

GENERAL

1. The development must be implemented substantially in accordance with the Architectural Drawings/Plans outlined below:

Drawing Title	Drawing No	Issue	Prepared by	Dated
Site Plan	DA01	S	Leffler Simes Architects	22/05/2012
Floor Plan	DA02	G	Leffler Simes Architects	23/04/2012
Roof Plan	DA03	G	Leffler Simes Architects	23/04/2012
Elevations	DA04	H	Leffler Simes Architects	24/04/2012
Elevations	DA05	H	Leffler Simes Architects	24/04/2012
Sections	DA06	H	Leffler Simes Architects	23/4/2012
Landscaping Plans	001,101, 102, 103, 104, 105 & 501	N, L, M, J & K	Site Image Landscape Architects	23/05/2012

and stamped approved by Penrith City Council, the application form , and any other supporting documents received with the application, approved in respect to Schedule 1 by Council or an Accredited Certifier, except as may be amended in red on the attached plans and by the following conditions.

2. The work must be carried out in accordance with the requirements of the Building Code of Australia.
3. **The development shall not be used or occupied until an Occupation Certificate has been issued.**
4. A separate development application for the erection of a sign or advertising structure, other than an advertisement listed as exempt development, is to be submitted to Penrith City Council, complying with the requirements of Penrith Development Control Plan-Advertising Signs. Note: this condition does not apply to the proposed 12 meter pylon sign which is being approved as part of this development consent.
5. The operating hours are from 6am to 10pm Mondays to Fridays & 6am to 8pm Saturdays and Sundays. Delivery and service vehicles generated by the development are limited to 6am to 10pm Mondays to Fridays & 6am to 8pm Saturdays and Sundays.
6. All materials and goods associated with the use shall be contained within the building at all times.
7. **Prior to the issue of the Occupation Certificate**, a lighting system shall be installed for the development to provide uniform lighting across common areas and driveways. Exterior lighting shall be located and directed in such a manner so as not to create a nuisance to surrounding landuses including the St Marys League Club

grounds. The lighting shall be the minimum level of illumination necessary for safe operation. The lighting shall be in accordance with AS 4282 "Control of the obtrusive effects of outdoor lighting" (1997).

Lighting should take into account lighting levels at the adjacent St Marys Leagues Club and shall be consistent in order to reduce the contrast between shadows and illuminated areas.

8. The finishes of all structures and buildings are to be maintained at all times and any graffiti or vandalism immediately removed/repaired.
9. A **Construction Certificate** shall be obtained prior to commencement of any building works.
10. **Prior to the issue of an Occupation Certificate**, the following community safety and CPTED (Crime Prevention Through Environmental Design) requirements shall be satisfied:

Car Park

- Lighting in the car park shall be vandal resistant. Any repairs to vandalised/broken lighting must be undertaken promptly.
- The use of colour coding/visual cues which assist patrons to locate vehicles in the car park is to be provided.
- Signage must be placed in the car park to advise patrons to remove valuables and to lock their vehicles.
- Landscaping in the car park shall not obscure sightlines, and shall promote good levels of passive surveillance.

Fencing/Bollards

- All proposed boundary fencing shall be decorative open-style security fencing and gates to enable surveillance of the site from surrounding areas and to prevent the premises being easily scaled.
- Bollards must be installed along the front of the building, particularly in front of glazed surfaces, to prevent vehicle access and reduce the risk of "ram raids".

Lighting

- Lighting should have a wide beam of illumination, which reaches to the beam of the next light, or the perimeter of the site being traversed.
- All lighting should be vandal resistant.
- Lighting should take into account all vegetation and landscaping.

Landscaping

- Landscaping in the car park area shall be limited to shrubs less than 1 metre in height and trees with canopies above 2 metres to allow clear sightlines and minimise concealment areas. Dense, medium height vegetation and shrubs with top to bottom foliage must be avoided. The proposed landscaping shall be regularly maintained to ensure overgrowth is minimised.

Security/CCTV

- A Security Management Plan must be provided by the applicant to provide details of security patrols and CCTV systems proposed.
- A security protocol shall be developed in conjunction with the St Marys Leagues Club given the close proximity of the proposed development to the club. This shall cover procedures for incident reporting, staff safety and security, emergency

management procedures, vehicle access and crowd management.

- CCTV must be provided to cover all key areas of the development, including internal/external areas. In particular, it is essential that CCTV cameras provide coverage of all entrances/exits, loading dock areas, good delivery areas, trades areas and car park. Lighting must be provided to ensure effective coverage by cameras at night. Cameras should be of a high quality and enable facial recognition in the event that footage is required by police in relation to criminal investigations.
- A back to base alarm system must be installed to provide property protection to the premises after hours.

Goods Delivery Area and Trades Area

- Loading dock areas are often vulnerable entry points for break and enter and theft offences. Systems must be in place to ensure all deliveries and access to the goods delivery area is strictly monitored at all times.
- Signage must be installed to advise that the area is restricted for deliveries only.
- The proposed motorised security roller shutters must be installed to restrict access to these areas after hours.

Toilets

- Entrances to toilet facilities shall be clear of all screening to allow surveillance by other members of the public, staff and security.
- All toilet cubicle doors should rest in the open position, and should have gaps at floor and ceiling levels.

Administration Areas

- Swipe card security systems (or similar) must be installed to control access to staff only area (including cash handling).
- Clear signage shall be displayed to clearly identify areas as restricted access to staff only.

Graffiti/Vandalism

- The development must incorporate the use of materials and fixtures which are resistant to vandalism and therefore minimise the need for ongoing maintenance.
 - The trolleys and trolley bays may be subject to vandalism. Trolleys must be secured inside the store after hours to prevent theft and/or vandalism. Consideration should be given to coin-operated trolleys or similar systems which reduce opportunities for theft of trolleys during operational hours. A Trolley Management Plan is required to be submitted to Council for approval prior to the release of the Construction Certificate. This plan needs to demonstrate to the satisfaction of Council how the abandonment of shopping trolleys both within and outside the subject site will be strictly controlled so that the functionality of stormwater drainage swales within the site is in no way impeded as well as making it physically impracticable to remove shopping trolleys from the Masters home improvement store.
11. The conclusions and recommendations contained in the CPTED assessment report by Jo Manion dated May 2011 shall be implemented.
 12. The premises shall be serviced by a private waste refuse contractor. Suitable arrangements in this regard shall be made **prior to the occupation of the building**.
 13. Masters staff shall undertake regular litter patrols of the site and surrounding area.

