheque or credit/debit card. Cash payments will not be accepted.

This condition has been imposed in accordance with Contributions Plan No 11.

Council's Contributions Plans can be viewed at www.thehills.nsw.gov.au or a copy may be inspected or purchased at Council's Administration Centre.

37. Submit Waste Management Plan – Demolition & Construction

Prior to the issue of the Construction Certificate a Waste Management Plan in relation to the demolition and construction stage of the development must be submitted to and approved by Council. The Plan shall address the following during the demolition and construction stage of the development;

1. The type of waste materials;
2. The estimated volume (m3) or area (m2) of waste materials;
3. The proposed reuse or recycling methods;
4. Waste contractor information;
5. Address of recycling outlets and/or landfill sites.

38. Salinity Assessment

Prior to the issue of the Construction Certificate, the applicant shall either:

1. prepare a salinity assessment for the site consistent with the Department of Land and Water Conservation (2002) Guide: *Site Investigations for Urban Salinity*, and if salinity is identified as being a potential issue on the site, identify construction techniques to alleviate the issue/s; or
2. submit details that the following construction matters will be implemented:
 - a layer of sand at least 50 mm deep under the slab will be provided;
 - a damp proof membrane will be laid under the slab (NSW BCA 3.2.2.6);
 - the damp proof membrane will be extended to the outside face of the external edge beam up to the finished ground level. (*as per clause 3.2.2.6 and figure 3.2.2.3 of the BCA*);
 - Class 32 Mpa (N32) concrete will be used OR a sulphate resisting Type SR cement with a water cement ratio of 0.5 will be used;
 - slabs will be vibrated and cured for a minimum of three days
 - the minimum cover to reinforcement will be 50 mm from unprotected ground;
 - the minimum cover to reinforcement will be 30 mm from a membrane in contact with the ground;
 - the minimum cover to reinforcement will be 50 mm for strip footings and beams irrespective of whether a damp proof membrane is used; and
 - admixtures for waterproofing and/or corrosion prevention will be used.

39. Acquisition of an Easement on Adjoining Downstream Property

The creation of all necessary easements over the downstream property (Lot 43 DP 834049) generally as shown on the engineering design prepared by C&M Consulting Engineers (Drawing 00452_C201 Revision G and Drawing 00452_C202 Revision F) and in accordance with the requirements of the landowner (Sydney Water). Written evidence of Sydney Water's agreement to such an easement must be submitted to Council prior to the Issue of a Construction Certificate.

These easements must be created prior to the issuing of an Occupation Certificate.

All costs incurred must be borne by the applicant.

40. Security Bond – Pavement and Public Asset Protection

In accordance with Section 80A(6)(a) of the Environmental Planning and Assessment Act 1979 a security bond to the value of \$54,900.00 is required to be submitted to Council to guarantee the protection of the adjacent road pavement and public assets during construction works. The above amount is calculated at the rate of \$30.00 per square metre based on the public road frontage of the subject site (83m) plus an additional 50 metres on either side and the road width (10m) or \$10,000.00 (whichever is the greater).

The bond shall be lodged with Council prior to the issue of a Construction Certificate.

NOTE: The value of this bond shall be confirmed with Council prior to submission and may be in the form of cash or an unconditional bank guarantee. The bond is refundable upon written application to Council along with payment of the applicable bond release fee, and is subject to all work being restored to Council's satisfaction. Should the cost of restoring any damage exceed the value of the bond, Council will undertake the works and issue an invoice for the recovery of these remaining costs.

41. Security Bond – Traffic

Right turn movements from Annangrove Road into and out of the development are conditionally approved. This access arrangement will be subject to review by the Local Traffic Committee if an adverse accident history has developed or if the right turn queue lengths extend through the signalised Windsor Road intersection. Should the above develop, restriction of access to left in/left out by extending the existing concrete median island in an easterly direction for a distance of approximately 42m may be required. Re-instatement of the existing approved driveway configuration is to occur if access to the development is restricted to left in/ left out.

