

NOTICE OF APPROVAL FOR DEVELOPMENT

Section 81 (1)(A) of the Environmental Planning and Assessment Act, 1979

Approval Date	
Authority	Joint Regional Planning Panel
Reference	DA-2012/205
Contact	Marta Sadek 9562 1743

Huntingdon Nursing Home Pty Ltd
C/- Snell Architects
169 Albion St
SURRY HILLS NSW 2010

DRAFT

Property: 99-105 Harrow Road, 1-11 Connemarra Street & 2 Washington Street,
Bexley
Lot 1 DP 984073, Lot B DP 927202, Lot 1 DP 928719, Lot A Sec19 DP
927202, Lot 10 DP 1170591, Lot 3 DP 307377

Proposal: Alterations and additions to existing aged care facility known as
Huntingdon Gardens and associated site works

Your Development Application has been approved under Section 80(3) of the Environmental Planning and Assessment Act, 1979 as a **Deferred Commencement** consent.

The consent shall not operate until you satisfy Council about the following matters:

- i. The architectural plans are amended to reduce the gross floor area of the building by deleting rooms 5.40, 5.41 and 5.42, by removing the protrusions into the central courtyard area in rooms 4.23, 4.24, 5.14, 5.15 and the dining/servery area (both levels) and by further reducing the GFA around the perimeter of the central courtyard to achieve a total reduction of GFA by 345sq.m.

Pursuant to Clause 95(3) of the Environmental Planning and Assessment Regulation, 2000, the period of the deferred commencement shall be six (6) months.

Presuming settlement of the above matters, your Deferred Commencement Consent is subject to the following conditions:

GENERAL CONDITIONS

The following conditions restrict the work to the detail provided in the Development Application and are to ensure that the development is complete.

1. The term of this consent is limited to a period of **three** (3) years from the date of approval. The consent will lapse if the development does not commence within this time.

2. The development must be implemented substantially in accordance with the plans listed below, the application form and on any supporting information received with the application, except as may be amended in red on the attached plans and by the following conditions.

Type	Drawn by	Number	Issue	Date	Received
Site Plan	Snell Architects	1001	F	19.04.12	24.04.12
Level 1 Floor Plan	Snell Architects	1101	F	09.12.11	24.04.12
Level 2 Floor Plan	Snell Architects	1201	G	09.12.11	24.04.12
Level 3 Floor Plan	Snell Architects	1301	I	19.04.12	24.04.12
Level 4 Floor Plan	Snell Architects	1302	H	19.04.12	24.04.12
Level 5 Floor Plan	Snell Architects	1303	H	19.04.12	24.04.12
Roof Level	Snell Architects	1401	G	19.04.12	24.04.12
Elevations 1	Snell Architects	1501	G	19.04.12	24.04.12
Elevations and Sections 01	Snell Architects	1502	G	19.04.12	24.04.12
Elevations and Sections 03	Snell Architects	1503	G	19.04.12	24.04.12
Elevations and Sections 04	Snell Architects	1504	F	19.04.12	24.04.12
Privacy Screen Study	Snell Architects	3011	A	Apr2012	24.04.12
Privacy Screen Study	Snell Architects	3012	A	Apr2012	24.04.12
Landscape Plan	Outdoor Interests	L01/01	B	19.04.12	24.04.12
Stormwater Management–First Floor	Acor Consultants Pty Ltd	C1.01	D	08.12.11	21.12.11
Stormwater Management–Third Floor	Acor Consultants Pty Ltd	C1.03	C	08.12.11	21.12.11
Stormwater Management–Fourth Floor	Acor Consultants Pty Ltd	C1.04	D	08.12.11	21.12.11
Stormwater Management–Fifth Floor	Acor Consultants Pty Ltd	C1.05	D	08.12.11	21.12.11
Stormwater Management–Roof and Catchment Plan	Acor Consultants Pty Ltd	C1.07	C	08.12.11	21.12.11

3. All new building work must be carried out in accordance with the provisions of the Building Code of Australia (BCA). Details shall be provided to the satisfaction of the Certifying Authority with the application for a Construction Certificate.
4. **A Construction Certificate must be obtained from Council or an Accredited Certifier prior to any building work commencing.**

5. Further alterations and/or additions to the subject building shall not be undertaken without first obtaining approval. This includes the fitting of any form of doors and/or walls.
6. A separate development application shall be submitted for the specific use of the existing building at No.2 Washington Street, Bexley. Additional conditions may be imposed on any such consent.
7. The balconies and patio areas shall not be enclosed at any future time.
8. This approval is not to be construed as permission to erect any structure on or near a boundary contrary to the provisions of the Dividing Fences Act.
9. Excavation, filling of the site (with the exception of the area immediately under the building envelope), or construction of retaining walls are not permitted unless shown on the approved plans and authorised by a subsequent construction certificate.
10. The maximum number of beds within the facility is limited to 153.
11. The maximum number of rooms within the facility shall be limited to 149.
12. Ambulance driveways shall be exclusively used for ambulance vehicles.

DEVELOPMENT SPECIFIC CONDITIONS

The following conditions are specific to the Development Application proposal:

13. All loading, unloading and transfer of goods to and from the loading bay and premises shall take place wholly within the property.
14. Loading areas are to be used only for the loading and unloading of goods, materials etc. not for any other purpose.
15. The existing and future owners (Registered Proprietor) of the property will be responsible for the operation and maintenance of the detention system.

The Registered Proprietor will:

- i) permit stormwater to be temporarily detained by the system;
- ii) keep the system clean and free of silt, rubbish and debris;
- iii) maintain, renew and repair the whole or parts of the system so that it functions in a safe and efficient manner; and in doing so complete the same within the time and in the manner specified in written notice issued by the Council;
- iv) carry out the matters referred to in paragraphs (ii) and (iii) at the proprietor's expense;
- v) not make alterations to the system or elements thereof without prior consent in writing of the Council.
- vi) permit the Council or its authorised agents from time to time upon giving reasonable notice (but at any time and without notice in the case of emergency) to enter and inspect the land for compliance with the requirement of this clause;
- viii) comply with the terms of any written notice issued by the Council in respect to the requirements of this clause within the time stated in the notice.

16. The rainwater tank shall be routinely de-sludged and all contents from the de-sludging process disposed – solids to the waste disposal and de-sludged liquid to the sewer.
17. The use of the premises, building services, equipment, machinery and, ancillary fittings shall not give rise to an "offensive noise" as defined under the provisions of the Protection of the Environment Operations Act, 1997.
18. The use of mechanical plant including air conditioners, fans, compressors, condensers, freezers, swimming pool or spa pumps (whether commercial or domestic) shall not cause sound pressure levels in excess of the criteria given in the NSW Industrial Noise Policy - 2000.
19. Air conditioners shall not cause 'offensive noise' as defined by the Protection of the Environment Operations Act 1997 or contravene provisions of the Protection of the Environment (Noise Control) Regulation 2008 where emitted noise from a residential air conditioner can be heard within a habitable room in any other residential premises at night.
20. Privacy screens shall be installed to the ground and first floor level windows along the southern elevation and to the first floor windows along the northern elevation of the proposed addition as shown on the privacy screen study plans listed in condition 2. Details shall be submitted with the construction certificate documentation.
21. Removal of waste shall be conducted between the hours of 7am and 7pm Monday to Friday and as follows:
 - a) General waste is to be collected Mondays, Wednesdays and Fridays
 - b) Recyclables are to be collected as necessary;
 - c) Clinical waste is to be collected every 6 weeks;
 - d) All garbage and recyclables trucks are to enter and exit the site in a forward direction.
22. Surface to driveways shall be smooth but non slip. The driveways shall not have uncovered drainage gutters or speed humps. Details shall be provided in the construction certificate documentation.
23. The height of the proposed canopy in the Connemarra Street entrance shall be 3.5m (minimum 3.2m to the underside of any beam) to accommodate roof mounted radio aerials.
24. The proposed inclinator and associated decks are not approved and should be deleted from the plans prior to the issue of the Construction Certificate. The linkage between the proposed addition and No2 Washington Street should be considered as part of the development application for the use of the building at 2 Washington Street as a craft facility.
25. An access control system shall be implemented in the Harrow Road entrance to ensure that the main pedestrian access to the facility is via Connemara Street.
26. The visible light reflectivity from building materials used on the facades of the buildings shall not exceed 20% and shall be designed so as not to result in glare that causes any nuisance or interference to any person or place. A report demonstrating compliance with these requirements is to be submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate.