14. **Prior to the issue of a Construction Certificate**, plans and details of proposed screening measures to rooftop plant and structures shall be submitted and approved.

DEMOLITION

15. The football goalposts and pavement on the subject site are to be demolished as part of the approved work.
16. All demolition works are to be conducted in accordance with the provisions of AS 2601-1991 "The Demolition of Structures". **Prior to demolition**, all services shall be suitably disconnected and capped off or sealed to the satisfaction of the relevant service authority requirements.

All demolition and excavated material shall be disposed of at a Council approved site or waste facility. Details of the proposed disposal location(s) of all excavated material from the development site shall be provided to the Principal Certifying Authority **prior to commencement of demolition**.

17. You should read Council's Fact Sheet titled "Handling and Disposal of Fibrous Cement Products" **before any demolition works commence on the site**.

Prior to commencement of demolition works on site, a portaloo with appropriate washing facilities shall be located on the site and the Principal Certifying Authority is to be satisfied that:

- Measures are in place so as to comply with the WorkCover Authority's "Short Guide to Working with Asbestos Cement" and
- The person employed to undertake the works is a licensed asbestos removal contractor and is holder of a current WorkCover Asbestos Licence.

Any demolition works involving the removal of all asbestos shall only be carried out by a licensed asbestos removal contractor who has a current WorkCover Asbestos Licence.

All asbestos laden waste, including asbestos cement flat and corrugated sheeting must be disposed of at a tipping facility licensed by the Environmental Protection Authority to receive asbestos wastes.

18. Dust suppression techniques are to be employed during demolition to reduce any potential nuisances to surrounding properties.
19. Mud and soil from vehicular movements to and from the site must not be deposited on the road.
20. Demolition works will be restricted to the following hours in accordance with the NSW Environment Protection Authority Noise Control Guidelines:
- Mondays to Fridays, 7am to 6pm
 - Saturdays, 7am to 1pm (if inaudible on neighbouring residential premises), otherwise 8am to 1pm
 - No demolition work is permitted on Sundays and Public Holidays.

The provisions of the Protection of the Environment Operations Act, 1997 in regulating offensive noise also apply to all construction works.

ENVIRONMENTAL MATTERS

21. Erosion and sediment control measures shall be installed **prior to the commencement of works on site** including approved clearing of site vegetation. The erosion and sediment control measures are to be maintained in accordance with the approved erosion and sediment control plan(s) for the development and the Department of Housing's "Managing Urban Stormwater: Soils and Construction" 2004.

(Note: To obtain a copy of the publication, you should contact Landcom on (02) 98418600).

Certification that the erosion and sediment control measures have been installed in accordance with the approved erosion and sediment control plan (s) for the development and "Managing Urban Stormwater: Soils and Construction 2004" shall be obtained and issued a minimum 2 days before any other site works are to commence, including earthworks and clearing of the site.

The approved sediment and erosion control measures are to be installed **prior to and maintained throughout the construction phase of the development until the landscaping, driveway and on-site parking areas have been completed for the development**. These measures shall ensure that mud and soil from vehicular movements to and from the site does not occur during the construction of the development.

22. All land that has been disturbed by earthworks is to be spraygrassed or similarly treated to establish a grass cover.
23. **No fill material shall be imported to the site until such time as a Validation Certificate (with a copy of any report forming the basis for the validation) for the fill material has been submitted to, considered and approved by Council.**

The Validation Certificate shall:

- state the legal property description of the fill material source site,
- be prepared by an appropriately qualified person (as defined in Penrith Contaminated Land Development Control Plan) with consideration of all relevant guidelines (e.g. EPA, ANZECC, NH&MRC), standards, planning instruments and legislation,
- clearly indicate the legal property description of the fill material source site,
- provide details of the volume of fill material to be used in the filling operations,
- provide a classification of the fill material to be imported to the site in accordance with the Environment Protection Authority's "Environmental Guidelines: Assessment, Classification & Management of Non-Liquid Wastes" 1997, and
- (based on the fill classification) determine whether the fill material is suitable for its intended purpose and land use and whether the fill material will or will not pose an unacceptable risk to human health or the environment.

{Note: Penrith Contaminated Land Development Control Plan defines an appropriately qualified person as "a person who, in the opinion of Council, has a demonstrated experience, or access to experience in hydrology, environmental chemistry, soil science, eco-toxicology, sampling and analytical procedures, risk evaluation and remediation technologies. In addition, the person will be required to have appropriate professional indemnity and public risk insurance."}.

If the Principal Certifying Authority or Penrith City Council is not satisfied that suitable fill materials have been used on the site, further site investigations or remediation works may be requested. In these circumstances the works shall be carried out prior to any further approved works.

24. Where a building is to take place on any land that is to be filled, such filling is to be compacted in accordance with AS3798-1996. Certification is to be submitted to the Principal Certifying Authority by a Geotechnical Engineer verifying that the work has been undertaken prior to the commencement of the construction of any building.

If Penrith City Council is not the Principal Certifying Authority, a copy of the certification is to be submitted to Council for their reference.

25. All waste materials stored on-site are to be contained within a designated area such as a waste bay or bin to ensure that no waste materials are allowed to enter the stormwater system or neighbouring properties. The designated waste storage areas shall provide at least two waste bays / bins so as to allow for the separation of wastes, and are to be fully enclosed when the site is unattended.
26. All excavated material and other wastes generated as a result of the development are to be re-used, recycled or disposed of in accordance with the approved waste management plan.

Waste materials not specified in the approved waste management plan are to be disposed of at a lawful waste management facility. Where the disposal location or waste materials have not been identified in the waste management plan, details shall be provided to the Certifying Authority as part of the waste management documentation accompanying the Construction Certificate application.

All receipts and supporting documentation must be retained in order to verify lawful disposal of materials and are to be made available to Penrith City Council on request.

