

A. THE DEVELOPMENT

Approved Plans

1. Development the subject of this determination notice must be carried out strictly in accordance with the following plans/reports marked as follows:
 - (a) Architectural plans - Project No. 10-219 Sheets DA01-DA18 prepared by Caldis Cook Group Architects dated 05/10/2011.
 - (b) Landscape plan - Sheet L01/1-R16618 Issue B prepared by Michael Siu dated 20/09/2011.
 - (c) Stormwater Management Plan – Sheets SWMP-01 and SWMP-02 prepared by Waterman dated 21/09/2011.
 - (d) Schedule of external colours and finishes Sheets 1-2 prepared by Caldis Cook Group Architects dated 05/10/2011.

except where modified by the undermentioned conditions.

B. PRIOR TO COMMENCEMENT OF WORKS

The following conditions are to be complied with or addressed prior to commencement of works:

Fee Payments

2. Unless otherwise prescribed by this consent, all relevant fees or charges must be paid. Where Council does not collect these payments, copies of receipts must be provided. For the calculation of payments such as Long Service Levy, the payment must be based on the value specified with the Development Application/Construction Certificate.

The following fees are applicable and payable:

- (a) Damage Inspection Fee – relevant where the cost of building work is \$20,000 or more, or a swimming pool is to be excavated by machinery.
- (b) Fee associated with Application for Permit to Carry Out Work Within a Road, Park and Drainage Reserve.
- (c) Long Service Levy – based on 0.35% of the cost of building work where the costing of building works is \$25,000 or more.

These fees are reviewed annually and will be calculated accordingly.

3. All fees associated with a road opening permit required for the connection, extension or amplification of any services within Council's road reserve must be paid to Council. A separate form must be submitted in conjunction with payment of the fees. The fees include the standard road opening permit fee and any restoration fees that may be required as a result of the works.

Security for Cost of Damage and Completion of Public Work

4. Prior to the carrying out of any work in accordance with this development consent, the applicant must provide security to the Council for the payment of the cost of the following:

- (a) making good any damage caused to any property of the Council as a consequence of the doing of anything to which the consent relates,
- (b) completing any public work (such as road work, kerbing and guttering, footway construction, stormwater drainage and environmental controls) required in connection with the consent,
- (c) remedying any defects in any such public work that arise within 6 months after the work is completed.

The security is to be for an amount that is the greater of \$5000 or 5% of the estimated cost of carrying out the development and may be provided by way of:

- (a) cash deposit with the Council, or
- (b) an unconditional bank guarantee in favour of the Council.

The security may be used to meet any costs referred above and on application being made to the Council by the person who provided the security, any balance remaining is to be refunded to, or at the direction of, that person. If no application is made to the Council for a refund of any balance remaining of the security within 6 years of the date of issue of the subdivision certificate for the development the Council may pay the balance to the Chief Commissioner of State Revenue under the Unclaimed Money Act 1995.

Dilapidation Report

- 5. A dilapidation report is to be undertaken. This shall include clear photos and descriptions of all existing Council infrastructure adjacent to the subject site. A copy of the dilapidation report shall be submitted to Council.

Permit to Carry out Works

- 6. A separate application for a permit to carry out works must be issued by Council for –
 - (a) A permit to carry out works in Council's drainage/recreation reserve or drainage easement, pursuant to Section 68 of the Local Government Act, 1993. The work(s) in the drainage reserve/recreation reserve requiring a Council Section 68 permit are/is connection to the existing Council stormwater system.
 - (b) A Permit to carry out works in Council's road reserve, pursuant to Section 138 of the Roads Act, 1993. The work(s) in the existing road reserve requiring a Council Section 138 permit are/is for paving of the full length of George Street frontage.

Stormwater

- 7. A stormwater drainage plan, including hydraulic calculations based on a 1 in 100 year storm (ARI), is required. The plan must show how the stormwater generated by this site, and other inter-allotment overland flow water entering onto this site, is to be collected within the site and conveyed in a suitable pipeline to the most appropriate point of discharge as advised by Council.

This plan shall also show existing and proposed surface contours within the site and along its boundaries with immediately adjacent properties, and shall

define overland flow paths for storms which exceed the capacity of the underground pipe system.

8. Prior to commencement of building works any works associated with a Section 138 Approval or Section 68 Approval will be bonded by Council for a period of 6 months.
9. Erosion and sediment control measures shall be implemented in accordance with the requirements of Liverpool DCP and Council specifications. Approved measures shall be implemented prior to commencement and maintained during construction and until all disturbed areas have been revegetated and established.

Development

10. Prior to commencement of building works, development consent must ensure that any building plans and designs are generally consistent (in terms of site layout, site levels, building location, size, external configuration and appearance) with the approved Development Application plans.

Facilities

11. Toilet facilities must be available at the work site and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site.

Each toilet must:

- (a) be a standard flushing toilet connected to a public sewer, or
- (b) have an on-site effluent disposal system approved under the *Local Government Act 1993*, or
- (c) be a temporary chemical closet approved under the *Local Government Act 1993*.