A \$10,000 bond is to be submitted to Council covering the cost of construction of 42m of central concrete median island in the event that it is found to be necessary.

42. Bank Guarantees

Should a bank guarantee be the proposed method of submitting a security bond the guarantee is to:

- a) Have no expiry date;
- b) Be forwarded direct from the issuing bank with a suitable cover letter that refers to Development Consent DA 853/2010/JP.
- c) Specifically reference the items and amounts being guaranteed. If a single bank guarantee is submitted for multiple items it must be itemised.

Should it become necessary for Council to uplift the bank guarantee, notice in writing will be forwarded to the applicant fourteen (14) days prior to such action being taken.

NOTE: No bank guarantee will be accepted that has been issued directly by the applicant.

43. Draft Legal Documents

Draft copies of the legal documentation associated with the release and re-creation of the Council drainage easement within the subject site as nominated

elsewhere in this consent must be submitted to Council for checking prior to the issue of a Construction Certificate.

44. Engineering Works and Design

The design and construction of all the engineering works outlined below must be provided for in accordance with the following documents and requirements:

- a) Council's Design Guidelines Subdivisions/ Developments
- b) Council's Works Specifications Subdivisions/ Developments

Copies of the above documents can be found on Council's website:

<http://www.thehills.nsw.gov.au/Engineering-Specifications.html>

Any variance from the above require separate approval from Council.

Works on existing public roads or reserves and any land under the care and control of Council require an Engineering Construction Certificate (ECC) in accordance with the Roads Act 1993 and/ or the Local Government Act 1993. An ECC can only be issued by Council. The proposed works fall into this category.

For Council to issue an ECC the following must be provided:

- i. A completed application form.
- ii. Four (4) copies of the design plans and specifications.
- iii. Payment of the appropriate application fee.
- iv. Payment of the appropriate inspection fee.

The following engineering works are required:

i. Access Arrangements – Annangrove Road

Right turn movements from Annangrove Road into and out of the development will be permissible on a conditional basis in accordance with the proposal identified in the traffic consultants report submitted with the DA.

This access arrangement must be constructed in accordance with the requirements of Council's traffic team.

ii. Stormwater Extension

A separate piped/ overland flow path stormwater drainage connection between Annangrove Road and Second Ponds Creek (Lot 43 DP 834049) through the development site must be constructed generally in accordance with the engineering design prepared by C&M Consulting Engineers (Drawing 00452_C201 Revision G and Drawing 00452_C202 Revision F) with the following amendments:

- The layout of the stormwater pipeline must be amended to reflect the location of the existing headwall at the sites Annangrove Road boundary.
- All overland flow is to be directed towards the proposed formed overland flow path located generally along the sites northern boundary. The easement associated with the same must encompass the area affected by the 1 in 100 ARI storm event.
- Bends approaching ninety degrees in pipelines to be dedicated to Council are to be avoided wherever possible.

iii. Stormwater Connection to Second Ponds Creek

All works on the adjoining downstream property (Lot 43 DP 834049) must be designed and carried out generally as shown on the general arrangement plan (Drawing 00452_C202 Revision F) prepared by C&M Consulting Engineers and in accordance with the requirements of the landowner (Sydney Water).

45. Works on Adjoining Land

Where the engineering works included in the scope of this consent extend into adjoining land, written consent from all affected adjoining property owners must be obtained and submitted to Council prior to the issue of a Construction Certificate.

46. Stormwater Discharge Acceptance

Where the engineering works included in the scope of this consent necessitate the discharge of stormwater onto adjoining land, written consent from all affected adjoining property owners must be obtained and submitted to Council.

PRIOR TO WORK COMMENCING ON THE SITE

47. Principal Certifying Authority

A sign is to be erected in accordance with Clause 98 A (2) of the Environmental Planning and Assessment Regulations 2000.

48. Management of Building Sites – Builder's Details

The erection of suitable fencing or other measures to restrict public access to the site and building works, materials or equipment when the building work is not in progress or the site is otherwise unoccupied.