27. All existing and proposed lights shall comply with the Australian Standard AS4282 - 1997 "Control of the Obtrusive Effects of Outdoor Lighting". In this regard, the lighting of the premises shall be directed so as not to cause nuisance to the owners or occupiers of adjacent/adjoining premises or to motorists on adjoining or nearby roads. Evidence of compliance with this condition shall be submitted to the Certifying Authority prior to the issue of the Construction Certificate.
28. External paths and ground surface adjoining the walls of the building shall be graded and drained away from the dwelling in such a manner as to not cause a nuisance to adjoining properties.
29. Where natural ventilation fails to comply with the provisions of the Building Code of Australia, mechanical ventilation shall be provided in accordance with Australian Standard, 1668, Part 2.
30. Retaining walls over 600mm in height shall be designed and specified by a suitably qualified structural engineer.
31. A Site Arborist, with minimum AQF Level 5 Qualifications in Arboriculture and extensive experience in the protection of trees on development sites, shall be appointed to supervise the installation of Tree Protection Zones and works within the Tree Protection Zones, and at the conclusion of the project provide a Certificate of Compliance to the Tree Protection Specification to Council or the Private Certifier.
32. The air handling system and associated (cooling tower / evaporative cooler / warm water system) shall be designed, installed and maintained in accordance with the requirements of the Public Health Act 1991 (Part 4 Microbial Control), the Regulations made thereunder, the Australian Standard As 3666-1989 Air Handling and Water Systems in Buildings - Microbial Control and the relevant Code of Practice issued by the NSW Health Department.
33. The proposed Water Cooling, Evaporative Cooling, Warm Water System (as applicable) shall be designed, installed and commissioned in accordance with the provisions of the Public Health Act 1991, Public Health I Microbial Control Regulation 2000, Australian Standard 3666.1 "Air Handling and Water Systems of Buildings - Microbial Control - Design, installation and commissioning", and the current code of practice published by the NSW Health department.
34. Should a thermostatic mixing valve be installed in the premises, the following requirements shall be met:
 - i) The thermostatic mixing valves shall be set at a predetermined temperature of no lower than 37 °C and no higher than 43 °C. The "fail safe" mixing valves shall be installed.
 - ii) A copy of the commissioning report for the thermostatic mixing valve shall be submitted to Council with an additional copy kept on the premises. The thermostatic mixing valves are to be serviced annually by a suitably qualified and registered plumber who has completed a TAFE course in mixing valves.
 - iii) The thermostatic mixing valve shall be registered with Council as a warm water system, by completing the attached registration form, in accordance with the provisions of the NSW Public Health Act, 1991 and the Public Health (Microbial Control) Regulation 2000 for the control and prevention of Legionnaires Disease

35. The proposed Water Cooling, Evaporative Cooling, Warm Water System (as applicable) shall be operated and maintained in accordance with the provisions of the Public Health Act 1991, Public Health I Microbial Control Regulation 2000, and Australian Standard 3666.2 "Air Handling and Water Systems of Buildings - Microbial Control -Operation and maintenance."
36. The proposed development shall be designed, constructed and operated in compliance with the requirements of the Food Act 2003, Food Regulations 2004 and the Australian Standard AS 4674 – 2004 "Design, Construction and Fit out of Food Premises".
37. The proprietor and/or operator of the hair salon shall provide Council with occupier's details for Council's Environmental Health Unit register by completing the Registration form available on request from the customer service centre.
38. No skin penetration, including ear, nose or body piecing, tattooing and acupuncture shall be carried out on the hair salon without the prior consent from Council.
39. All appliances in general use shall be cleaned and disinfected in accordance with the Skin Penetration Guidelines.
40. No other disinfectant other than a chemical Disinfectant listed in the Australian Register of Therapeutic Goods (ARTG) shall be used on the premises. A chemical disinfectant on the ARTG will have a registration certificate issued by the Therapeutic Goods Administration.

PRIOR TO ISSUE OF THE CONSTRUCTION CERTIFICATE

The following conditions must be completed prior to the issue of the Construction Certificate.

41. A Footpath Reserve Restoration Deposit of \$35969.00 shall be paid to Council prior to the issue of a construction certificate. This is to cover repair of any damages, or other works to be done by Council. This includes construction, removal, or repair as required to: kerb and guttering, existing or new driveways; paved areas and concrete footpaths. The deposit may be lodged with Council in the form of a Bank Guarantee (Any proposed Bank Guarantee must not have an expiry date). If payment is made after the end of the financial year, the amount shall be adjusted in accordance with Council's adopted fees and charges. The deposit will not be returned by Council until works are completed and all damage is restored and all specified works are completed by Council.
42. A fee is payable to Council for a Soil and Water Management Sign (811) of \$14.95. If payment is made after the end of the financial year, the amount shall be adjusted in accordance with Council's adopted fees and charges.
43. An environmental enforcement fee of 0.25% of the cost of the works shall be paid to Council prior to the issue of a construction certificate in accordance with Rockdale Council's City Plan (adopted fees and charges).
44. For work costing \$25,000 or more, a Long Service Leave Levy shall be paid. For further information please contact the Long Service Payments Corporation on their Helpline 13 1441.
45. An application for Boundary levels shall be made to Council's Customer Service Centre prior to issue of the Construction Certificate. All boundary works, egress paths,

driveways and fences shall comply with this level.

A fee is payable to Council for the determination of boundary levels. If payment is made after the end of the financial year, the amount shall be adjusted in accordance with Council's adopted fees and charges.

46. The footpath, kerb, road, nature strip and any other element of public infrastructure shall be protected from damage during construction. To ensure this, Council requires a bond to be paid to cover the cost of repairing any infrastructure damage during construction. A bond of \$15000 shall be paid prior to the issue of a Construction Certificate. The bond shall not be released until all work is completed in accordance with the Development Consent and any damage has been repaired.
47. The connection of stormwater drainage pipes to the existing kerb inlet pit and laying of new line in Washington St must be inspected by Council prior to backfilling. A fee applies prior to the issue of the Construction Certificate for inspection of the connection and/or alteration to the Council pipeline. If payment is made after the end of the financial year the amount is to be adjusted in accordance with Council's adopted fees and charges. Where the inspection is unsatisfactory, each additional inspection will incur an extra charge.
48. a. Pursuant to section 94A of the Environmental Planning and Assessment Act 1979 and Rockdale Section 94A Development Contributions Plan 2008, a report is to be submitted to Council, prior to approval of the first Part 4A certificate required for the development, identifying the proposed cost of carrying out the development, as follows:
 - i. Where the proposed cost of carrying out the development is less than \$1,000,000, a cost summary report prepared and certified by a building industry professional, or
 - ii. Where the proposed cost of carrying out the development is \$1,000,000 or more, a detailed cost report prepared and certified by a quantity surveyor registered with the Australian Institute of Quantity Surveyors or a person who can demonstrate equivalent qualifications.

This report is to be prepared in the form specified in Rockdale Section 94A Development Contributions Plan 2008 and the costs must be determined in accordance with clause 25J of the Environmental Planning and Assessment Regulation 2000.

Note:

1. Council may review the costs contained in the report and may seek the services of an independent person to verify them. In such a case, all costs associated with obtaining this advice will be at the expense of the applicant and no Part 4A certificate is to be issued until such time as these costs have been paid.
2. The proposed cost of carrying out the development excludes any part of the proposed development that is exempt from the section 94A levy by reason of a Ministerial direction or an exemption specified in Rockdale Section 94A Development Contributions Plan 2008. Where the applicant considers that the proposed development, or any part of it, is or should be exempt from the levy they may submit to Council, prior to approval of the required certificate, an application for exemption giving reasons and providing any necessary evidence for the exemption.

