

27-31 Belmore St Burwood DA 89/2012

Conditions of Consent

The development being carried out in accordance with the plans and documentation in following plan and documentation schedule except where amended by the conditions of consent:

Drawing	Plan Number	Revision	Date
Architectural Drawings by Allen Jack & Cottier Architects as follows:			
Cover Sheet	DA0000	F	25 January 2013
Site Analysis	DA1001	A	23 July 2012
Basements level 6 to Basement Level 1	DA2001 to DA2006	F	23 January 2013
Level 1	DA2101	F	25 January 2013
Level 2	DA2102	F	25 January 2013
Level 3	DA2103	G	19 March 2013
Level 4	DA2104	G	14 March 2013
Level 5	DA2105	G	19 March 2013
Levels 6-7	DA2106	F	25 January 2013
Levels 8-14	DA2108	F	25 January 2013
Levels 15-17	DA2115 to 2117	F	25 January 2013
Roof	DA2118	F	25 January 2013
East Elevation	DA3101	F	25 January 2013
South Elevation	DA3102	H	19 March 2013
West Elevation	DA3103	F	25 January 2013
North Elevation	DA3104	F	25 January 2013
Section A	DA3201	F	25 January 2013
Section B	DA3202	F	25 January 2013
Section G	DA 3203	F	25 January 2013
Section C	DA3204	F	25 January 2013
Section E	DA3205	F	25 January 2013
Section F	DA3206	F	25 January 2013
Section H	DA 3207	F	25 January 2013
Shadow Diagrams	DA 3600 to 3605	F	23 January 2013
Material Schedule	DA4100	F	25 January 2013
External Materials and Finishes	Council reference "Final Sample Board"		19 March 2013
Landscape Plans by Oculus	L-DA-01 & 02	C	18 January 2013

Basement Stormwater Drainage	Donnelley Simpson Cleary Plans SW1-SW3		February 2013
OSD Stormwater Design Concept Plan	James Taylor & Assoc Sheets 1 & 2	D	26 February 2013
Silt & Sedimentation Plan	James Taylor & Assoc – C09 & C10	C	26 February 2013
Documentation submitted with the application as follows			
SEPP 65 Report	Allen Jack & Cottier	For Rev F	25 January 2013
BCA Report	Vic Lilli & Partners		23 July 2012
Site Contamination Assessment	Douglas Partners		March 2012
Noise Assessment Report	Acoustic Logic		26 March 2012
Heritage Impact Statement	Urbis		July 2012
Assessmet of Traffic & Parking Implications as supplemented by Proposed Traffic Signals – Assessment in relation to RMS Warrants	Transport & Traffic Planning Associates	Rev B Reference 11251	July 2012 October 2012
Geotechnical Report	Douglas Partners		March 2012
Crime Prevention Through Environmental Design Assessment	Urbis		July 2012
Accessibility Report	Morris-Goding Accessibility Consulting		12 November 2012
Landscape Design Report	Oculus		November 2012

FEES

- (1) The fees and/or bonds shown in the Table of Fees, are to be paid to Council or another approved collection agency (the Long Service Levy Corporation and its agents and an approved insurer under the *Home Building Act 1989*) and suitable evidence of payment is to be provided to the Principal Certifying Authority **prior to the issuing of a Construction Certificate.**

(2) **TABLE OF FEES**

FEES/BONDS TO BE PAID TO COUNCIL OR TO THE NOMINATED BODY PRIOR TO ISSUING A CONSTRUCTION CERTIFICATE

- (3) Building and Construction Industry Long Service Corporation Levy
\$379,831.00
(Payment to be made to Council, the Corporation or its Agent)
- (4) Damage Deposit - security deposit against damage occurring to Council's assets (footpath, road, stormwater drainage system, kerb and gutter, etc) during building work **\$60,000 (Payment to be made to Council as a bond prior to issue of a Construction Certificate and/or commencement of demolition/bulk excavation)**

NOTE: This deposit is refundable if no damage occurs.

- (5) **If Council is nominated as the Principal Certifying Authority (PCA)** an inspection fee is to be paid.

This fee is for 26 inspections at the rate listed in Council's current Schedule of Fees and Charges. Any additional inspections, including re-inspections, shall be levied and paid to Council upon booking of an appointment at the rate listed in Council's current Schedule of Fees and Charges
(Payment to be made to Council).