27. A plan detailing spill prevention, contingency and emergency clean-up procedures for the development shall be submitted for approval **prior to construction works commencing**. The approved procedures plan shall be implemented in the event of a spill or emergency.
28. Only clean and unpolluted water is to be discharged into Penrith City Council's stormwater drainage system. Liquid wastes suitable for discharge to the mains sewer are to be discharged in accordance with Sydney Water requirements. If mains sewer is not available or if Sydney Water will not allow disposal to the sewer then a licensed waste contractor is to remove the liquid waste from the premises to an appropriate waste facility. The waste contractor and waste facility are to hold the relevant licenses issued by the NSW Environment Protection Authority.
29. Dust suppression techniques are to be employed during construction to reduce any potential nuisances to surrounding properties.
30. Noise levels from the premises shall not exceed the relevant noise criteria detailed in "Proposed Home Improvement Development – Forrester Road, St Marys: Noise Emission Assessment (Report Reference: 20110302.1/1104A/R1/TT)" prepared by Acoustic Logic dated 15 April 2011, and in "Proposed Home Improvement Development – Forrester Road, St Marys: Noise Emission Assessment (Report Reference: 20110302.1/1104A/R2/TT)" prepared by Acoustic Logic dated 20 June

2011. The recommendations provided in the above-mentioned acoustic reports shall be implemented and incorporated into the design and construction of the development, and shall be shown on plans accompanying the Construction Certificate application. A certificate is to be obtained from a qualified acoustic consultant certifying that the building has been constructed to meet the noise criteria in accordance with the approved acoustic reports. This certificate is to be submitted to the Principal Certifying Authority prior to the issue of the Occupation Certificate.

The provisions of the Protection of the Environment Operations Act 1997 apply to the development, in terms of regulating offensive noise.

31. All mechanical plant and equipment is to comply with the noise criteria outlined in "Proposed Home Improvement Development – Forrester Road, St Marys: Noise Emission Assessment (Report Reference: 20110302.1/1104A/R1/TT)" prepared by Acoustic Logic dated 15 April 2011 and in "Proposed Home Improvement Development – Forrester Road, St Marys: Noise Emission Assessment (Report Reference: 20110302.1/1104A/R2/TT)" prepared by Acoustic Logic dated 20 June 2011.

Prior to the issuing of the Construction Certificate, further details on the type and location of all mechanical plant and equipment associated with the development is to be provided to Council for consideration and approval. Suitable data and information on the noise impacts associated with this plant and equipment is to also be supplied.

32. Offensive odours are not to be emitted from the site. Vapours, fumes, gases, or any other substance that are considered to be harmful to human health or the environment or impact unreasonably on a person outside of the premises are not to be emitted from the site.
33. All works and storage areas where spillages are likely to occur shall be bunded. The size of the area to be bunded shall be calculated as being equal to 10% of the total volume of containers stored, or 110% of the largest container stored, whichever is the greater.

BCA ISSUES

34. A preliminary assessment of the plans submitted with the application has disclosed that the following design and/or construction issues need to be addressed prior to the issue of any Construction Certificate to ensure compliance with the Building Code of Australia:
The number and location of exits and proposed exit travel distances do not comply with the Deemed to Satisfy provisions of the Building Code of Australia. The plans may need to be amended to comply with the deemed to satisfy provisions, or an alternative solution is to be prepared
Parking spaces for people with a disability are to comply with Part D3.5 of the Building Code of Australia and AS2890.6
35. Access and sanitary facilities for persons with disabilities are to be provided and maintained in accordance with the requirements of the Building Code of Australia and AS 1428 "Design for Access and Mobility". Special attention is to be given to the following:
 - toilets to have an ambulant facility - 900mm wide and have a grab rail both sides
 - wall configuration of male toilet

- tactile ground surface indicators
- accessible paths of travel
- shared car parking spaces should be 2.4 metres wide
- pram ramp
- access from Forrester Road
- access to the mezzanine level within the building.

Details of compliance are to be provided in the relevant plans and specifications accompanying the Construction Certificate application. The **Construction Certificate** plans shall be fully compliant with the provisions of the Disability (Access to Premises - Buildings) Standards 2010 and all works shall be certified accordingly by a suitably qualified access consultant **prior to the issue of an Occupation Certificate**.

36. A fire safety list of essential fire or other safety measures shall be submitted to Penrith City Council **prior to the issue of the Construction Certificate**. The fire safety list shall specify all measures (both current and proposed) that are required for the building so as to ensure the safety of persons in the building in the event of fire. The fire safety list must distinguish between:
 - the measures that are currently implemented in the building premises,
 - and the measures that are to be proposed to be implemented in the building premises, and must specify the minimum standard of performance for each measure.
37. The owner of a building, to which an essential fire safety measure is applicable, shall provide Penrith City Council with an annual fire safety statement for the building. The annual fire safety statement for a building must:
 - (a) deal with each essential fire safety measure in the building premises, and
 - (b) be given:
 - within 12 months after the last such statement was given, or
 - if no such statement has previously been given, within 12 months after a final fire safety certificate was first issued for the building.

As soon as practicable after the annual fire safety statement is issued, the owner of the building to which the statement relates:

- must also provide a copy of the statement (together with a copy of the current fire safety schedule) to the Commissioner of New South Wales Fire Brigades, and
 - prominently display a copy of the statement (together with a copy of the current fire safety schedule) in the building.
38. All aspects of the building design shall comply with the applicable performance requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the on-going benefit of the community. Compliance with the performance requirements can only be achieved by:
 - (a) complying with the deemed to satisfy provisions, or
 - (b) formulating an alternative solution which:
 - complies with the performance requirements, or
 - is shown to be at least equivalent to the deemed to satisfy provision, or
 - (c) a combination of (a) and (b).

It is the owner's responsibility to place on display, in a prominent position within the building at all times, a copy of the latest fire safety schedule and fire safety certificate/ statement for the building.

39. The detailed design recommendations of the Accessibility Audit dated 24 March 2011 prepared by Access Design Solutions shall be incorporated into the **Construction Certificate** plans and the works shall be certified accordingly by a suitably qualified access consultant **prior to the issue of an Occupation Certificate**.

HEALTH MATTERS & OSSM INSTALLATION

40. All rainwater tanks must be maintained so as not to create a nuisance and must be protected against mosquito infestation.
41. A separate development application will need to be lodged with Council if a cafe is to operate from the premises.
42. Any spray irrigation system associated with the operation of the nursery component of the development must comply with the requirements of the Public Health Act 2010, Public Health (Microbial Control) Regulation 2000 and the NSW Code of Practice for the Control of Legionnaires Disease.