- b. Where the proposed cost of carrying out the development, as specified in the cost summary report, the registered surveyor's detailed cost report or the independent review of costs obtained by Council (as the case may be), is more than \$100,000 a section 94A levy is to be paid to Council for the following amount:
- i. Where the proposed cost of carrying out the development is greater than \$100,000 but not more than \$200,000 – 0.5% of that cost, or
 - ii. Where the proposed cost of carrying out the development is greater than \$200,000 – 1% of that cost.

This levy is to be paid prior to the issue of the first Part 4A certificate required for the development.

If the levy is not paid within the same financial year as the date on which Council accepted the cost summary report, the registered surveyor's detailed cost report or the independent review of costs (as the case may be), the amount of the levy is to be adjusted at the time of actual payment to reflect changes in construction costs, in accordance with the provisions of Rockdale Section 94A Development Contributions Plan 2008.

Note: This requirement to pay the section 94A levy does not apply if the proposed cost of carrying out the development is \$100,000 or less or Council has confirmed in writing that the proposed development is exempt from the levy.

49. If Council is appointed as the Principal Certifying Authority (PCA) then structural engineer's details shall be submitted prior to the issue of the Construction Certificate; such structural drawings shall be certified by the Structural Engineer that the design complies with the relevant S.A.A. Codes for the following:
- i) the footings of the proposed structure;
 - ii) the footings of the slab-on-ground (having due regard to the possible differential settlement of the cut and fill areas);
 - iii) all reinforced concrete floor slabs;
 - iv) all reinforced concrete stairs;
 - v) the piers to natural ground or rock, detailing the size and position of the piers;
 - vi) the proposed retaining wall;
 - vii) the work required to stabilise the excavation;
 - viii) the work required to stabilise the footpath area;
 - ix) the design of each roof truss type showing the layout of each truss on a marking plan and the method of connecting each truss to its supporting members of the method of bracing;
 - x) all structural steel work;
 - xi) first floor joists;
 - xii) fire rated ceilings/fire protective ceilings.
50. A list of the proposed and existing essential services to be installed in the building shall be submitted to Council in accordance with the relevant requirements.

51. The development shall be designed and constructed to achieve interior noise levels which comply with Australian Standard AS 2021- 2000 Acoustic - Aircraft Noise Intrusion. An appropriately qualified Noise Consultant is to advise on appropriate measures to be incorporated in the design of the building so that it will meet the sound levels specified in Table 3.3. The information shall be submitted to the Certifying Authority prior to issue of the Construction Certificate.
52. Access and facilities for people with disabilities shall be provided in accordance with Part D3 of the BCA's Access Policy, Australian Standard 1428.1-2009 and other relevant standards. Prior to the issue of a Construction Certificate, a certificate certifying compliance with this condition from an appropriately qualified person shall be provided to the Certifying Authority.
53. The applicant shall confer with Energy Australia to determine if an electricity distribution substation is required. Written confirmation of Energy Australia's requirements shall be obtained prior to issue Construction Certificate.
54. The applicant shall confer with Energy Australia to determine if installation of electricity conduits in the footway is required. Written confirmation of Energy Australia's requirements shall be obtained prior to issue Construction Certificate.
55. The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped. For Quick Check agent details please contact Sydney Water.

The consent authority or a private accredited certifier must ensure that a Quick Check agent/Sydney Water has appropriately stamped the plans before issue of any Construction Certificate.
56. A practicing structural engineer is to undertake a comprehensive photographic record and dilapidation survey of all private properties adjacent to the proposed buildings, and Council infrastructure. This record and survey is to including but not be limited to (1) all buildings on neighbouring properties which are less than 30 m away from the development works and (2) all footpaths, kerb and gutter, stormwater inlet pits, and road carriageway pavements, in the vicinity which could be potentially affected by the construction of this development. Any damage caused to other properties during construction shall be rectified. A copy of the dilapidation survey and an insurance policy that covers the cost of any rectification works shall be submitted to (a) the affected adjoining residents and (b) the Principal Certifying Authority, and (c) Council if they are not the PCA, prior to issue of the Construction Certificate. The insurance cover shall be a minimum of \$10 million.
57. Details shall be submitted to Council for assessment and approval pursuant to Section 138 of the Roads Act 1993 in relation to the following:
 - i) Provision of paving (to a plan to be submitted to and approved by Council) along the full site frontage to Harrow Road.
 - ii) Reconstruction of kerb & gutter along the full site frontage to Harrow Road.
 - iii) In Washington St where existing crossings are trenched as a result of laying of the 375mm dia pipe, the full existing crossing is to be reconstructed from property boundary to road pavement.

- iv) If the existing kerb and gutter is removed or damaged as a result of laying of the 375mm dia pipe the full affected bay of kerb and gutter is to be fully reconstructed.
- v) Adjust any public authority services required to make the work effective.

58. Prior to issue of the Construction Certificate, a longitudinal driveway profile shall be submitted to Council or an Accredited Certifier for assessment and approval. The profile shall start in the centre of the road and be along the critical edge (worst case) of the driveway. Gradients and transitions shall be in accordance with Council's Code. The profile shall be drawn to a scale of 1 to 20 and shall include all relevant levels, grades (%) and lengths.

59. **Geotechnical**

There are built structures on adjoining properties, (including public assets) which may be in the zone of influence of the proposed works and excavations on this site. A qualified practicing geotechnical engineer must prepare a Construction Methodology report demonstrating that the proposed construction method including any excavation and the configuration of the built structures will have no adverse impact on any surrounding property and infrastructure. The report must be submitted with the application for a Construction Certificate.

Where a Private Certifier issues the Construction Certificate the document mentioned in the above paragraph must be provided to Council.

The report must include an investigation to determine the design parameters appropriate to the specific development and site. This would typically include:

- Location & level of nearby foundations/footings (site and neighbouring)
- Proposed method of excavation
- Permanent and temporary support measures for excavation
- Potential settlements affecting footings/foundations
- Ground-water levels (if any)
- Batter slopes
- Potential vibration caused by method of excavation
- Likely vibration effects for the recommended construction equipment
- Recommended regime of construction inspections by Geotechnical engineer.
- De-watering including seepage and off site disposal rate (if any)

60. **Easements for Energy Australia**

Where the Energy Authority requires it an easement shall be created in favour of electrical and telecommunications suppliers and it shall comply with the following:

- (a) It is for the provision of underground services and above ground pillar boxes and substations etc, and for access to their equipment;
- (b) The easement is to be the size as required by the Energy Authority in the location as required by the Authority; and

- (c) Where the easement is to be enclosed, a minimum headroom is required above the floor level as required by the Energy Authority; and
- (d) The wording of the easement shall be approved by Energy Australia and the Telecommunications Carrier where applicable, prior to the issue of a Construction Certificate.
- (e) Written evidence that the wording of the easement has been approved by the relevant service providers shall be provided to Council prior to the issue of a Construction Certificate.
- (f) The required easement shall be created and registered prior to the issue of an Occupation Certificate or use of the building.

61. Traffic Management during works in road reserve

Traffic management signs / practices must be in place and practiced during the construction of the works on the public Road reserve, to ensure safety, and minimise adverse impacts on pedestrians and vehicles. The signs and / practices must be in accordance with the latest version of the Australian Standard.

A plan of traffic control is to be submitted to and approved by the Principal Certifying Authority prior to issue of any Construction Certificate. The works are to be designed and Certified by a Certified RTA Traffic Controller. This condition applies to the work in the public road reserve only.

A copy of the stamped approved Traffic Control Plan is to be available on the works site for inspection at any time.

62. Prior to the issue of a Construction Certificate, a Construction Management Plan shall be submitted to and approved by the Certifying Authority. The Plan shall address, but not be limited to the following matters where relevant:

- a) Hours of work,
- b) contact details of site manager,
- c) traffic management,
- d) noise and vibration management,
- e) waste management,
- f) erosion and sediment control,
- g) protection of trees to be retained.

A copy of the approved Plan of Management shall be submitted to Council.