The erection of a sign, in a prominent position, stating that unauthorised entry to the site is not permitted and giving an after hours contact name and telephone number. In the case of a privately certified development, the name and contact number of the Principal Certifying Authority.

49. Consultation with Service Authorities

Applicants are advised to consult with Telstra and Australia Post regarding the installation of telephone conduits and letterboxes respectively.

Unimpeded access must be available to the electricity supply authority, during and after building, to the electricity meters and metering equipment.

The building plans must be submitted to the appropriate Sydney Water office to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements. If the development complies with Sydney Water's requirements, the building plans will be stamped indicating that no further requirements are necessary.

50. Demolition Works & Asbestos Removal/Disposal

The demolition of any existing structure is to be carried out in accordance with the *Occupational Health & Safety Regulations 2001 Part 8* and the *Australian Standard AS 2601-1991: The Demolition of Structures*. All vehicles leaving the site carrying demolition materials are to have loads covered and are not to track any soil or waste materials on the road. Should the demolition works obstruct or inconvenience pedestrian or vehicular traffic on adjoining public road or reserve, a separate application is to be made to Council to enclose the public place with a hoarding or fence. All demolition waste is to be removed from the site according to the Council's approved waste management plan. – Demolition Waste Section. All asbestos, hazardous and/or intractable wastes are to be disposed of in accordance with the Workcover Authority Guidelines and requirements. The asbestos must be removed by a bonded asbestos licensed operator. Supporting documentation (dockets/Receipts), verifying recycling and disposal must be kept, to be checked by Council if required.

51. Traffic Control Plan

A Traffic Control Plan (TCP) is required to be prepared and submitted in strict compliance with the requirements of the current Australian Standard 1742.3 (Traffic Control Devices for Works on Roads) and the current RTA Traffic Control and Work Sites Manual. The persons preparing the TCP must have the relevant RTA accreditation to do so.

NOTE: Where subsequent amendments to the approved TCP are required, a new plan shall be prepared and submitted to Council prior to implementation.

52. Pre-Construction Public Infrastructure Dilapidation Report

Prior to work commencing you are required to submit to Council a public infrastructure inventory report recording the condition of all public assets in the direct vicinity of the development site. The report shall include:

- Designated construction access and delivery routes.
- Photographic evidence of the condition of all public assets. The report shall clearly identify the date of recording.

53. Approved Temporary Closet

An approved temporary closet connected to the sewers of Sydney Water, or alternatively an approved chemical closet is to be provided on the land, prior to building operations being commenced.

54. Erosion and Sedimentation Controls

Erosion and sedimentation controls shall be in place prior to the commencement of site works; and maintained throughout construction activities until the site is landscaped and/or suitably revegetated. The controls shall be in accordance with the details approved by Council and/or as directed by Council Officers. These requirements shall be in accordance with Managing Urban Stormwater – Soils and Construction produced by the NSW Department of Housing (Blue Book).

55. Stabilised Access Point

A stabilised all weather access point is to be provided prior to commencement of site works, and maintained throughout construction activities until the site is stabilised. The controls shall be in accordance with the requirements with the details approved by Council and/or as directed by Council Officers. These requirements shall be in accordance with Managing Urban Stormwater – Soils and Construction produced by the NSW Department of Housing (Blue Book).

DURING CONSTRUCTION

56. Hours of Work

Work on the project to be limited to the following hours: -

Monday to Saturday - 7.00am to 5.00pm;

No work to be carried out on Sunday or Public Holidays.

The builder/contractor shall be responsible to instruct and control sub-contractors regarding the hours of work. Council will exercise its powers under the Protection of the Environment Operations Act, in the event that the building operations cause noise to emanate from the property on Sunday or Public Holidays or otherwise than between the hours detailed above.