UTILITY SERVICES

43. A Section 73 Compliance Certificate under the Sydney Water Act 1994 shall be obtained from Sydney Water. The application must be made through an authorised Water Servicing Coordinator. Please refer to "Your Business" section of Sydney Water's website at www.sydneywater.com.au then the "e-developer" icon, or telephone 13 20 92.

The Section 73 Compliance Certificate must be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

44. **Prior to the issue of a Construction Certificate**, a written clearance is to be obtained from Endeavour Energy stating that electrical services have been made available to the development or that arrangements have been entered into for the provision of services to the development.

In the event that a padmounted substation is necessary to service the development, Penrith City Council shall be consulted over the proposed location of the substation before the Construction Certificate for the development is issued as the location of the substation may impact on other services and building, driveway or landscape design already approved by Council.

45. A completed *Permit Application - for Plumbing and Drainage Work* is to be submitted to Sydney Water **at least two working days before the rainwater tank is installed and associated plumbing work is started on the site**.
46. The proposed development traverses a 1m wide easement for underground cables and a 2.75m wide easement for a padmount substation. Documentary evidence of consent to the proposed works from Endeavour Energy shall be submitted.

CONSTRUCTION

47. Stamped plans, specifications, a copy of the development consent, the Construction Certificate and any other Certificates to be relied upon shall be available on site at all times during construction.

The following details are to be displayed in a maximum of 2 signs to be erected on the site:

- the name of the Principal Certifying Authority, their address and telephone number,
- the name of the person in charge of the work site and telephone number at which that person may be contacted during work hours,
- that unauthorised entry to the work site is prohibited,
- the designated waste storage area must be covered when the site is unattended, and
- all sediment and erosion control measures shall be fully maintained until completion of the construction phase.

Signage but no more than 2 signs stating the above details is to be erected:

- at the commencement of, and for the full length of the, construction works onsite, and
- in a prominent position on the work site and in a manner that can be easily read by pedestrian traffic.

All construction signage is to be removed **when the Occupation Certificate has been issued for the development.**

48. Prior to the commencement of construction works:

- (a) Toilet facilities at or in the vicinity of the work site shall be provided at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be:
 - a standard flushing toilet connected to a public sewer, or
 - if that is not practicable, an accredited sewage management facility approved by the council, or
 - alternatively, any other sewage management facility approved by council.
- (b) All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with the appropriate professional standards. All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.
- (c) If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:
 - must preserve and protect the building from damage, and
 - if necessary, must underpin and support the building in an approved manner, and
 - must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished. The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land, (includes a public road and any other public place).
- (d) If the work involved in the erection or demolition of a building is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place:

- if necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place,
- the work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place, and any such hoarding, fence or awning is to be removed when the work has been completed.

49. No work is to commence on site until such time as a person accredited to prepare traffic control plans in accordance with AS1742.3 "Traffic Control Devices for Works on Roads" and the Roads and Traffic Authority's publication "Traffic Control at Worksites" has certified a Traffic Control Plan for the development/site. The Traffic Control Plan shall be implemented during the construction phase of the development and a copy of the plan shall be available on site at all times.

A copy of the Traffic Control Plan shall accompany the Notice of Commencement to be submitted to Penrith City Council **2 days before any work is to commence on site.**

50. The following matters are ancillary aspects of the development under Section 80A (2) of the Environmental Planning and Assessment Act, 1979. Appeal provisions will apply to the submission requirements regarding ancillary aspects of the development (see Sections 80A(3) and 97 of the Act).
- a) A soil erosion and sediment control plan, prepared in accordance with the Department of Housing's "Managing Urban Stormwater: Soils and Construction" 2004 shall be submitted for consideration and approval with the Construction Certificate application. Note: To obtain a copy of the publication, you should contact Landcom on (02) 98418600.}
 - b) A schedule of external materials and colour scheme for the development, including roof materials of a dull, non-reflective material, and the pavement surface (for vehicular access, manoeuvring and parking) is to accompany the Construction Certificate application for the approval by Council.
51. A completed waste management plan shall be submitted to Penrith City Council for consideration and approval. Council must approve the plan **before a Construction Certificate can be issued for the approved development.**

The waste management plan shall be prepared in accordance with the Waste Planning Development Control Plan (2004), and shall address all waste materials likely to result from the proposed development, with details of the estimated waste volumes, onsite storage and management, proposed re-use of materials, designated waste contractors, recycling outlet and / or landfill site.

The approved waste management plan must be implemented on-site and adhered to throughout all stages of the development including demolition, with supporting documentation / receipts retained in order to verify the recycling and disposal of materials in accordance with the approved plan.

52. Details of all excavations for the proposed building works, indicating the maximum cut and fill levels shall be provided for consideration and approval **prior to the issue of a Construction Certificate.** Cut and fill is limited to a maximum of 1 metre, in accordance with Penrith Residential Construction Works Development Control Plan.
53. Glass installations within the building shall comply with AS 1288 and the Building Code of Australia. On completion of the glass installation, a report shall be submitted certifying compliance with AS 1288.

54. Any garbage rooms within buildings shall have masonry walls with smooth face cement rendering to the full height internally and be provided with a smooth concrete floor. The floor shall be graded and drained to a floor waste connected to the sewer that shall be charged with a suitably located cold water hose cock. Access doors to the garbage store shall be tight fitting solid core or of non-combustible construction.
55. The roof of the structure is to be a dull, non-reflective surface and colour (not "zincalume").
56. The building is to be painted internally and externally.
57. The rainwater tank(s) is to be:
- erected on a self-supporting base in the approved location on the property in accordance with the stamped-approved site plans for the development,
 - structurally sound and constructed in accordance with AS/NZS 3500 1.2-1998: *National Plumbing and Drainage - Water Supply - Acceptable Solutions*,
 - fully enclosed and all openings sealed to prevent access by mosquitoes,
 - fitted with a first flush device,
 - fitted with a trickle system to top up from mains water,
 - provided with an air gap, and
 - installed by a licensed plumber in accordance with Sydney Water's "*Plumbing requirements Information for rainwater tank suppliers and plumbers April 2003*" and the *NSW Code of Practice: Plumbing and Drainage*.

Additionally, the following are to be provided:

- back flow prevention device shall be provided at the water meter in accordance with Sydney Water requirements.
- In the event of a power failure, a back up supply of mains water shall be provided to at least one toilet in the dwelling.
- The rainwater tank(s) and associated piping is to be labelled 'Rainwater Not for Drinking' in accordance with Sydney Water requirements.
- The rainwater tank and pipework is to be painted in colours matching the external finishes of the dwelling and is to be of non-reflective finish.
- The overflow for the rainwater tank is to be connected into the existing stormwater disposal system on the site.