PLANNING

- (1) 580 car parking spaces being provided consisting of 185 public spaces, 115 retail spaces, 29 business spaces 216 residential spaces and 35 visitor residential spaces. Car spaces shall have minimum dimensions of 2.6m x 5.5m and the spaces are to be hard paved, drained, linemarked and maintained at all times.
- (2) The car space allotments on any strata plan being made a part of the relevant dwelling section allotment and the visitor parking spaces remaining as common property, with two (2) spaces being allocated to the three (3) bedroom dwellings and at least one (1) space allocated to the two (2) bedroom dwellings and all residential units.

- (3) The driveway area being treated with a variation of paving to give a visual break to these areas with details of materials being submitted to Council for consideration, **prior to the issuing of a Construction Certificate.**
- (4) Dilapidation surveys are to be carried out by a Practising Structural Engineer, which is to include a full photographic record of the exterior and interior of the buildings at the applicants/owners expense on all premises adjoining the site **(being Burwood Plaza 42-50 Railway Parade Burwood, 25 Belmore St Burwood and 33-35 Belmore St Burwood)** and the survey is to be submitted to Council and the adjoining land owners **prior to the commencement of any works on the site including demolition or excavation works.** A further dilapidation survey is also to be carried out and submitted to Council and the adjoining owners **prior to the issuing of an Occupation Certificate.** The dilapidation surveys shall be dated accordingly.
- (5A) A final detailed Landscape Plan shall be prepared prior to the issue of the Construction Certificate and shall incorporate the species list contained within the Landscape Design Report prepared by Oculus dated November 2012 and the following additional species to be provided adjacent to the northern façade of Nos. 33-35 Belmore Street, Burwood:
 - a. *Murraya paniculata*;
 - b. *Acuba japonica*;
 - c. *Fatsia japonica*; and
 - d. *Philodendron Xanadu*
- (5) A Landscape Maintenance Plan shall be submitted with any Construction Certificate application, detailing the ongoing landscape maintenance program for all public and private landscape components of the approved development;
- (6) The landscaping of the site being carried out in accordance with the approved final landscape plan prior to the issuing of an Occupation Certificate. The landscaping is to be maintained at all times following its installation. Any trees planted as part of the approved landscape plan shall be of a super advanced stage with a minimum 75 litre container size. The trees shall not be altered or removed without the prior consent of Council being given in writing. The landscaping is to be maintained for a minimum period of two (2) years from the date of the Occupation Certificate in accordance with the Landscape Maintenance Plan.
- (7) The Construction Certificate application is to be accompanied by amended architectural elevation plans for every elevation of the development, which are annotated to reflect the external materials and finishes board (Council reference “Final Sample Board dated 19 March 213”). These elevations are to be approved by the Manager of Council’s Building and Development Division and submitted with the Construction Certificate application. Any amendment to the materials and finishes is to be the subject of a Section 96 Modification Application.
- (8) Public domain elements must be designed and constructed in accordance with Council’s Public Works Element Manuals and all relevant DCP provisions.

- (9) Details of public domain works must be provided with any Construction Certificate application to the satisfaction of Council.
- (10) The following amendments to the approved plans are to be incorporated in plans submitted with a Construction Certificate application. These required amendments are described below in text and are annotated in Council reference “Towers A and B Elevation Treatment” Plans 1, 2 and 3 dated 19 March, 2013.

Level 6-7

1. Vertical kitchen window on north eastern corner of tower A for levels 6-7 (unit A601 and A701 as marked on “Towers A and B Elevation Treatment” Plan 1) to be fixed frosted glass in order to avoid privacy issues but still allow light.
2. Screening system to be shown on plan and elevation surrounding the master bedroom (for the south western unit in tower B and the north eastern unit on tower A) and is to be fixed without operable elements and angled to avoid looking diagonally across the opposite tower.
3. Balustrade behind screening device to be solid or of an opaque material.
4. Horizontal shelves to be incorporated into the design of the screen (for bedrooms as described above on point 2) at slab level or higher to prevent overlooking downwards all around balcony, especially when balcony areas are not covered by vertical screening (east outlook on Tower A and west outlook on tower B).
5. Horizontal shelves to be incorporated at slab level or higher outside balcony of middle unit (B708 or typical for this location throughout tower) to prevent overlooking downwards.
6. Balustrade behind screening device to be solid or of an opaque material.