57. Compliance with Critical Stage Inspections and Other Inspections Nominated by the Principal Certifying Authority

Section 109E(d) of the Act requires certain specific inspections (prescribed by Clause 162A of the Regulations) and known as "Critical Stage Inspections" to be carried out for building work. Prior to permitting commencement of the work,

your Principal Certifying Authority is required to give notice of these inspections pursuant to Clause 103A of the Regulations.

N.B. An Occupation Certificate cannot be issued and the building may not be able to be used or occupied where any mandatory critical stage inspections or other inspections required by the Principal Certifying Authority are not carried out.

Where Council is nominated as Principal Certifying Authority, notification of all inspections required is provided with the Construction Certificate approval.

NOTE: You are advised that inspections may only be carried out by the PCA unless by prior agreement of the PCA and subject to that person being an accredited certifier.

58. Standard of Works

All work shall be completed in accordance with the development consent and Council's Works Specification Subdivisions/ Developments and must include any necessary works required to make the construction effective. All works and public utility relocation shall incur no cost to Council.

59. Engineering Construction Inspections

Construction inspections are required for the engineering works included in this consent at the completion of the following inspection stages:

- a) Prior to commencement of work.
- b) Traffic control to AS 1742-3.
- c) Bedding of pipes in trenches.
- d) Trench backfill within roads.
- e) Formwork for concrete structures.
- f) Sub-grade proof roller test.
- g) Proof roller test for kerb.
- h) Sub-base course proof roller test.
- i) Base course proof roller test.
- j) Prior to placing of fill.
- k) Road crossing.
- l) Final inspection.
- m) Asphaltic concrete surfacing.

NOTE: The inspection of works approved by Council can only be carried out by Council. An initial site inspection is required prior to commencement of works. 24 hours notice must be given for all inspections.

PRIOR TO ISSUE OF A OCCUPATION CERTIFICATE

60. Section 73 Certificate

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. from Sydney Water Corporation.

Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the Building Development and Plumbing section of the web site www.sydneywater.com.au and then refer to Water Servicing Co-ordinator under "Developing Your Land" or telephone 13 20 92 for assistance.

61. Compliance with Requirements of Development Application

Compliance with all conditions of approval of the Development Consent on the subject property.

62. Food Shop Registration requirements

Occupation of the premises shall not occur until:

- a) A registration application has been submitted to Council's Health and Environmental Protection for the Food Shop, and
- b) Notification to the NSW Food Authority under Food Safety Standard 3.2.2 Division 2 Section 4 Notification. This requirement is to be met by notifying through the following website: www.foodnotify.nsw.gov.au

Evidence of compliance of the above shall be submitted to Council prior to commencement of business.

63. Final Inspection

Prior to the issuing of an Occupation Certificate, the food premises shall be inspected by an authorised officer of Council under the Food Act 2003, to determine compliance with the Food Act 2003, Food Safety Standards and Australian Standard 4674:2004: Design Construction and Fit-out of Food Premises.

64. Removal of Existing Council Drainage Easement

The existing 3.05m wide Council drainage easement located along the sites northern boundary is to be removed to facilitate the creation of a suitable replacement easement generally in accordance with the engineering design prepared by C&M Consulting Engineers (Drawing 00452_C201 Revision G and Drawing 00452_C202 Revision F). The relevant documentation associated with the release of this easement must be submitted to Council for endorsement and the applicable fee paid.

NOTE: Sufficient time must be allowed for the preparation of a report and the execution of the documentation by Council prior to the lodgement of an Occupation Certificate.

65. Creation of a Replacement Drainage Easement

The existing 3.05m Council drainage easement within the site is to be removed and replaced with a separate piped/ overland flow path drainage network requiring separate easements for each generally as shown on the engineering design prepared by C&M Consulting Engineers (Drawing 00452_C201 Revision G and Drawing 00452_C202 Revision F). The easement plan is to be submitted to Council for endorsement prior to registration. Evidence confirming the creation/ registration of the easement must be submitted to Council prior to the issuing of an Occupation Certificate.