63. Prior to the issue of a Construction Certificate, A Traffic and Pedestrian Management Plan prepared by a suitably qualified person shall be submitted and approved by the Certifying Authority. The Plan shall address, but not limited to, the following matters:

- a) Ingress and egress of construction vehicles to the site,
- b) routing and control of construction vehicles,
- c) parking of employees vehicles,
- d) loading and unloading, including construction zones, for all construction vehicles,

- e) predicted traffic volumes, types and routes,
- f) pedestrian and traffic management methods,
- g) the hours of operation of the construction site,
- h) holding areas for demolition/excavation/construction delivery vehicles wanting to access the site'
- i) means of ensuring vehicular and pedestrian access to adjoining resident's properties and existing residents and visitors for the duration of the works.

The plan may need to be prepared in consultation with Council's Traffic Management section. A copy of the approved Plan shall be submitted to Council.

64. Prior to the issue of a Construction Certificate, A Noise and Vibration Management Plan prepared by a suitably qualified person shall be submitted and approved by the Certifying Authority. The Plan shall address, but not limited to, the following matters:
- a) Identification of the specific activities that will be carried out and associated noise sources'
 - b) identification of all potentially affected sensitive receivers including residences, schools and existing facility,
 - c) the construction noise objective specified in the conditions of this approval,
 - d) the construction vibration criteria specified in the conditions of this approval,
 - e) noise and vibration monitoring, reporting and response procedure,
 - f) assessment of potential noise and vibration from the proposed construction activities including noise from construction vehicles and any traffic diversions,
 - g) description of specific mitigation treatments, management methods and procedures that will be implemented to control noise and vibration during construction,
 - h) construction timetabling to minimise noise impacts including time and duration restrictions, respite periods and frequency,
 - i) procedures for notifying residents of construction activities that are likely to affect their amenity through noise and vibration,
 - j) contingency plans to be implemented in the event of non compliances and/or noise complaints.

A copy of the approved Plan shall be submitted to Council.

65. A copy of Permission to Discharge Trade Waste Water shall be obtained from Sydney Water prior to the discharge of trade waste water to the sewer system. A copy shall be provided to Principal Certifying Authority (PCA) prior to issuing the Construction Certificate. A copy shall also be provided to Council if Council is not the PCA.
66. A Waste Management Plan shall be prepared and implemented in accordance with Rockdale Development Control Plan 2011.
67. The mechanical exhaust ventilation system shall be installed in the kitchen and food preparation areas where cooking and heat producing processes are conducted. All equipment producing heat or steam shall be placed wholly under the ventilation canopy. The ventilation system shall be designed and installed by an appropriate

qualified person in accordance with Australian Standards AS1668.1-1998 & 1668.2 - 2002.

68. All walls within the kitchen, food preparation, storage and display areas shall be of solid construction. Walls in food preparation areas shall be finished with one or a combination of glazed tiles, stainless steel, aluminium sheeting, laminated thermosetting plastic sheeting, polyvinyl sheeting with welded seams or similar impervious material which is adhered directly to the wall. The finishing materials of the wall surfaces shall provide a smooth even surface free from buckles, ledges, fixing screws, picture rails, open joint spaces, cracks or crevices.
69. The intersection of walls and plinths with floors in the kitchen, food preparation, storage and display areas shall be coved with a minimal 25mm radius.
70. The floors within the kitchen, food preparation, storage and display areas shall be constructed of a suitable material which is non-slip, durable, resistant to corrosion, non-toxic, non-absorbent and impervious to moisture. Floors which drain to a floor waste shall be evenly graded (at least 1:100) so that water falls to the floor waste.
71. The surface finish of the ceiling shall not be perforated and shall be finished in an impervious material which is free from open joints, cracks, crevices, (in accordance with AS 4674-2004, acoustic and decorative panels are not to be used in wet areas, food preparation areas, bin storage areas or other areas where open food is displayed or served). The ceiling over the food preparation, storage and display areas shall be painted with a washable paint of a light colour. The intersection of walls and the ceiling shall be tight jointed, sealed and dust-proof.
72. All service pipes conduits and electrical wiring shall be either:
 - i) Concealed in floors, walls, ceilings or concrete plinths, or
 - ii) Fixed with brackets so as to provide at least 25 mm clearance between the pipe and the adjacent vertical surface and 100 mm between the pipe or conduit and the adjacent horizontal surface.
73. All openings in the walls, floors and ceilings through which service pipes and electrical conduits pass through shall be designed and constructed so as to prevent the access of vermin.
74. Where toilets are provided on food premises, toilet cubicles shall be separated from areas where open food is handled, displayed or stored by an intervening ventilated spaced fitted with self closing doors or provided with self closing doors and a mechanical exhaust system that operate when the sanitary compartment is in use and for at least 30 seconds after the cubicle is vacated.
75. A temperature gauge shall be provided to each cool room, chiller, freezer, refrigeration unit, hot and cold food storage/display units. The temperature gauge shall be accurate to one (1) degree Celsius and be visible from the outside of such units.
76. Cavities, false bottoms and similar hollow spaces capable of providing access and harbourage for vermin are not permitted to be formed in the construction of the food preparation or storage areas, or in the installation of fixtures, fittings and equipment.
77. Cleaning chemicals, cleaning equipment, pest control chemicals and equipment shall be located in a room designated for that use and enclosed in cupboards dedicated for that use which is located away from food preparation storage and display areas and not able to contaminate personal effects and clothing.

78. A floor waste fitted with a basket arrestor shall be located outside the cool room adjacent to the door.
79. Condensation from the refrigeration units and cool room motors shall be directed to a tundish installed in accordance with the requirements of Sydney Water Corporation.
80. The surrounds of the cool room shall be either open for cleaning and inspection or enclosed so that a vermin proof enclosure is formed.
81. Hot and cold food display and/or holding appliances shall be designed and capable of holding cold perishable foods at or below 5oC; and hot perishable foods at or above 60oC when the appliances are operating at full capacity.
82. A double bowl sink or two compartment tub which is of a size capable of fully immersing the largest piece of equipment shall be provided with hot and cold water supplied through a single spout in the kitchen/food preparation area. Double bowl sink or tubs shall be supplied with water of at least 45 o C in one bowl for washing purposes; and 80 o C in the other bowl for sanitising purposes if hot water sanitising occurs at the sink.
83. Premises which require food to be prepared by immersion in water shall install a designated food preparation sink which shall not be used for the washing of equipment or hands.
84. Premises shall be provided with a cleaner's or sluice sink, floor waste or other similar facility which is connected to drainage that is not intended for use to prepare food, wash any equipment or for hands/face washing for disposing of mop water and similar liquid waste and shall be located outside of areas where open food is handled.
85. Hand wash basins shall be located so that they are not obstructed, are at bench height either permanently fixed to a wall, supporting frame or sunk into the bench top, accessible and no further than 5 metres (excluding toilet hand basins) from any place where food handlers are handling open food, in the parts of the premises where open food is handled, in utensil/equipment washing areas, in staff entrance to areas where open food is handled and in toilet cubicles or immediately adjacent to toilets. Hand basins shall have a permanent supply of warm running potable water delivered through a single outlet and taps which operate hands free shall be provided at all hand basins with sufficient space between the spout and base of basin for the washing of hands and arms.
86. Dishwashers and glass washers used to sanitise food contact surfaces, eating and drinking utensils shall be designed to operate so that the temperature of water used in the sanitising rinse cycles, combined with the time that the utensils are rinsed in water at that temperature (or in combination) shall be sufficient to ensure that the utensils are sanitised and comply with AS 2945.
87. All hand basins shall be provided with soap and a towel dispenser for dispensing single use towels or other means of drying hands and arms which prevents the transfer of pathogenic micro-organisms to the hands or arms (air dryers as the only means of drying hands shall not be permitted). A receptacle for used towels shall be provided at the hand wash basin.
88. Grease arrestors shall not be located in areas where food, equipment or packaging material are handled or stored. Access to grease arrestors for emptying shall not be