Level 8-14

1. Vertical kitchen window on north eastern corner of tower A for levels 8-14 (unit A801-A1401 as marked on “Towers A and B Elevation Treatment” Plan 1) to be fixed frosted glass in order to avoid privacy issues but still allow light.
2. Screening system to be shown on plan and elevation surrounding the master bedroom (for the south western unit in tower B and the north eastern unit on tower A) to be fixed without operable elements and angled to avoid looking diagonally across the opposite tower.
3. Balustrade behind screening device to be solid or of an opaque material.
4. Horizontal shelves to be incorporated into the design of the screen (for bedrooms as described on point 2 above) at slab level or higher to prevent overlooking downwards all around balcony, especially when balcony areas are not covered by vertical screening (east outlook on Tower A and west outlook on tower B).
5. Horizontal shelves to be incorporated at slab level or higher outside balcony of middle unit (B808-B1408 or typical for this location throughout tower) to prevent overlooking downwards.

Level 15

1. Segment of glass facing north in front of kitchen and dining area on north eastern corner unit (unit A1501 as marked on “Towers A and B Elevation Treatment” Plan 2) to be fixed frosted glass in order to avoid privacy issues but still allow light.
2. Screening system to be shown on plan and elevation surrounding the second bedroom (for the south western unit in tower B and the third bedroom on unit A1501) to be fixed without operable elements and angled to avoid looking diagonally across the opposite tower.
3. Balustrade behind screening device to be solid or of an opaque material.
4. Horizontal shelves to be incorporated into the design of the screen (for bedrooms as described on point 2 above) at slab level or higher to prevent overlooking downwards all around balcony, especially when balcony areas are not covered by vertical screening (east outlook on Tower A and west outlook on tower B).
5. Horizontal shelves to be incorporated at slab level or higher outside balcony of middle unit (B1508) to prevent overlooking downwards.

Level 16

1. Screening system to be shown on plan and elevation surrounding the master bedroom (for the south western unit in tower B and the large balcony of unit A1601 as shown on “Towers A and B Elevation Treatment” Plan 3) to be fixed without operable elements and angled to avoid looking diagonally across the opposite tower.
2. Balustrade behind screening device to be solid or of an opaque material.
3. Horizontal shelves to be incorporated into the design of the screen (for areas as described on point 1 above) at slab level or higher to prevent overlooking downwards all around balcony, especially when balcony areas are not covered by vertical screening (west outlook on tower B).
4. Horizontal shelves to be incorporated at slab level or higher outside balcony of middle unit (B1606) to prevent overlooking downwards.
6. Solid panel behind segment of screening on large balcony on north eastern corner unit (unit A1601 as marked on “Towers A and B Elevation Treatment” Plan 3).

Level 17

1. Eliminate the southern balcony on the second bedroom (upper level) of unit B1601 and maintain window.
- (11) Living room windows to the eastern elevation of the south-eastern units of Tower B (Units B506 to B1506) are to have a minimum sill height of 1.5m.
- (12) Pursuant to Section 94A of the Environmental Planning and Assessment Act 1979 and the Section 94A Contributions Plan for Burwood Town Centre, the following monetary contribution towards public services and amenities is required:

Contribution Element	Contribution
A levy of 4 per cent of the cost of carrying out the development, where the cost calculated and agreed by Council is \$ 108,523,384	\$ 4,340,093.00

Index Period	June 2012	CPI ₁	179.9
--------------	-----------	------------------	-------

The above contribution will be adjusted at the time of payment. Applicants are advised to contact Council for the adjusted amount immediately prior to arranging payment.

The contribution will be adjusted in accordance with the following formula:

$$\text{Contribution (at time of payment)} = \frac{C \times \text{CPI}_2}{\text{CPI}_1}$$

Where:

C: the original contributions amount as shown in the development consent;

CPI₂ the Consumer Price Index: All Groups Index for Sydney, for the immediate past quarter (available from the Australian Bureau of Statistics at the time of payment)

CPI₁ the Consumer Price Index: All Groups Index for Sydney, applied at the time of granting the development consent as shown on the development consent.

Note: The minimum payment will not be less than the contribution amount stated on the consent.

The contribution is to be paid to Council, or evidence that payment has been made is to be submitted to the Principal Certifying Authority, **prior to the issuing of a Construction Certificate.**

Council may accept works in kind or other material public benefits in lieu of the contribution required by this condition subject to and in accordance with the requirements specified in the Section 94A Contributions Plan for Burwood Town Centre.

Note: Credit cards and personal cheques are not accepted for the payment of Section 94A contributions.