Before a rainwater tank(s) can be used, a certificate or suitable document is to be submitted to the Principal Certifying Authority stating that the rainwater tank has been installed in accordance with:

- the manufacturer's specifications, and
- Sydney Water and NSW Health requirements.
- This certificate or documentation is to be provided by the licensed plumber who installed the rainwater tank on the property, and is to be submitted **prior to the issue of the Occupation Certificate**.

58. The catchment area (for the rainwater tank) includes the parts of the roof of the dwelling(s) from which water is collected and includes gutters. To ensure a safe supply of water:
- roof catchment areas must be kept clear of overhanging vegetation,
 - gutters must have sufficient fall to downpipes to prevent pooling of water,
 - overflow, discharge from bleed off pipes from roof mounted appliances such as airconditioners, hot water services and solar heaters must not discharge into the rainwater catchment area,

- for roofs containing lead based, tar based or asbestos material the tank supply must not be connected to drinking, bathing and gardening tap water outlets,
- gutter guard must be installed in roof gutters to prevent foreign materials from contaminating the water which enters the rainwater tank.

59. The rainwater tank supply must not be connected to drinking and bathing water tap outlets.

60. Construction works or subdivision works that are carried out in accordance with an approved consent that involve the use of heavy vehicles, heavy machinery and other equipment likely to cause offence to adjoining properties shall be restricted to the following hours in accordance with the NSW Environment Protection Authority Noise Control Guidelines:

- Mondays to Fridays, 7am to 6pm
- Saturdays, 7am to 1pm (if inaudible on neighbouring residential premises), otherwise 8am to 1pm
- No work is permitted on Sundays and Public Holidays.

Other construction works carried out inside a building/tenancy and do not involve the use of equipment that emits noise are not restricted to the construction hours stated above.

The provisions of the Protection of the Environment Operations Act, 1997 in regulating offensive noise also apply to all construction works.

61. Compliance with the requirements of the Bushfire Hazard Assessment Report prepared by Building Code & Bushfire Hazard Solutions Pty Limited dated 16th July 2011, vis:

- a) All new landscaping is to comply with Appendix 5 "Landscaping and Property Maintenance" under Planning for Bushfire Protection 2006.
- b) The northern and eastern facades of the proposed building shall be constructed to that of Section 3 and BAL 19 under Section 6 of AS3959-2009.
- c) The southern and western facades of the proposed building shall be constructed to that of Section 3 and BAL 12.5 under Section 5 of AS3959-2009.
- d) The proposed building shall be constructed to that of the "Additional Construction Requirements" detailed in A3.7 of the Addendum to Appendix 3 of Planning for Bushfire Protection 2006 and NSW Rural Fire Service Fast Facts, Development Control Notes and Practice Notes.
- e) All new roller doors shall be "boxed in" or sealed in a manner that restricts ember penetration to within the building.

A certificate from an Accredited Bushfire Consultant is to be submitted attesting to the completion of the above matters prior to the issue of an Occupation Certificate.

ENGINEERING

62. All roadworks, drainage works and dedications, required to effect the consented development shall be undertaken at no cost to Penrith City Council.

63. Prior to the issue of a Construction Certificate a Roads Act application, including payment of application and inspection fees shall be lodged with Penrith City Council, as the Roads Authority, for the following works:

- a) Opening the road reserve for the provision of services including stormwater.
- b) Utility lead in works.

All works within the road reserve shall be carried out in accordance with Penrith City Council's Design Guidelines and Construction Specification for Civil Works.

Penrith City Council (being the Roads Authority under the Roads Act) shall approve the works completed on or over the road reserve. Contact Council's **City Works Department** on (02) 4732 7777 to arrange an inspection of the works (and payment of inspection fees, if required).

Civil design drawings are to be prepared strictly in accordance with Penrith City Council's Design Guidelines and Construction Specification for Civil Works.

Note:

1. Where Penrith City Council is the Certifying Authority for the development the Roads Act approval for the above works may be issued concurrently with the Construction Certificate.
 2. Contact Penrith City Council's **Development Engineering Unit** on (02) 4732 7777 to ascertain applicable fees.
64. A Stage 3 (detailed design) Road Safety Audit (RSA) shall be undertaken on the proposed roadworks by an accredited auditor who is independent of the design consultant. A copy of the RSA shall accompany the design plans submitted with the Construction Certificate application.

Prior to the issue of the Construction Certificate, the Certifying Authority shall ensure that the recommendations of the RSA have been addressed in any plans approved with the Construction Certificate.

65. The stormwater drainage system shall be provided generally in accordance with the concept plan/s lodged for development approval, prepared by Acor Consultants Pty Ltd, reference number CH 120063, revision I dated 23/5/2012.

The proposed development and stormwater drainage system shall be designed to ensure that stormwater runoff from upstream properties is conveyed through the site without adverse impact on the development or adjoining properties.

Engineering plans and supporting calculations for the stormwater drainage system are to be prepared by a suitably qualified person and shall accompany the application for a Construction Certificate.

Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that the stormwater drainage system has been designed in accordance with Penrith City Council's Design Guidelines and Construction Specification for Civil Works.

66. Stormwater runoff from parking, uncovered paved areas shall be directed to a stormwater pre-treatment system. The treatment devices shall be designed to remove expected pollutant loadings in accordance with the Department of Environment, Climate Change & Water's 'Managing Urban Stormwater – Environmental Targets/ Treatment Techniques– October 2007' publications.

Any Construction Certificate issued by the Principal Certifying Authority or Certifying Authority shall incorporate:

- Specification & installation details of the stormwater pre-treatment system

- The approval of an operation and maintenance manual/ schedule for the proposed device

A copy of the approved operation and maintenance manual/ schedule shall be submitted to Penrith City Council with notification of the Construction Certificate issue.

67. **Prior to the issue of a Construction Certificate** the Certifying Authority shall ensure that all habitable floor levels are a minimum of RL 25.3m AHD (standard flood level + 0.5m).
68. Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that:
 - a) That all new fencing within the overland flowpath is open style to allow the free passage of overland flows.