- through areas where open food is handled or stored or where food contact equipment and packaging materials are handled or stored.
89. Rooms and areas designated for the storage and washing of garbage receptacles shall be designed and constructed in accordance with the following requirements;
 - i) The floors and walls shall be constructed of a suitable material which is durable, smooth, resistant to corrosion, impervious to moisture and coved with a minimum radius of 25mm at the intersection of walls with floors
 - ii) The floor shall be graded and drained to a floor waste gully connected to the sewerage system and traps of the premises in accordance with all Sydney Water requirements
 - iii) Provide a hose tap connected to the water supply. Water used for cleaning garbage receptacles may be either potable or non potable water.
 - iv) The room shall be ventilated with either natural ventilation or alternatively mechanically ventilated in accordance with the requirements of Australian Standards AS 1668.
 90. A hand wash basin shall be provided in a convenient location for the use of both the nail artist and all hairdressers. This hand wash basin shall be used for the purpose of hand washing only and no equipment shall be washed in the hand wash basin.
 91. A double bowl sink, which is separate to any hand wash basins or hair wash basins, shall be provided for the washing of equipment only. One side of the sink shall be used solely for washing of hair brushes and items associated with the hairdresser and the other side of the sink is be used solely for washing of items associated with the nail artist and beautician. No food items shall be washed in this sink.
 92. The walls and floor of the premises shall be constructed with an approved smooth impervious material capable of being easily cleaned. No exposed brickwork is permitted within the salon.
 93. The walls immediately behind any wash basin shall be tiled to a height of 450mm and for any distance of 150mm on either side of the basin. Alternatively use another type of impervious surface so as to be easily cleaned.
 94. All shelving, benches, fittings and furniture on which hairdressing appliances and utensils shall be placed shall be constructed of durable, smooth, impervious material capable of being easily cleaned.
 95. Two (2) suitable receptacles with close-fitting lids shall be provided and maintained in a clean and serviceable condition for the disposal of soiled towels and trade wastes.
 96. Stormwater management requirements for the development site, including the final discharge/end connection point, must comply with Rockdale DCP 2011.
 97. Prior to the issue of the Construction Certificate, detailed drainage design plans for the management of stormwater are to be submitted to Council or an Accredited Certifier for assessment and approval. Design certification and drainage design calculations are to be submitted with the plans.

98. The stormwater plans require amendment as detailed below.

The amended detailed engineering design is to be submitted to the Principal Certifying Authority with the application for Construction Certificate. If assessed as satisfactory, this design is to be approved prior to the issue of any Construction Certificate.

The above plans are to be amended as follows:

- (a) A boundary pit to be provided just inside the private property before the stormwater drainage line enters the footway in Washington St. The boundary pit is to be located outside the area of the existing garage, (or the garage is to be demolished). In the case where the boundary pit is relocated away from the existing garage it may be relocated to the north east along Washington St.
- (b) The Line across the footway is to be at 45 degrees to the alignment of the roadway so as to reduce the head losses in the new road gully pit.
- (c) The new 375mm diameter line down Washington St is to be situated on an alignment that provides minimal impact on exiting services.
- (d) The existing chamber in the road gully pit may need to be extended in order to receive the new pipe.

Where a Private Certifier issues the Construction Certificate a copy of the approved amended plans (incorporating point (A) above), must be provided to Council, once the Construction Certificate is issued.

Items (b) – (d) will feature in the Section 138 Application which must be submitted to Council.

PRIOR TO COMMENCEMENT OF WORKS

The following conditions must be completed prior to the commencement of works.

- 99. Council's warning sign for soil and water management must be displayed on the most prominent point on the building site, visible to both the street and site workers. The sign shall be erected prior to commencement of works and shall be displayed throughout construction.
- 100. Soil and sedimentation controls are to be put in place prior to commencement of any work on site. The controls are to be maintained in effective working order during construction.

The controls are to be designed and installed in accordance with the Soil and Water Management for Urban Development Guidelines produced by the Southern Sydney Regional Organisation of Council. Copies of the guidelines are available from Council.
- 101. A Soil and Water Management Plan shall be prepared in accordance with Soil and Water Management for Urban Development Guidelines produced by the Southern Sydney Region Organisation of Councils. A copy of the plan must be submitted to Council. The Plan must include details of the proposed erosion and sediment controls to be installed on the building site. A copy of the Soil and Water Management Plan must be kept on-site at all times and made available on request.

Sediment control devices shall not be located beneath the driplines of trees, which are to be retained.

102. A sign must be erected at the front boundary of the property clearly indicating the Development Approval Number, description of work, builder's name, licence number and house number before commencement of work. If owner/builder, the Owner/Builder Permit Number must be displayed.
103. A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
- i) stating that unauthorised entry to the work site is prohibited, and
 - ii) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.
- Any such sign is to be removed when the work has been completed.
- This condition does not apply to:
- iii) building work carried out inside an existing building or
 - iv) building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.
104. Prior to the commencement of work, Tree Protection Zones shall be established in accordance with AS4970-2009 (Protection of trees on Development Sites) with protective fences at least 1.8 metres high erected, as detailed in the Arboricultural Impact Assessment Report- Tree Protection Specification dated 17 January 2012 Revision C prepared by treelQ, around each tree which is required to be retained. Establishment of the Tree Protection Zones and installation of the protective fences shall be supervised and certified by the Site Arborist. The protective fences shall consist of chain wire mesh temporary fence panels securely mounted and braced to prevent movement, shall be in place **prior to the commencement of any work on site** and shall remain until the completion of all building and hard landscape construction. Excavations for services, waste bins, storage of materials and equipment, site residue, site sheds, vehicle access or cleaning of tools and equipment are **not** permitted within the Tree Protection Zones at any time.
105. Prior to the commencement of any work on site, a sign shall be placed in a prominent position on each protective fence identifying the area as a **Tree Protection Zone** and prohibiting vehicle access, waste bins, storage of materials and equipment, site residue and excavations within the fenced off area.
106. The site shall be secured by a 1500 mm (minimum) high temporary fence for the duration of the work. Gates shall be provided at the opening points.
107. Where construction/building works require the use of a public place including a road or footpath, approval under Section 68 of the Local Government act 1993 for a Barricade Permit is to be obtained from Council prior to commencement of work. Details of the barricade construction, area of enclosure and period of work are required to be submitted to the satisfaction of Council.
108. Toilet facilities are to be provided, at or in the vicinity of the work site, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site and the toilet facilities must be designed and installed in accordance with the provisions of clause 781 of the Environmental Planning and Assessment Regulation 1994, and be installed before any other work is commenced.

109. Consultation with Energy Australia is essential prior to commencement of work. Failure to notify Energy Australia may involve unnecessary expense in circumstances such as:
- i) where the point of connection and the meter board has been located in positions other than those selected by Energy Australia or
 - ii) where the erection of gates or fences has restricted access to metering equipment.

DURING DEMOLITION / EXCAVATION / CONSTRUCTION

The following conditions must be complied with during demolition, excavation and or construction.

110. A copy of the Construction Certificate and the approved plans and specifications must be kept on the site at all times and be available to Council officers upon request.
111. Hours of construction shall be confined to between 7 am and 6.30 pm Mondays to Fridays, inclusive, and between 8 am and 3.30 pm Saturdays with no work being carried out on Sundays and all public holidays.
112. For Class 5-9 structures, the building works are to be inspected during construction, by the principal certifying authority (or other suitably qualified person on behalf of the principal certifying authority) to monitor compliance with Council's approval and the relevant standards of construction encompassing the following stages:
- i) after excavation for and before the placement of, any footing, and
 - ii) prior to covering any stormwater drainage connections, and
 - iii) after the building work has been completed and prior to any occupation certificate being issued in relation to the building.

Documentary evidence of compliance with Council's approval and relevant standards of construction is to be obtained prior to proceeding to the subsequent stages of construction and copies of the documentary evidence are to be maintained by the principal certifying authority and be made available to Council officers upon request.

113. Upon inspection of each stage of construction, the Principal Certifying Authority (or other suitably qualified person on behalf of the Principal Certifying Authority) is also required to ensure that adequate provisions are made for the following measures (as applicable), to ensure compliance with the terms of Council's approval:
- Sediment control measures
 - Provision of perimeter fences or hoardings for public safety and restricted access to building sites.
 - Maintenance of the public place free from unauthorised materials, waste containers or other obstructions.
114. Demolition operations shall not be conducted on the roadway or public footway or any other locations, which could lead to the discharge of materials into the stormwater drainage system.
115. All waste generated on site shall be disposed of in accordance with the submitted Waste Management Plan.