- (13) All recommendations and requirements from the BCA report from Vic Lilli & Partners dated 23 July 2012, Site Contamination Assessment from Douglas Partners dated March 2012 (Project 72860.01), DA Noise Assessment report from Acoustic Logic dated 26 March 2012, Accessibility Report from Morris-Goding Accessibility Consulting dated 12 November 2012, Landscape Design Report prepared by Oculus dated November 2012, Heritage Report prepared by

Urbis dated July 2012 and Crime Prevention Through Environmental Design Report from Urbis dated July 2012 shall be incorporated in any Construction Certificate application and implemented prior to issue of an Occupation Certificate for the development.

- (14) A Security Management and Crime Prevention Plan is to be submitted prior to occupation, prepared in accordance with the principles established in the CPTED Report prepared by Urbis dated July 2012. The Plan is to address ongoing management of public and private spaces within the development, including responsibilities for management, surveillance initiatives, access management, lighting design and any other relevant security matters. Management of the through-site link is to be considered in this Plan.
- (15) Site testing being undertaken by an Accredited Certifier or other suitably qualified person to determine the impact (if any) of the development on television and/or radio reception to adjoining properties and the installation of any single booster/amplifier equipment deemed necessary to mitigate any such impact. Such work being carried out and the results submitted to the Principal Certifying Authority, **prior to the issuing of a Construction Certificate.**
- (16) Following 6 months of operation noise logging must be carried out and certification provided to Council that the noise generated by the commercial loading dock meets the recommended levels contained within the Acoustic Report prepared by Acoustic Logic dated 26 March 2012.
- (17) No drying of clothing being permitted on balcony and patio areas which are visible from a public place.
- (18) Access to the Level 2 and 3 landscaped gardens is restricted to maintenance staff only.
- (19) All future signage is to be the subject of separate development application/s.
- (20) This development consent does not approve the uses within any retail or commercial tenancy throughout the development. Separate applications for use must be submitted to Council.
- (21) A separate Development Application being submitted for the display and/or erection of any advertising signs for the development. Such application is to include full details of the dimensions, mode of attachment and means of illumination (if any).
- (22) Should any portion of the proposed development, including awnings, signs, etc, encroach onto a public roadway or footpath at any height above that roadway or footpath, prior approval must be obtained from Energy Australia for such encroachment.

The Engineer Mains Construction should be consulted on 02.9713-3244 to ascertain what action, if any, is necessary in this regard.

- (23) A full Engineering/Geo Technical report from an Accredited Certifier or other suitably qualified person regarding the excavation to be carried adjacent to the Northern, eastern and western side, and southern rear boundaries with particular emphasis being provided on the protection and preservation of buildings on adjacent parcels of land which abut or are in close proximity to the common boundary shall be provided to and approved by the Principal Certifying Authority prior to any demolition or site works commencing.
- (24) Prior to the issuing of an Occupation Certificate Council is to receive a payment of pro-rata fees for and receipt from Council of mobile garbage bins for the development.

The weekly fee is \$5.00 for each residential flat building unit, townhouse or villa.

- (25) Adjoining properties as well as public areas shall be protected at all times during the construction phase of the development. In this regard the applicant shall construct a suitable hoarding to protect the public areas. Such hoarding may be an overhead hoarding if required. Prior to the erection of any hoarding that encroaches on public land a hoarding application shall be lodged to Council for approval and all necessary fees shall be paid.

VOLUNTARY PLANNING AGREEMENT

- (1) In accordance with S93I (3) of the Environmental planning & Assessment Act 1979 the applicant must within 7 days of either the expiration of the 28 day public notice period pursuant to S93G (1) or the date of this consent, whichever is the later, enter into the planning agreement offered by the developer on 30 July 2012 in connection with this development application.
- (2) The public walkway referred to in the Planning Agreement must be registered on title before the issue of an Occupation Certificate for the development.

NSW ROADS & MARITIME SERVICES (RMS) CONDITIONS

- (1) The geometric layout of the signalised intersection shall be in accordance with RMS requirements. This includes the requirement for the proposed signalised intersection to consist of 2 lanes on all approaches and departures (with the exception of the southbound departure on Wynne Avenue due to site constraints) with their lengths to be in accordance with RMS requirements.
- (2) In accordance with the RMS Traffic Signal Design Code, the developer is required to create an easement to allow RMS to locate traffic signal components on their (private) property. The easement shall be submitted to RMS for approval and registered upon title prior to release of an Occupation Certificate for the development.