Details prepared by a qualified person, demonstrating compliance with these requirements, shall form part of any Construction Certificate issued.

69. **Prior to the issue of a Construction Certificate** the Certifying Authority shall ensure that vehicular access, circulation, manoeuvring, pedestrian and parking areas associated with the subject development are in accordance with AS 2890.1, AS2890.2, AS2890.6 and Penrith City Council's Development Control Plan.
70. **Prior to the issue of any Construction Certificate** a performance bond is to be lodged with Penrith City Council for intersection works in Forrester Road.

The value of the bond shall be determined in accordance with Penrith City Council's Bond Policy. The bond will be administered in accordance with this policy.

Note: Contact Council's **Development Engineering Unit** on 4732 7777 for further information relating to bond requirements.

71. **Prior to commencement of works** a Traffic Control Plan including details for pedestrian management, shall be prepared in accordance with AS1742.3 "Traffic Control Devices for Works on Roads" and the Roads and Traffic Authority's publication "Traffic Control at Worksites" and certified by an appropriately accredited Roads and Traffic Authority Traffic Controller.

Traffic control measures shall be implemented during the construction phase of the development in accordance with the certified plan. A copy of the plan shall be available on site at all times.

Note: A copy of the Traffic Control Plan shall accompany the Notice of Commencement to Penrith City Council.

72. A certificate by a registered surveyor verifying that all habitable floor levels are at or above RL 25.3m AHD (standard flood level + 0.5m) shall be submitted upon completion of the building to that level. No further construction of the building is to be carried out until approval to proceed is issued by the Principal Certifying Authority.
73. All electrical services associated with the proposed building works shall be adequately flood proofed in accordance with Penrith City Council's Development Control Plan relating to flood liable land. Flood sensitive equipment (including

electric motors and switches) shall also be located above RL 25.3m AHD (standard flood level + 0.5m).

74. All filling shall be undertaken in accordance with AS 3798 and Penrith City Council's Design Guidelines and Construction Specification for Civil Works.

The level of testing shall be determined by the Geotechnical Testing Authority/ Superintendent in consultation with the Principal Certifying Authority.

75. **Prior to the issue of an Occupation Certificate**, the Principal Certifying Authority shall ensure that all works within the road reserve have been inspected and approved by Penrith City Council.

76. After completion of all civil works, works-as-executed drawings and compliance documentation shall be submitted to the Principal Certifying Authority in accordance with Penrith City Council's Design Guidelines and Construction Specification for Civil Works.

An original set of works-as-executed drawings and copies of compliance documentation shall also be submitted to Penrith City Council with notification of the issue of the Occupation Certificate where Council is not the Principal Certifying Authority.

77. Prior to the issue of an Occupation Certificate the Principal Certifying Authority shall ensure that the:

- a) Stormwater pre-treatment system/s
- b) Overland flowpath works

- Have been satisfactorily completed in accordance with the approved Construction Certificate and the requirements of this consent.
- Have met the design intent with regard to any construction variations to the approved design.
- Any remedial works required to been undertaken have been satisfactorily completed.

Details of the approved and constructed system/s shall be provided as part of the works-as-executed drawings.

78. Prior to the issue of an Occupation Certificate a restriction as to user and positive covenant relating to the:

- a) Stormwater pre-treatment system/s
- b) Overland flowpath works

Shall be registered on the title of the property. The restriction as to user and positive covenant shall be in Penrith City Council's standard wording as detailed in Penrith City Council's Design and Construction Guidelines and Construction Specification for Civil Works.

79. **Prior to the issue of an Occupation Certificate** and installation of regulatory / advisory linemarking and signage, plans are to be lodged with Penrith City Council and approved by the Local Traffic Committee.

Notes: Contact Penrith City Council's **Development Engineering Unit** on (02) 4732 7777 for further information on this process.

Allow eight (8) weeks for approval by the Local Traffic Committee.

80. **Prior to the issue of an Occupation Certificate** directional signage and linemarking shall be installed indicating directional movements and the location of customer parking to the satisfaction of the Principal Certifying Authority.

81. **Prior to the issue of an Occupation Certificate** a maintenance bond is to be lodged with Penrith City Council for intersection works in Forrester Road.

The value of the bond shall be determined in accordance with Penrith City Council's Bond Policy. The bond will be administered in accordance with this policy.

Note: Contact Council's Development Engineering Unit on 4732 7777 for further information relating to bond requirements.

82. Pedestrian, and cycle facilities and paths are to be consistent with Australian Standards and Austroads Guidelines.

83. All entering and exiting truck movements must be made in a forward direction with ample internal storage provided for any queuing and loading activities. Furthermore all car parking areas must be designed to comply with AS 2890.1 (2004).

84. The proposed access point and deceleration lanes shall be designed to meet the RTA's requirements, and endorsed by a suitably qualified practitioner. The design requirements shall be in accordance with the RTA's Road Design Guide and other Australian Codes of Practice. The certified copies of the civil design plans shall be submitted to the RTA for consideration and approval prior to the release of the Construction Certificate by the Principal Certifying Authority and commencement of road works.

The RTA fees for administration, plan checking, civil works inspections and project management shall be paid by the developer prior to the commencement of works.

Any realignment boundaries to facilitate the development, including a footway resulting from the proposed deceleration lane must be dedicated as road at no cost to the RTA.

85. A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Council prior to the issue of a Construction Certificate.

86. If not already in place, full time "No Stopping" restrictions are to be implemented along the full Forrester Road frontage of the development site. This restriction should be implemented prior to the commencement of any demolition works relating to the proposed development. Prior to the installation of the parking restrictions the applicant is to contact the RTA's Traffic Management Services on phone: (02) 8849 2294 for a works instruction.