116. A Registered Surveyor's check survey certificate or compliance certificate shall be forwarded to the certifying authority detailing compliance with Council's approval at the following stage/s of construction:
- i) After excavation work for the footings, but prior to pouring of concrete, showing the area of the land, building and boundary setbacks.
 - ii) Prior to construction of each floor level showing the area of the land, building and boundary setbacks and verifying that the building is being constructed at the approved level.
 - iii) Prior to fixing of roof cladding verifying the eave, gutter setback is not less than that approved and that the building has been constructed at the approved levels.
 - iv) On completion of the building showing the area of the land, the position of the building and boundary setbacks and verifying that the building has been constructed at the approved levels.
 - v) On completion of the drainage works (comprising the drainage pipeline, pits, overland flow paths, on-site detention or retention system, and other relevant works) verifying that the drainage has been constructed to the approved levels, accompanied by a plan showing sizes and reduced levels of the elements that comprise the works.
117. All excavation and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards and guarded and protected to prevent them from being dangerous to life or property.
118. When excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building or an adjoining allotment of land, you shall:
- i) preserve and protect the building from damage and
 - ii) underpin and support the building in an approved manner, if necessary and
 - iii) give notice of intention to excavate below the level of the base of the footings of a building on an adjoining allotment of land to the owner at least 7 days prior to excavation and furnish particulars of the excavation to the owner of the building being erected or demolished.
- Note:** 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 clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.
- In this conditions **allotment of land** includes a public road and any other public place.
119. When soil conditions require it:
- i) retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil shall be provided, and
 - ii) adequate provision shall be made for drainage.
120. Wind blown dust from stockpile and construction activities shall be minimised by one or more of the following methods:
- i) spraying water in dry windy weather

- ii) cover stockpiles
 - iii) fabric fences
121. Works shall not encroach onto or over adjoining properties, including retaining walls, fill material or other similar works. Soil shall not be lost from adjoining sites due to construction techniques employed on the subject site.
122. All contractors shall comply with the following during all stages of demolition and construction:
- A Waste Container on Public Road Reserve Permit must be obtained prior to the placement of any waste container or skip bin in the road reserve (i.e. road or footpath or nature strip). Where a waste container or skip bin is placed in the road reserve without first obtaining a permit, the Council's fees and penalties will be deducted from the Footpath Reserve Restoration Deposit. Permits can be obtained from Council's Customer Service Centre.
 - A Road Opening Permit must be obtained prior to any excavation in the road reserve (i.e. road or footpath or nature strip). Where excavation is carried out on the road reserve without first obtaining a permit, the Council's fees and penalties will be deducted from the Footpath Reserve Restoration Deposit. Permits can be obtained from Council's Customer Service Centre.
 - A Hoarding Permit must be obtained prior to the erection of any hoarding (Class A or Class B) in the road reserve (i.e. road or footpath or nature strip). Where a hoarding is erected in the road reserve without first obtaining a permit, the Council's fees and penalties will be deducted from the Footpath Reserve Restoration Deposit. Permits can be obtained from Council's Customer Service Centre.
 - A Crane Permit must be obtained from Council prior to the operation of any activity involving the swinging or hoisting of goods across or over any part of a public road by means of a lift, hoist or tackle projecting over the footway. Permits can be obtained from Council's Customer Service Centre.
 - A Permit to Dewater or Pump Out a site must be obtained prior to the discharge of pumped water into the road reserve, which includes Council stormwater pits and the kerb and gutter. Permits can be obtained from Council's Customer Service Centre.
123. The new building work shall be protected in accordance with the provisions of AS 3660.1-2000 "Termite Management - Part 1: New Building Work", as required by Part 3.1.3 of the Building Code of Australia. Certification is required to be submitted to the Principal Certifying Authority (PCA), prior to the next stage of works to ensure that the selected method of treatment is in compliance with the relevant provisions of the standard. Such certification is to be prepared by a suitably qualified person.
124. Any noise generated during construction of the development shall not exceed limits specified in any relevant noise management policy prepared pursuant to the *Protection of the Environment Operations Act, 1997* or exceed approved noise limits for the site.

125. Stockpiles are not permitted to be stored on Council property (including nature strip) unless prior approval has been granted. In addition stockpiles of topsoil, sand, aggregate, soil or other material shall be stored clear of any drainage line or easement, natural watercourse, kerb or road surface.
126. Building and demolition operations such as brickcutting, washing tools or paint brushes, and mixing mortar shall not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.
127. All disturbed areas shall be stabilised against erosion within 14 days of completion, and prior to removal of sediment controls.
128. Stormwater from roof areas shall be linked via a temporary downpipe to an approved stormwater disposal system immediately after completion of the roof area.
129. Building, demolition and construction works not to cause stormwater pollution and being carried out in accordance with Section 2.8 of Council's Stormwater Pollution Control Code 1993. Pollutants such as concrete slurry, clay and soil shall not be washed from vehicles onto roadways, footways or into the stormwater system. Drains, gutters, roadways and access ways shall be maintained free of sediment. Where required, gutters and roadways shall be swept regularly to maintain them free from sediment.

Note: The Applicant may be liable to prosecution under the Environmental Planning and Assessment Act 1979 for a breach of an approval condition, or under the Protection of the Environment Operations Act 1997, if its employees, agents or sub-contractors allow sediment, including soil, excavated material, building materials, or other materials to be pumped, drained or allowed to flow to the street, stormwater pipes or waterways. The Applicant shall ensure that its employees, agents or sub-contractors understand and maintain sediment control measures.

130. Owners/Applicants/Builders and demolishers are required to confine access to building and demolition sites to no more than two 3m driveways, and provide a footpath protection pad over Council's footpath at these points (see attached detail). Within the site, provision of a minimum of 100mm coarse crushed rock is to be provided for a minimum length of 2 metres to remove mud from the tyres of construction vehicles.

An all weather drive system or a vehicle wheel wash, cattle grid, wheel shaker or other appropriate device, shall be installed prior to commencement of any site works or activities, to prevent mud and dirt leaving the site and being deposited on the street. Vehicular access is to be controlled so as to prevent tracking of sediment onto adjoining roadways, particularly during wet weather or when the site is muddy. Where any sediment is deposited on roadways it is to be removed by means other than washing and disposed of appropriately.

In addition builders / demolishers are required to erect a 1.5m high fence along the whole of the street alignment other than at the two openings. Such protection work, including fences, is to be constructed, positioned and maintained in a safe condition to the satisfaction of the Principal Certifying Authority, prior to the demolition of the existing structures and commencement of building operations.

131. The Eucalypt (identified as tree No 1 in the Arboricultural Impact Assessment Report- Tree Protection Specification dated 17 January 2012 Revision C prepared by treeIQ) located within the front yard of 101 Harrow Road, the Spotted Gum (tree 3) located within the rear yard of 101 Harrow Road, the two Ash street trees (trees 9 & 10) located on the nature strip at the front of 103 & 105 Harrow Road, the Illawarra Flame Tree (tree 23) and Cabbage Palm (tree 25) located within the rear yard of 2 Washington Street and the Sydney Red Gum (tree 28) located within the area to the rear of 105 Harrow Road and 2 Washington Street shall be retained and protected throughout all stages of the project. All other existing site trees located within the subject properties may be removed.
132. Trees located within adjoining properties and Council's nature strip shall not be removed or pruned without the written consent of Council in the form of a Permit issued under Council's Tree Preservation Order.
133. Where drainage or paving works are proposed to be constructed in the area below the dripline of trees, the proposed works and construction methods must not damage the tree.
134. Underground Services such as pipelines or cables to be located close to trees, must be installed by boring or by such other method that will not damage the tree rather than open trench excavation. The construction method must be approved by the Site Arborist and Council's Tree Management Officer.
135. Existing soil levels within the drip line of trees to be retained shall not be altered without the approval of the Site Arborist.
136. Building materials, site residue, machinery and building equipment shall not be placed or stored under the dripline of trees required to be retained.
137. The Tree Protection Specification contained in the Arboricultural Impact Assessment Report- Tree Protection Specification dated 17 January 2012 Revision C prepared by treeIQ shall be implemented and adhered to at all times throughout all stages of the project.
138. Construction within the designated Tree Protection Zones of trees numbered 1, 3, 9, 23, 26 and 28 as identified in the Arboricultural Impact Assessment Report- Tree Protection Specification dated 17 January 2012 Revision C prepared by *tree IQ* shall use pier and beam footings with suspended slabs. Excavations within the Tree Protection Zones of these trees shall be dug by hand or other non destructive means to reduce the impact on the trees and shall be supervised and certified by the Site Arborist.