- (3) Whether or not a marked foot crossing is provided across the signalised entrance to a private development, there must be a level of separation between the road and footpath through the construction of a barrier kerb and gutter. Kerb ramps must be provided in accordance with RMS requirements.
- (4) In accordance with Austroads, splays (clear of obstructions) are required at the property line to ensure adequate visibility between vehicles on a driveway and pedestrians on the footpath.
- (5) In accordance with RMS's Technical Direction for new traffic signals, signalised pedestrian crossings shall be provided on all legs of the proposed signalised intersection. In this regard, the existing raised zebra crossing on Wynne Avenue shall be removed and subsequently replaced with a signalised crossing, prior to the operational commencement of the signalised intersection.
- (6) Full time No Stopping parking restrictions will be required along the full length of Wynne Avenue as part of the proposed signalised intersection. This will require either Council and/or the developer to undertake satisfactory consultation with any affected resident and/or business (Note: This will also require referral and approval by Council's Local Traffic Committee).
- (7) The existing driveway on the western side of Wynne Avenue, opposite the proposed access road, will need to either be removed or be catered for under signal control as part of the proposed signalised intersection. This will require consultation between Council, the developer and the owner of No. 11-19 Wynne Avenue regarding the above options. RMS will not approve a Traffic Signal Plan that allows vehicles to turn uncontrolled within the middle of the proposed signalised intersection.
- (8) The developer will be required to enter into a "Major Works Authorisation Deed" (WAD) with RMS for the abovementioned signal and civil works. In this regard the developer is required to submit detailed design plans and all relevant additional information, as may be required in the RMS's WAD documentation for assessment and final decision concerning the work. The detailed design plans submitted shall be in accordance with Austroads and RMS's requirements.
- (9) As part of the abovementioned WAD process, the developer will be required to provide an upfront payment for the first ten (10) years of maintenance of the signal hardware.
- (10) **Prior to the release of any Construction Certificate**, a concept geometric road design layout (illustrating all road design dimensions and swept paths etc) of the proposed signalised intersection overlayed on a survey plan accompanied with electronic copies of the intersection modelling, shall be submitted to and endorsed by RMS.

In addition, no Construction Certificate shall be released until such time that a traffic signal design plan, detailed civil road designs and unconditional bank guarantee (to be determined in consultation between the developer and RMS) for the proposed signalised intersection are lodged with RMS.

- (11) No Occupation Certificate shall be released until such time that the signalised intersection on Wynne Avenue is fully constructed and operational.
- (12) All utility relocation required as a result of the proposed signalised intersection shall be at full cost of the developer.
- (13) All roadworks/regulatory signposting associated with the proposed development shall be at no cost to RMS.
- (14) The layout of the proposed car parking areas and loading dock areas associated with the subject development (including driveways, grades, turn paths, site distance requirements, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2890.1-2004 and AS 2890.2-2002 for heavy vehicle usage.
- (15) All vehicles shall enter and leave the site in a forward direction.

SYDNEY WATER CONDITIONS

- (1) The development shall be serviced by a wastewater extension provided as part of the development to the satisfaction of Sydney Water. The developer is to design and construct a wastewater main connecting to the 225 mm main located on Wynne Avenue which will provide a point of connection at least 1m inside all the property boundaries. The wastewater infrastructure for this development shall be sized and configured according to the Sewerage Code of Australia (Sydney Water edition WSA 02-2002)
- (2) Written permission shall be obtained for work to be carried out for all structures adjacent to Sydney Water assets. In this regard the consent in writing form Sydney Water for this work **shall be provided to the Principal Certifying Authority prior to release of a Construction Certificate for the development.**
- (3) The developer shall provide a sewer impact statement to Sydney Water if de-watering is required and shall confirm design and loading conditions over the sewer to Sydney Water. Verification of the above shall be provided to the Principal Certifying Authority **prior to release of a Construction Certificate for the development.**
- (4) Your attention is directed to the following:-

WARNING

The approved plans must be submitted to a Sydney Water Quick Check agent to determine whether the development will affect any Sydney Water wastewater and water mains, stormwater drains and/or easement, and if any requirements need to be met. Plans will be appropriately stamped and a copy is to be provided to the Principal Certifying Authority **prior to the issuing of a Construction Certificate.**

Please refer to the website www.sydneywater.com.au for:

- Quick Check agents details – see Building and Developing then Quick Check and
- Guidelines for Building Over/Adjacent to Sydney Water Assets – see Building and Developing then Building and Renovating

or telephone 13 20 92.