Construction Requirements

12. Lifting or craning materials over a public footway or roadway is not permitted unless a "B" class construction hoarding has been installed in compliance with work cover authority requirements.
13. The applicant / builder shall be responsible to report to the Council any damage to Council's footpath and road carriageway as a consequence of demolition or excavation or building activities or delivery / departure of materials associated with this site. The damage shall be reported to Council as soon as the damage becomes apparent to the builder / site manager. Arrangements to the satisfaction of Council are to be made for making safe by temporary repairs to the public way until permanent restoration and repair can be organised with Council.
14. Retaining walls or other approved methods necessary to prevent the movement of excavated or filled ground, together with associated subsoil drainage and surface stormwater drainage measures, shall be designed strictly in accordance with the manufacturers details or by a practising structural engineer. Retaining walls on any boundary are to be of masonry construction.

15. Structural supporting elements or bracing of the building must be designed and certified by a qualified chartered structural engineer having regards to supporting ground conditions.

Site Facilities

16. Adequate refuse disposal methods and builders storage facilities shall be installed on the site. Builders' wastes, materials or sheds are not to be placed on any property other than that which this approval relates to.

Reports

17. No work or craning shall be undertaken within the adjoining public lands without the prior written consent of Council. In this regard Council may require a Traffic Management Plan to be submitted before giving its approval.

C. DURING CONSTRUCTION

The following conditions are to be complied with or addressed during construction:

Hours of Construction Work and Deliveries

18. Construction work/civil work/demolition work, including the delivery of materials, is only permitted on the site between the hours of 7:00am to 5:00pm Monday to Saturday. No work will be permitted on Sundays or Public Holidays, unless otherwise approved by Council.

Security Fence

19. A temporary security fence to WorkCover Authority requirements is to be provided to the property during the course of construction.

Note. Fencing is not to be located on Council's reserve area.

Demolition Work

20. All demolition work is to be carried out in accordance with the requirements of AS 2601. Demolition is to be carried out strictly in accordance with the approved procedures and work plan.

Drainage

21. Alterations to the natural surface contours must not impede or divert natural surface water runoff, so as to cause a nuisance to adjoining property owners.
22. All roofwater is to be connected to the existing stormwater system.
23. Any rectification works required by Council regarding the condition of Council infrastructure shall be undertaken, at full cost to the developer.

Traffic

24. All works within the road reserve are to be at the applicant cost and all signage is to be in accordance with the RTA's Traffic Control at Worksites Manual and the RTA's Interim Guide to Signs and Markings.
25. If a works zone is required, an application must be made to Council's Transport Planning section. The application is to indicate the exact location required and the applicable fee is to be included. If parking restrictions are in place, an application to have the restrictions moved will need to be made.
26. Notice must be given to Council's Transport Planning section of any interruption to pedestrian or vehicular traffic within the road reserve, caused by the construction of this development. A Traffic Control Plan, prepared by an accredited practitioner must be submitted for approval, 48 hours prior to implementation. This includes temporary closures for delivery of materials, concrete pours etc.
27. Applications must be made to Council's Transport Planning section for any road closures. The applicant is to include a Traffic Control Plan, prepared by a suitably qualified person, which is to include the date and times of closures and any other relevant information.

Landscaping Works

28. Any root severance relating to trees that are shown on the landscape plan as proposed to be retained shall be supervised by a qualified consulting Arborist. All work relating to existing trees on site shall be carried out in accordance with Australian Standards AS4970.

External

29. The reflectivity index of glass used in the external facade of the building is not to exceed 20%.

Graffiti

30. A graffiti resistant coating shall be applied to any structures that have frontage to a public area, for example a roadway, public reserve etc.

Erosion Control

31. Vehicular access to the site shall be controlled through the installation of wash down bays or shaker ramps to prevent tracking of sediment or dirt onto adjoining roadways. Where any sediment is deposited on adjoining roadways is shall be removed by means other than washing. All material is to be removed as soon as possible and the collected material is to be disposed of in a manner which will prevent its mobilisation.

Water Quality

32. All topsoil, sand, aggregate, spoil or any other material shall be stored clear of any drainage line, easement, water body, stormwater drain, footpath, kerb or road surface and there shall be measures in place in accordance with the approved erosion and sediment control plan.

Pollution Control

33. Building operations such as brick cutting, mixing mortar and the washing of tools, paint brushes, form-work, concrete trucks and the like shall not be performed on the public footway or any other locations which may lead to the discharge of materials into Council's stormwater drainage system.
34. The developer is to maintain all adjoining public roads to the site in a clean and tidy state, free of excavated "spoil" material.

D. CONDITIONS RELATING TO USE

The following conditions relate to the ongoing use of the premises:

Car Parking / Loading

35. The operator of the development must not permit the reversing of vehicles onto or away from the road reserve, with the exception of garbage and recycling collection vehicles. All vehicles must be driven forward onto and away from the development and adequate space must be provided and maintained on the land to permit all vehicles to turn in accordance with AS 2890.1 Parking Facilities – Off Street Car Parking.

Landscaping

36. Landscaping shall be maintained in accordance with the approved plan, in a healthy state and in perpetuity by the existing or future owners and occupiers of the development.

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