PRIOR TO ISSUE OF OCCUPATION CERTIFICATE OR COMMENCEMENT OF USE

The following conditions must be complied with prior to issue of the Occupation Certificate or Commencement of Use.

139. An Occupation Certificate shall be obtained in relation to the approved works prior to any use or occupation of the building.

140. Appropriate signage and tactile information indicating accessible facilities shall be provided at the main entrance directory, or wherever directional signage such as lifts or building directories or information is provided to those buildings where access and facilities for people with disabilities has been provided. Such signage shall have regard to the provisions of AS1428.1 and AS1428.2.
141. Tactile differentiation on floor surfaces indicating change of gradient shall be provided to those buildings where access and facilities for people with disabilities has been provided. This includes the external parts of the building, eg. access walkways and ramps. Such differentiation shall have regard to the provisions of AS1428.4.
142. Where Council's park/reserve is damaged as a result of building work or vehicular building traffic, this area shall be restored by Council at the applicant's expense. Repairs shall be completed prior to the issue of the Occupation Certificate.
143. All excess excavated material, demolition material, vegetative matter and builder's rubbish shall be removed to the Waste Disposal Depot or the Regional Tip prior to final inspection.
Note: Burning on site is prohibited.
144. The lots which form part of the subject site shall be consolidated into one allotment. Council requires proof of lodgement of the plan of consolidation with the Land and Property Information Office prior to occupation.
145. All landscape works are to be carried out in accordance with the approved landscape plans. The landscaping is to be maintained to the approved standard at all times.
146. All works within the road reserve, which are subject to approval pursuant to Section 138 of the Roads Act 1993, shall be completed and accepted by council.
147. The underground placement of all low voltage street mains in that section of the street/s adjacent to the development, and associated services and the installation of underground supplied street lighting columns, shall be carried out at the applicant's expense. The works shall be completed and Energy Australia's requirements shall be met prior to issue of the Occupation Certificate.
148. Where an electricity substation is required by Energy Australia, a final film survey plan shall be endorsed with an area having the required dimensions as agreed with Energy Australia over the location of the proposed electricity distribution substation site. The substation must be located within the boundary of the development site, or within the building, subject to compliance with the BCA. The substation site shall be dedicated to Council as public roadway, or as otherwise agreed with Energy Australia. Energy Australia's requirements shall be met prior to release of the issue of the Occupation Certificate.
149. Signage shall be installed in suitable locations at entrance driveways indicating entrance restrictions and ambulance parking restrictions to read, 'Ambulance entry' or 'Ambulance only'. In some locations the sign may need to be illuminated.
150. A stop/go Red-Green light facility shall be provided at the top of the ramp accessing the basement carpark to allow right of way to vehicles exiting the parking area.
151. A Plan of Management for on site parking is to be prepared prior to occupation and implemented to ensure that staff, residents and visitors have access to the existing

carparking areas within the development site. A copy of the Plan is to be provided to Council.

152. Prior to completion of the building works, a full width vehicular entry is to be constructed to service the property. Any obsolete vehicular entries are to be removed and reconstructed with kerb and gutter. This work may be done using either a Council quote or a private contractor. There are specific requirements for approval of private contractors.
153. 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 Coordinator. Please refer to the Building Developing and Plumbing section of the web site www.sydneywater.com.au then refer to "Water Servicing Coordinator" under "Developing Your Land" or telephone 13 20 92 for assistance.

Following 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 Coordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to occupation of the development.
154. Where the installation of electricity conduits is required in the footway, the builder shall install the conduits within the footway across the frontage/s of the development site, to EnergyAustralia's specifications. EnergyAustralia will supply the conduits at no charge. A Road Opening Permit must be obtained from Council prior to the installation of the conduits. The builder is responsible for compaction of the trench and restoration of the footway in accordance with Council direction. A Compliance Certificate from Energy Australia shall be obtained prior to the issue of the Occupation Certificate.
155. Prior to the issue of an Occupation Certificate, an appropriately qualified Noise Consultant is to certify that Australian Standard *AS 2021- 2000 Acoustic - Aircraft Noise Intrusion* has been met as specified in the conditions of this approval.
156. A certificate is to be provided to Council that all wet areas have been effectively waterproofed (prior to tiling) in accordance with AS3740 and the product manufacturer's recommendations.
157. A Landscape Architect shall provide a report to the certifying authority (with a copy provided to Council, if Council is not the principal certifying authority) stating that the landscape works have been carried out in accordance with the approved plans and documentation.
158. Prior to occupation or use of the premises, a qualified mechanical engineer shall certify that the mechanical ventilation/air conditioning system complies in all respects with the requirements of Australian Standard 1668, Part 1 & 2.
159. On completion of the installation of the mechanical ventilation systems and prior to the issue of the Occupation Certificate, a certificate of completion and performance from the design engineer shall be submitted to Council certifying that the system has been installed, inspected, commissioned, tested and performs in accordance with Australian Standards AS1668.

160. Prior to occupation a Chartered Professional Engineer shall certify that the stormwater system has been constructed in accordance with the approved plans and as required by Council's DCP 78 - Stormwater Management. The certificate shall be in the form specified in DCP 78 and include an evaluation of the completed drainage works. A works-as-executed drainage plan shall be prepared by a registered surveyor based on a survey of the completed works. A copy of the certificate and works-as-executed plan(s) shall be supplied to the Principal Certifying Authority. A copy shall be provided to Council if Council is not the Principal Certifying Authority.
161. The occupier of the premises where the cooling tower / evaporative cooler / warm water system (as applicable) is/are installed, shall notify particulars to Council in accordance with the provisions of the Public Health Act 1991 prior to the issue of an Occupation Certificate. A notification form is available from Council's Environmental Health Unit on request.
162. The premises shall be registered with the NSW Food Authority by the proprietor of the food business by completing the registration form available online at www.foodnotify.nsw.gov.au/nafsis/ and providing documentary evidence to the Principal Certifying Authority of the completion of this notification with the Food Authority.
163. The maximesh screens and removable geotextile are to be installed in the absorption system prior to connection of the downpipes to ensure the effective performance of the system during construction and the long term viability of the system.
164. A positive covenant pursuant to the Conveyancing Act 1919 shall be created on the title of the lots that contain the stormwater detention facility to provide for the maintenance of the detention facility.

The legal instrument is to state the designers name, the designers reference number and the Council file number where the Work as Executed plans are to be held.
165. The drainage system shall be constructed in accordance with the approved drainage plans and any amendments in red. All stormwater drainage plumbing work shall comply with the NSW Code of Practice: Plumbing and Drainage and Australian Standard AS3500.
166. The owner of the premises shall inform Sydney Water that a Rainwater tank has been installed in accordance with applicable requirements of Sydney Water.
167. The overflow from the rainwater tank shall be directed to the storm water system.
168. All plumbing work proposed for the installation and reuse of rainwater shall comply with the NSW Code of Practice: Plumbing and Drainage and be installed in accordance with Sydney Water "Guidelines for rainwater tanks on residential properties".
169. A first flush device shall be installed to reduce the amount of dust, bird faeces, leaves and other matter entering the rainwater tank.

ROADS ACT

170. Construction related activities must not take place on the roadway without Council approval.

Short-term activities (including operating plant, materials delivery) that reduce parking spaces, affect access to a particular route or prevent or restrict the passage of vehicles along the road must not occur without a valid Temporary Roadside Closure Permit.

Activities involving occupation of the parking lane for durations longer than allowed under a Temporary Roadside Closure Permit require a Construction Zone Permit and must not occur prior to the erection of Construction Zone signs by the RTA.

Permit application forms should be lodged at Council's Customer Service Centre allowing sufficient time for evaluation. An information package is available on request.