BUILDING

- (1) Fire Resistance Levels of all structural members, including external and internal walls, spandrels, external and internal columns, lift shafts and stair shafts, ventilation, pipe and like shafts, floors and roofs shall comply with the requirements of Specification C1.1 of the Building Code of Australia. Details of the method of achieving this must be noted on the plans or in the specifications **prior to the issuing of a Construction Certificate.**
- (2) All materials used in the building must comply with early fire hazard criteria of Specification C1.10 of the Building Code of Australia.
- (3) Prior to the commencement of building work, the following is to be carried out:-
 - a. Submit to Council a “Notice of Intention to Commence Building Work and Appointment of a Principal Certifying Authority” form. Council's 'Notice of Intention to Commence Building Work and Appointment of a Principal Certifying Authority' form is to be used where application is made to Council.
 - b. Ensure detailed plans and specifications of the building are endorsed with a Construction Certificate by Council or an Accredited Certifier. Council's “Construction Certificate Application” form is to be used where application is made to Council. Copies are available on request.

(Vide Section 81A *Environmental Planning & Assessment Amendment Act*)

- (4) Means of egress complying with Section D of the Building Code of Australia. Details of the method of achieving this must be noted on the plans or in the specifications **prior to the issuing of a Construction Certificate.**

- (5) The building being provided with both access and sanitary facilities for people with disabilities. The sanitary facilities are to be provided in accordance with F2.4 of the Building Code of Australia (BCA) and are to comply with the requirements of Clause 10 of AS 1428.1-2009.

Access is to be provided to and within the building so as to comply with all the requirements of Part D3 of the BCA and the relevant provisions of AS 1428.1-2009, in particular:-

- a. Access is to be provided from the allotment boundary at the point of entry from a road to the entrance floor.
- b. Access is to be provided through the principal public entrance.
- c. Suitable identification signs and/or symbols, as well as necessary directional signs, incorporating the symbol for access by disabled people, being provided to comply with Clause 14 of AS 1428.1-2009.
- d. Attention is directed to Clause 7 of AS 1428.1-2009 in respect of the clear circulation space required to doorways.
- e. Access is to be provided from any car parking space which is required to be provided by D3.5 of the BCA.
- f. A car parking space required to be provided by D3.5 of the BCA, is to be identified, on the floor and behind the space, for use by disabled people and a series of signs are to be provided from the driveway entrance to indicate the location of the space.
- g. Required stairways complying with the requirements of Clause 9 of AS 1428.1-2009.
- h. The step at the front door being reduced to nil at the threshold by the provision of a short ramp (450 mm maximum length and 1:8 maximum gradient) to facilitate access for disabled people.

Details of the method of achieving this must be noted on the plans or in the specifications **prior to the issuing of a Construction Certificate.**

- (6) A Fire Safety Certificate (copies available from Council) is to be given to the Certifying Authority prior to applying for an Occupation Certificate or Interim Occupation Certificate and thereafter once in every 12 month period an Annual Fire Safety Statement is to be given to Council. The certificate and statement attest to both the inspection of all essential fire safety measures by a properly qualified person and to the regular maintenance of the fire safety measures. A copy of the Fire Safety Certificate and the Fire Safety Schedule are to be given to the Commissioner of New South Wales Fire Brigades **by the building owner** and copies of these documents are to be prominently displayed in the building. Similarly copies of Annual Fire Safety Statements are also to be given to the Commissioner and displayed in the building.

(vide clause 153 & Division 3 of the *Environmental Planning & Assessment Regulation 2000*)

- (7) 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. Each toilet provided:
- a. must be a standard flushing toilet, and
 - b. must be connected:
 - (i) to a public sewer, or
 - (ii) to an approved chemical closet facility.

The toilet facilities are to be completed before any other work is commenced.

- (8) All building work must be carried out in accordance with the provisions of the Building Code of Australia.
- (9) If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:
- a. must preserve and protect the building from possible damage, and
 - b. if necessary, must underpin and support the building in an approved manner, and
 - c. must, at least 7 days before excavation below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land. Allotment of land includes a public road and any other public place.

- (10) No work being carried out other than between the hours of 7:00am – 5:30pm Monday to Fridays and 7:00am – 4:00pm on Saturdays, with no work at all being carried out on Sundays and Public Holidays.
- (11) Hours of work shall be from 7:00am to 5:30pm Mondays to Fridays inclusive, and from 7:00am to 4:00pm Saturdays. No work shall be carried out on Sundays or Public Holidays. The owner/builder shall be responsible for the compliance of this condition by all sub-contractors, including demolishers.
- (12) The approved structure shall not be used or occupied unless an Occupation Certificate (being a Final Certificate or an Interim Certificate) as referred to in

section 109C(1)(c) of the *Environmental Planning & Assessment Act 1979* has been issued.