87. Any proposed landscaping and/or fencing must not restrict sight distance to pedestrians and cyclists travelling along the footpath of Forrester Road

88. All works/regulatory signposting associated with the proposed development are to be at no cost to the RTA.

89. Signs shall be constructed entirely within private property and shall not encroach or overhang, into the road reserve.
- The proposed sign must not have / use:
 - Flashing lights;
 - Electronically changeable messages;
 - Animated display, moving parts or simulated movement;
 - Complex displays that hold a drivers attention beyond “glance appreciation”;
 - Displays resembling traffic signs or signals, or giving instruction to traffic by using words such as ‘halt’ or ‘stop’; and
 - A method of illumination that distracts or dazzles.
90. The proposed 12 metre high pylon sign shall meet the requirements of *State Environmental Planning Policy (SEPP) No. 64 – Advertising and Signage*, in particular *Part 3 – Clause 22 Wall Advertisements*. The Department of Planning’s *Transport Corridor Outdoor Advertising and Signage Guidelines (July 2007)*.
91. The swept path of the longest vehicle (to service the site) entering and exiting the subject site, as well as manoeuvrability throughout the site, shall be in accordance with AUSTROADS. In this regard, a plan shall be submitted to Council for approval, which shows that the proposed development complies with this requirement.
92. The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2890.1- 2004 and AS 2890.2 – 2002 for heavy vehicle usage.
93. All vehicles are to enter and leave the site in a forward direction.
94. All vehicles are to be wholly contained on site before being required to stop.
95. Prior to the issue of a Construction Certificate for building or subdivision works the Principal Certifying Authority and/ or Certifying Authority shall ensure that a Roads Act application, including the payment of application and inspection fees, has been lodged with, and approved by Penrith City Council (being the Roads Authority under the Roads Act), for the following works.
- a) Provision of intersection works in Forrester Road incorporating:
 - i. A left turn ‘in’ deceleration slip lane and left turn ‘out’ lane in the southbound carriageway of Forrester Road.
 - ii. A right turn ‘in’ slip lane in the central median of Forrester Road.
 - b) Removal of the redundant gutter crossing and driveway crossover slab and reinstatement with upright kerb & gutter.
 - c) Relocation of any path paving affected by the intersection works.

All public utility services that are affected by the works are to be relocated to the satisfaction of the relevant utility service authority. Any relocation of utility services is to be undertaken at no cost to Penrith City Council or the Roads and Maritime Service.

Civil design drawings are to be prepared strictly in accordance with Penrith City Council’s Design Guidelines and Construction Specification for Civil Works, Roads and Maritime Service requirements and Austroads guidelines.

Plans are to be approved by the Roads and Maritime Service prior to the issue of a Roads Act approval.

Note: Contact Penrith City Council's **Development Engineering Unit** on (02) 4732 7777 to ascertain applicable fees.

96. Engineering works shall be provided generally in accordance with the concept plans lodged for development approval, prepared by Acor Consultants Pty Ltd, reference SY100138, issue B, dated 25/11/2011.

Any Construction Certificate/s issued by the Certifying Authority shall include but not be limited to the following works:

- a) Internal roundabout
- b) Internal roads and drainage
- c) Stormwater drainage including stormwater channel
- d) Stormwater pre-treatment systems
- e) Overland flowpath
- f) Cycle Facilities
- g) Earthworks
- h) Car parking
- i) Retaining walls
- j) Paving works
- k) Car parking structures over the stormwater channel

Engineering plans, supporting calculations and relevant certification for the engineering works shall be prepared by suitably qualified people and must accompany the application for a Construction Certificate.

Overland flows are to be conveyed safely through the site. Prior to the issue of a Construction Certificate, the Certifying Authority shall ensure that the development and the overland flow path works do not have an adverse impact upon overland flows in the vicinity of Forrester Road, the surrounding road network, adjoining properties and the grounds of the St Marys Leagues Club.

Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that the engineering works have been designed in accordance with Penrith City Council's Design Guidelines and Construction Specification for Civil Works and relevant Australian Standards. The roundabout design shall be in accordance with Austroads guidelines.

97. Prior to the issue of an Occupation Certificate, land to accommodate the left turn slip lane and associated footway is to be dedicated as road to Penrith City Council on a plan of subdivision registered with the Land and Property Information Department. The dedication of road and subsequent registration shall be at no cost to Penrith City Council.
98. Prior to the issue of an Occupation Certificate the following compliance documentation shall be submitted to the Principal Certifying Authority. A copy of the following documentation shall be provided to Council where Council is not the Principal Certifying Authority:
- a) Work as Executed (WAE) drawings of all civil works. The WAE drawings shall be marked in red on copies of the stamped Construction Certificate drawings signed, certified and dated by a registered surveyor or the design engineer. The Work as

Executed drawings shall be prepared in accordance with Council's Design Guidelines.

- b) The WAE drawings shall clearly indicate the 1% Annual Exceedence Probability flood lines (local and mainstream flooding).
- c) Surveyor's Certificate certifying that all pipes and services are located wholly within the property or within appropriate easements and that no services encroach boundaries.
- d) A Geotechnical Report certifying that all earthworks and road formation have been completed in accordance with AS3798 and Council's Design Guidelines and Construction specifications. The report shall include:
 - Compaction reports for road pavement construction
 - Compaction reports for bulk earthworks and lot regrading.
 - Statement of Compliance
- e) Structural Engineer's construction certification of all structures

LANDSCAPING

99. All landscape works are to be constructed in accordance with the stamped-approved plans except as may be amended by the landscaping conditions, and Sections F5 "Planting Techniques", F8 "Quality Assurance Standards", F9 "Site Management Plan" of Penrith Council's Landscape Development Control Plan.

Landscaping shall be maintained:

- in accordance with the approved plan, and
- in a healthy state, and in perpetuity by the existing or future owners and occupiers of the property.

If any of the vegetation comprising that landscaping dies or is removed, it is to be replaced with vegetation of the same species and, to the greatest extent practicable, the same maturity, as the vegetation, which died or was removed.

100. The approved landscaping for the site must be constructed by a landscape professional listed in Council's Approved Landscape Consultants Register as suitable to construct category 3 landscape works.
101. The following series of reports relating to landscaping are to be submitted to the nominated consent authority at the appropriate time periods as listed below. These reports shall be prepared by a landscape professional listed in Council's Approved Landscape Consultants Register as suitable to design category 3 landscape works.
- i. Implementation Report
 - Upon completion of the landscape works associated with the development and prior to the issue of an Occupation Certificate for the development, an Implementation Report must be submitted to the Principal Certifying Authority attesting to the satisfactory completion of the landscaping works for the development. The report is to be prepared by a landscape professional listed in Council's Approved Landscape Consultants Register as suitable to design category 3 landscape works.
 - An Occupation Certificate should not be issued until such time as a satisfactory Implementation Report has been received. If Penrith City Council is not the Principal Certifying Authority, a copy of the satisfactory

Implementation Report is to be submitted to Council together with the Occupation Certificate for the development.