171. The following works will be required to be undertaken in the road reserve at the applicant's expense:
- i. Provision of paving (to a plan to be submitted to and approved by Council) along the full site frontage to Harrow Road.
 - ii. In Harrow Road reconstruction of kerb & gutter along the full site frontage.
 - iii. In Washington St where existing crossings are trenched as a result of laying of the 375mm dia pipe, the full existing crossing is to be reconstructed from property boundary to road pavement.
 - iv. In Washington St where existing kerb and gutter is removed or damaged as a result of laying of the 375mm dia pipe the full affected bay of kerb and gutter is to be fully reconstructed.
 - v. Street lighting upgrade is required in Harrow Road after a check of the existing lighting is made against the Australian standard.
 - vi. In Harrow Road undergrounding of all aerial wires and connection of the new buildings by underground cabling along the full site frontage.
 - vii. Provision of Substation is required by Energy Australia.
 - viii. Adjustment of any public authority services required to make the work effective.
- Note:** Detailed plans of the works are required to be submitted to Council for assessment and approval pursuant to *Section 138* of the *Roads Act 1993*, prior to the issue of the Construction Certificate.
172. All driveway, footpath, or road and drainage modification and/or improvement works to be undertaken in the road reserve shall be undertaken in accordance with Council's Subdivision and Civil Works Construction Specification (AUS-SPEC 1). Amendment to the works specification shall only apply where approved by Council. Where a conflict exists between design documentation or design notes and AUS-SPEC 1, the provisions of AUS-SPEC 1 shall apply unless otherwise approved by Council.
173. Where the works are undertaken by a Private licensed Contractor, the contractor shall:
- i. Undertake quality system testing as specified in Specification CQS of AUS-SPEC. Records of quality testing shall be made available to Council at the completion of the works;
 - ii. Engage a supervising engineer (superintendent). The supervising engineer shall, upon completion of the works, submit an engineering certificate for the completed works.

- iii. Provide Council with one (1) copy of works as executed drawings upon completion of the works. The works as executed drawings shall be based on a survey of the works by a registered surveyor.
 - iv. Make a payment to Council for the assessment of the plans and inspection of the works. The amount due is to be determined by Council at the time of lodgement of Section 138 plans. The payment shall be made prior to the commencement of works. If payment is to be made after the end of financial year, this amount shall be adjusted in accordance with Council's adopted fees and charges.
 - v. Provide Council with 48 hours prior to any inspection.
 - vi. **Note:** An inspection by Council is required at each stage of the works. Works shall not continue until inspected by Council. Inspection by Council does not relieve the responsibility of a Private Licensed Contractor to undertake quality testing in accordance with the Council's Construction Specifications (AUS-SPEC), have the works inspected by the superintendent and have the superintendent submit an engineering certificate.
 - vii. Maintain the works for the duration of the Defects Correction Period, which shall be 6 months. (The Defects Correction Period commences on the date of acceptance of the completed works by Council). During this period the contractor shall:
 - a) Keep the works clean and free of silt, rubbish and debris;
 - b) Maintain, renew and repair, either in whole or in part, defective works as identified in written notice by the Council so that the works function in a safe and efficient manner, and in doing so complete the same within the time and in the manner specified in written notice issued by the Council;
 - c) Carry out the matters referred to in paragraphs (i) and (ii) at the contractor's expense;
 - d) Not make alterations to the system or elements thereof without prior consent in writing of the Council;
 - e) Comply with the terms of any written notice issued by the Council in respect to the requirements of this condition within the time stated in the notice.
 - f) In the event of the contractor failing to comply with the terms of any written notice served in respect of the matters in this condition the Council or its authorised agents may carry out any work required to ensure the safe and efficient operation of the system and recover from the registered proprietor the cost of carrying out the work, and if necessary, recover the amount due by legal proceedings (including legal costs and fees).
174. This Roads Act approval does not eradicate the need for the Contractor to obtain a Road Opening Permit prior to undertaking excavation in the road or footpath.
175. Following completion of concrete works in the footpath reserve area, the balance of the area between the fence and the kerb over the full frontage of the proposed development shall be turfed with either buffalo or couch (**not kikuyu**) or landscaped. If landscaping is proposed rather than turfing, details shall be submitted to the Property and Community Services Department for approval.

DEVELOPMENT CONSENT ADVICE

- a. In the event of any inconsistency between conditions of this approval and the drawings/documents referred to in Condition 2, the conditions of this approval prevail.
- b. You are advised to consult with your utility providers (i.e. Energy Aust, Telstra etc) in order to fully understand **their** requirements **before** commencement of any work.
- c. If Council is appointed as the Principal Certifying Authority (PCA), a fee shall be paid before a Construction Certificate is issued. If the fee is paid after the end of the financial year, it will be adjusted in accordance with Council's adopted fees and charges. The fees charged encompass **all** matters related to ensuring that the proposed development is carried out in accordance with the approved plans and any post inspection issues that may arise.
- d. All asbestos fibre demolition material and asbestos dust shall be handled, stored and removed in accordance with the relevant legislation and guidelines including:
 - Occupational Health and Safety Act 2000
 - Occupational Health and Safety Regulation 2001
 - Code of Practice for the Safe Removal of Asbestos [NOHSC: 2002 (2005)]
 - Code of Practice for the Management and Control of Asbestos in Workplaces [NOHSC: 2018 (2005)]
 - Protection of the Environment Operations (Waste) Regulation 2005

All work procedures shall be devised to minimise the release of dust and fibres. A checklist of safety precautions when working with asbestos is available in Health & Safety Guidelines prepared by the WorkCover Authority of NSW. Collection, storage and transportation is subject to the Protection of the Environment Operations (Waste) Regulation 2005.
- e. Hazardous and/or intractable wastes arising from the demolition process shall be removed and disposed of in accordance with the requirements of the relevant statutory authorities (NSW WorkCover Authority and the NSW Environment Protection Authority), together with the relevant regulations, including:
 - Occupational Health and Safety Act 2000
 - Occupational Health and Safety Regulation 2001
 - Protection of the Environment Operations (Waste) Regulation 2005.
- f. Demolition and construction shall minimise the emission of excessive noise and prevent "offensive noise" as defined in the Protection of the Environment Operations Act 1997. Noise reduction measures shall include, but are not limited to the following strategies:
 - choosing quiet equipment
 - choosing alternatives to noisy activities
 - relocating noise sources away from affected neighbours
 - educating staff and contractors about quiet work practices
 - informing neighbours of potentially noise activities in advance
 - equipment, such as de-watering pumps, that are needed to operate on any

evening or night between the hours of 8 p.m. and 7 a.m. or on any Sunday or Public Holiday, shall not cause a noise nuisance to neighbours of adjoining or nearby residences. Where the emitted noise exceeds 5 dB(A) [LAeq(15m)] above the background sound level [LA90] at the most affected point on the nearest residential boundary at any time previously stated, the equipment shall be acoustically insulated, isolated or otherwise enclosed so as to achieve the sound level objective.

- g. The water from the rainwater tank should not be used for drinking, Sydney Water shall be advised of the installation of the rainwater tank.
- h. If the development is **not** subject to BASIX, a mandatory rainwater tank may be required. Rainwater tank requirements for development **not** subject to BASIX are specified in Council's DCP 78.

ADDITIONAL INFORMATION

- To confirm the date upon which this consent becomes effective, refer to Section 83 of the Environmental Planning and Assessment Act, 1979. Generally the consent becomes effective from the determination date shown on the front of this notice. However if unsure applicants should rely on their own enquiries.
- To confirm the likelihood of consent lapsing, refer to Section 95 of the Act. Generally consent lapses if the development is not commenced within five years of the date of approval. However if a lesser period is stated in the conditions of consent, the lesser period applies. If unsure applicants should rely on their own enquiries.
- Section 82A allows Council to reconsider your proposal. Should you wish to have the matter reconsidered you should make an application under that section with the appropriate fee.
- Under Section 97 of the Act applicants who are dissatisfied with the outcome of a consent authority have a right of appeal to the Land and Environment Court. This right must be exercised within 12 months from the date of this notice. The Court's Office is situated at Level 1, 225 Macquarie Street, Sydney (Telephone 9228 8388), and the appropriate form of appeal is available from the Clerk of your Local Court.

Should you have any queries please contact Marta Sadek on 9562 1743.

Luis Melim
Manager - Development Services