(Vide Section 109M *Environmental Planning & Assessment Act 1979*)

- (13) The building works are to be inspected during construction by the Principal Certifying Authority or an appropriate Accredited Certifier authorised by the Principal Certifying Authority at the stages of construction listed in the following schedule. The Principal Certifying Authority must be satisfied that the construction satisfies the standards specified in the Building Code of Australia or in this approval before proceeding beyond the relevant stage of construction.

SCHEDULE OF CONSTRUCTION STAGES REQUIRING INSPECTION

- ★ After excavation for, and prior to the pouring of, any footings;
- ★ Prior to pouring any in-situ reinforced concrete building element;
- ★ Prior to covering of the framework for any floor, wall, roof or other building element;
- ★ Prior to covering waterproofing in any wet areas;
- ★ Prior to covering any stormwater drainage connections; and
- ★ After the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

SWIMMING POOLS

- ★ The **excavation** prior to the placement of a fibreglass pool;
 - ★ Reinforcement and preliminary works prior to pouring of concrete; and
 - ★ Swimming pool fencing prior to filling the pool with water.
- (14) An application for a Construction Certificate is to be made to Council or an Accredited Certifier. Council's "Construction Certificate Application" form is to be used where application is made to Council. Copies are available upon request. A Construction Certificate must be obtained **prior to the commencement of any building work.**
- (15) Structural engineer's details prepared and certified by a practicing Structural Engineer for all reinforced concrete and structural members being submitted to the Principal Certifying Authority for approval **prior to the issuing of a Construction Certificate.**
- (16) Framed panels or doors enclosing or partially enclosing a shower or bath shall be glazed with "A" or "B" grade safety glazing material in accordance with

Australian Standard 1288, Table 4.5, SAA Glass Installation Code (Human Impact Considerations).

- (17) Safety glazing complying with B1.4 of the Building Code of Australia must be used in every glazed door or panel that is capable of being mistaken for a doorway or unimpeded path of travel. The glazing must comply with Australian Standard 1288 - Glass in Buildings - Selection and Installation.

Should an alternative method of complying with B1.4 of the Building Code of Australia be proposed, please submit details to the Council for approval prior to installation. Such details are to show compliance with the performance provisions under BP1.3 of the Building Code of Australia.

DEMOLITION

- (1) A WorkCover licensed contractor must undertake removal of more than 10 square metres of any bonded asbestos. Removal of any friable asbestos must only be undertaken by a contractor that holds a current friable asbestos removal licence.
- (2) Removal of any asbestos must be undertaken in compliance with the requirements of WorkCover. Refer to their publication "Your Guide to Working with Asbestos."
- (3) Demolition sites that involve the removal of any asbestos must display a standard commercially manufactured sign containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' measuring not less than 400mm x 300mm erected in a prominent visible location of the site to the satisfaction of Council Officers. The sign is to be erected prior to the commencement of demolition works and is to remain in place until such time as all asbestos has been removed from the site to an approved waste facility. This will ensure compliance with Clause 259(2)c of the *Occupational Health and Safety Regulation 2001*.
- (4) All asbestos waste must be stored, transported and disposed of in compliance with the *Protection of the Environment Operations (Waste) Regulation 2005*.
- (5) All asbestos laden waste must be disposed of at an approved waste disposal depot (Refer to the Office of Environment and Heritage or Waste Service NSW for details of sites).
- (6) Written notice must be provided to Council and adjoining neighbours at least two working days prior to commencement of any works.

Such written notice is to include the following details:

- Date of asbestos removal; and
- Name, address contact details (including after hours contact telephone number) and WorkCover licence number of the asbestos removal contractor.

Work is not to commence prior to the nominated date.

- (7) Demolition of the building is to be carried out in accordance with the requirements of AS 2601 – 2001, where applicable.
- (8) Hours of demolition work shall be from 7:00am to 5:30pm Mondays to Fridays inclusive, and from 7:00am to 4:00pm Saturdays. No demolition work shall be carried out on Sundays. The owner/builder shall be responsible for the compliance of this condition by all sub-contractors, including demolishers.
- (9) Access to the site is to be restricted and the site is to be secured when demolition work is not in progress or the site is otherwise occupied.
- (10) The demolition site is to be provided with measures to mitigate dust nuisances arising on adjoining sites and roadways. To achieve this, a fence or barrier is to be erected around the site. The construction may be steel mesh which is covered with a suitable filtering medium or such other construction acceptable to Council. An effective program of watering the site is also required to be maintained.
- (11) All demolition and excavation materials are to be removed from the site or disposed of on site using methods that comply with relevant environmental protection legislation.
- (12) When demolition of any existing building is involved, burning of any demolition materials on the site is prohibited.
- (13) The applicant shall take all necessary precautions to adequately protect adjoining properties during demolition. This shall include the submission to the Principal Certifying Authority of specific details of the protection to be employed **prior to any demolition works commencing**.