- ii. Maintenance Report
 - On the first anniversary of the date of the Occupation Certificate issued for the development, a Landscape Maintenance Report is to be submitted to Penrith City Council certifying that the landscape works are still in accordance with the development consent and the plant material is alive and thriving.
 - This report is to be prepared by a landscape professional listed in Council's Approved Landscape Consultants Register as suitable to design category 3 landscape works.
- iii. Final Site Arborist's Report (significant tree protection)

This report is to be submitted to Penrith City Council 2 years after the Occupation Certificate was issued. This report is to be prepared by a consulting arborist listed in Council's Approved Landscape Consultants Register. At Council's discretion this period may be reduced under circumstances where the Site Arborist is able to guarantee the health and ongoing survival of the trees.
- iv. 3 Year Landscaping Report

3 years after an Occupation Certificate was issued for the development, a landscape professional listed in Council's Approved Landscape Consultants Register as suitable to design category 3 landscape works shall prepare a Landscaping Report for Council's consideration and approval, certifying to one of the following:

 - The landscaping on site has matured and is in accordance with:
 - i. the original landscape approval.
 - ii. The landscaping on site has not matured in accordance with the original design philosophy and requires significant restoration.

In this case, restoration plans are to be submitted to Council for its consideration and approval. The approved plans shall be implemented at the expense of the property owners.

- 102. All plant material associated with the construction of approved landscaping is to be planted in accordance with the Tree Planting Specification prescribed in Penrith Council's Landscape Development Control Plan.
- 103. All landscape works are to meet industry best practice and the following relevant Australian Standards:
 - AS 4419 Soils for Landscaping and Garden Use,
 - AS 4454 Composts, Soil Conditioners and Mulches, and
 - AS 4373 Pruning of Amenity Trees
- 104. All trees that are required to be retained as part of the development are to be protected in accordance with the minimum tree protection standards prescribed in section F4 of Council's Landscape Development Control Plan.
- 105. No trees are to be removed, ringbarked, cut, topped or lopped or wilfully destroyed (other than those within the proposed building footprint or as shown on the approved plans) without the prior consent of Penrith City Council and in accordance with Council's Tree Preservation Order and Policy.

106. The trees identified for retention by this consent and by the Arboricultural Impact Assessment Report prepared by Integrated Vegetation Management, dated 13 April 2011, shall be retained and duly protected during the construction of the development. Tree protection measures shall:

- be installed before any works can commence on the site, including the clearing of site vegetation;
- comply with the standards prescribed by the Arboricultural Impact Assessment Report; and
- be certified by the author of the Arboricultural Impact Assessment Report before any works can commence on the site.

The certification shall be a written document certifying that the tree protection measures have been installed in accordance with the recommendations contained in the Arboricultural Impact Assessment Report. The Certificate or other suitable documentation shall be submitted to the Principal Certifying Authority a minimum of 2 days **prior to the commencement of site works**. A copy of the Certificate or written documentation shall be submitted to Council with the "Notice of Commencement".

107. Appropriate documentation and details are to be submitted to Council or Principal Certifying Authority with amended landscaping plans for approval in respect of all of the following special landscaping conditions prior to the release of the construction certificate.

- I. Turf areas and turf in the drainage channel shall be contained by an edge treatment when adjacent to planted areas.
- II. Plant palette: the following shrubs/groundcovers are considered inappropriate for Western Sydney, maintenance and mature size reasons – ABG, LI, Pa, De. All shrubs should be reconsidered especially in proximity to paths where overhanging foliage can obstruct access.
- III. Platanus hybrida are not acceptable trees in the carpark due to its mature size in combination with size of planting area and surrounding infrastructure.
- IV. A tree planting detail is to be provided for tree planting in the carpark areas which shall demonstrate how proposed trees will be able to mature in the best possible growing conditions, and not negatively impact upon surrounding pavements and other infrastructure such as kerbs. The detail shall include structural soils.
- V. The applicant shall give an undertaking that the business will maintain the planting and turf in the road verge for the life of the development.
- VI. The arboricultural report shall be updated to reflect the latest documentation, particularly around tree protection, inspections during excavation and monitoring.
- VII. Excavation plans should clearly identify and illustrate tree protection measures and any hold points relating to arborist inspections.
- VIII. The pedestrian bridge should comply with the current relevant standards and the BCA, not just AS1428.1. Appropriate linemarking of pedestrian path is to be provided from Forrester Road entrance (bridge) to the entrance of the building.
- IX. Details are to be provided indicating landscape treatment of the area under existing trees to be retained. The details need to demonstrate how the mid-storey and possible seedlings will be protected whilst weeds are removed. A qualified bush regenerator will need to be engaged to work in the area around the existing trees. A maintenance and works plan or report for works (during construction and ongoing) in the vicinity of these trees, that must be

implemented (including matrix planting areas) is to be submitted to Council. The plan/report should address as a minimum how maintaining the best conditions for both growth and regrowth (including seed bank in the soil) and weed management can be achieved. The establishment period should be for as long as possible.

- X. A suitable location for the planting of a minimum 4 trees per healthy native tree removed is to be nominated in consultation with Council. A variety of medium and large trees are to be provided. A minimum of seven (7) large trees are to be planted between tree 57 & 58 in keeping with the landscape character provided by the existing vegetation.
- XI. Additional landscaping is required to soften the northern façade of the building;
- XII. A visual impact analysis of the eastern building façade when viewed from surrounding roads and properties is to be provided, with details of appropriate landscaping treatment of this façade to reduce the visual impact and soften the façade.
- XIII. The southern façade and fenced storage area require landscaping to visual soften and reduce the scale of the façade.
- XIV. There is sufficient room in the verge to continue the tree planting (trees in turf, not in planter beds) around the NW corner of the site, so they link with the other existing stand of existing trees. This is recommended to strengthen the streetscape and assist in ameliorating views to the building. Sightlines to the building will be through tree trunks, not foliage, as the trees mature.
- XV. The street tree planting is to be provided and should use appropriate species where there are overhead power lines along Forrester Road.
- XVI. The proposed cantilever structure and associated safety fence for the car park that overhangs into the drainage channel along the frontage in Forrester Road to be detailed in the amended landscaping plans.
- XVII. Elongated planter beds are to be provided within the car park to provide sufficient space for car parking planting. The planter beds are to have minimum dimensions of 4.8m x 1m, not including edging or kerbing around the planted bed.