66. Post-Construction Public Infrastructure Dilapidation Report

Prior to the issue of an Occupation and/ or Subdivision Certificate you are required to submit to Council an updated public infrastructure inventory report identifying any damage to such and means of rectification for the approval of Council.

67. Legal Agreement – Encroachment into Drainage Easement

The completion and registration of a legal agreement acceptable to and in favour of Council preserving Council's right of access to pipelines and preserving overland flow along the proposed drainage easement over which the proposed building encroaches. This legal agreement shall be registered on the certificate of title of the property under Section 88E of the Conveyancing Act 1919 or recorded as a Positive Covenant.

The wording of the "Deed of Agreement" must be to the satisfaction of Council's Corporate Lawyer.

The deed shall be submitted to Council for checking/ endorsement along with the applicable fee from Council's Schedule of Fees and Charges. Sufficient time must be allowed for the preparation of a report to Council and execution of the deed prior to the issuing of an Occupation Certificate.

68. 1 in 100 Year (1% AEP) Plan

A plan of survey prepared by a registered surveyor that shows the Probable Maximum Flood (PMF) and 1:100 year ARI storm flood levels associated with the adjacent drainage system. The plan must reflect the works carried out as shown on the WAE plans for the development and clearly indicate the extent of inundation for the above storm event(s).

69. Works As Executed (WAE) Plans

Works As Executed (WAE) plans prepared by a suitably accredited engineer or registered surveyor must be submitted to Council when the engineering works are complete. All WAE plans must be prepared in accordance with Council's Design Guidelines Subdivisions/ Developments on a copy of the approved engineering plans.

An electronic copy of the WAE plans (in AutoCAD ".DWG" format) must also be submitted along with pavement density results, pavement certification, concrete core test results and site fill results (where applicable).

70. Confirmation that Pipes are Located within Easements

Submission of a letter from a Registered Surveyor certifying that all pipes and drainage structures are located within the proposed easements to drain water.

71. Prior Release of Subdivision Certificate

An Occupation Certificate cannot be issued prior to the Subdivision Certificate for the preceding stage/ subdivision pursuant to Development Consent DA 646/2008/ZA.

72. Removal of Erosion and Sediment Control Measures

The submission to Council of a \$5,000.00 bond for the satisfactory removal of all erosion and sediment control devices including the removal of any collected debris and/ or other materials.

73. Stormwater CCTV Recording

All piped stormwater drainage systems and ancillary structures which will become Council assets must be inspected by a CCTV and a report on such prepared. A hard copy printout of the report must be submitted along with a copy the CCTV inspection on either VHS or DVD (in a WMA format).

74. Public Asset Creation Summary

The submission of the following information is required:

- a) The length and tendered cost of all constructed road works (public roads).
- b) The land area dedicated as public road.
- c) The length and cost of all constructed drainage works (excluding common or inter-allotment drainage lines).
- d) The length, width and cost of constructed concrete foot-paving.
- e) The length, width and cost of constructed cycleway.

NOTE: This information must be tabulated and sorted by street name (all works) and pipe size (for drainage works).

THE USE OF THE SITE

75. Hours of Trading

The hours of trading being restricted to the following: -

- 7.00am – 9.00pm Monday to Friday
- 8.00am – 6.00pm Saturday, Sunday and Public Holidays
- Deliveries are permitted between 7.00am and 10.00pm Monday to Friday only.

Any alteration to the above hours of operation will require the further approval of Council.

Activities such as night filling, stock movement and similar, generally occurring within the Warehouse, and not audible from nearby residential properties, can occur outside of trading hours.

76. Waste Storage and Collection – Commercial/Industrial

To ensure the adequate storage and collection of waste from the occupation or use of the premises, all garbage and recyclables emanating from the premises must be stored in the designated waste storage area. Arrangement must be in place in all areas of the development for the separation of recyclable materials from general waste.

77. Servicing of Bins

Council contracted or private garbage/recycling collection vehicles servicing the development are not permitted to reverse in or out of the site. Collection vehicles must be travelling in a forward direction at all times to service bins.