SUBDIVISION

- (1) A separate application shall be made for any proposed subdivision of the site. Submission of a Final Survey Plan of Subdivision to the Principal Certifying Authority in accordance with the requirements of the Land & Property Management Authority.
- (2) A 'Section 73 Compliance Certificate' under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Make early application for the certificate, as there may be water and sewer pipes to be built and this can take some time. This can also impact on other services and building, driveway or landscape design.

Application must be made through an authorised Water Servicing Coordinator. For help either visit www.sydneywater.com.au > Building and developing > Developing your Land > Water Servicing Coordinator or telephone 13 20 92.

The Section 73 Certificate must be submitted to the Principal Certifying Authority **prior to release of the Linen Plan of Subdivision and/or the issuing of an Occupation Certificate** for the development.

HEALTH

Environmental Management:

- (1) An Environmental Management Plan is to be submitted to Council for approval, **prior to the commencement of any works**, detailing the control and management methods to be implemented in addressing the following issues during the demolition, excavation and construction phases of the project:
 - Noise and vibration control
 - Dust and odour suppression and control
 - Storm water control and discharge
 - Erosion control
 - Waste storage and recycling control
 - Litter control
 - Construction material storage
 - Truck cleaning methods on site so as to prevent spread of soil and like materials onto Council's roadways
- (2) A car wash area / bay is to be provided and be graded and drained to a waste water disposal system in accordance with the requirements of Sydney Water.
- (3) Mechanical ventilation and or air conditioning systems and equipment are to be designed and installed in locations that do not cause any noise nuisance or disturbance to near by residential or commercial premises. Details of the type of equipment locations and any noise attenuation treatment are to be submitted to Council for approval prior to the issue of the Construction Certificate.
- (4) Separate application(s) are to be submitted for the fit out of any part of the premises as a commercial use.

Waste Management:

- (1) A waste cupboard or other storage area is to be provided within each dwelling which is of sufficient size to hold a single day's waste and to enable source separation of general waste, recyclables and compostable materials.

- (2) An area is to be nominated on the site to provide the capability for onsite communal composting. The location and design are to be in accordance with the controls set out on p.20 of Council's Waste Management DCP No. 17.
- (3) The garbage and recycling storage room is to be:
- a. Supplied with both **hot and cold** water;
 - b. Paved with impervious floor materials;
 - c. Coved at the intersection of the floor and the walls;
 - d. Graded and drained to a floor waste which is connected to the sewer in accordance with the requirements of Sydney Water;
 - e. Adequately ventilated (mechanically or naturally) so that odour emissions do not cause offensive odour as defined by the Protection of the Environment Operations Act 1997;
 - f. Fitted with appropriate interventions to meet fire safety standards in accordance with the Building Code of Australia.
 - g. Suitable signage is to be installed in each waste service room encouraging the separation of recyclables from the general waste stream.
- (4) Suitable signage is to be installed in the garbage and recycling storage room encouraging the separation of recyclables from the general waste stream.
- (5) A Caretaker is to be appointed for the development who will have ongoing responsibility for the proper management of the waste and recycling services
- (6) All waste and recycling collections are to be carried out from the Conder Street frontage. To facilitate, this a hard stand area of sufficient size is to be installed in the Conder Street landscaped area for the wheeling out and wheeling back from within the property of the waste and recycling bins. The pathway to the footpath is to be free of any steps or obstructions.
- (7) Residential and commercial waste and recycling collections are to be carried out in a manner and at times which do not cause a noise nuisance to the immediate or nearby residents.
- Note;** Council reserves the right to issue a direction under the Protection of the Environment Operations Act to address any noise or other nuisance complaints.
- (8) **Prior to the issue of the Construction Certificate**, the applicant is to arrange with Council's Environment and Health Section for the future issue of the appropriate number of garbage and recycling bins and payment of the necessary fees to enable commencement of the waste and recycling service.

ENGINEERING

- (1) Stormwater runoff from all roof and paved surfaces shall be collected and discharged by means of a gravity pipe system to:-

- a. *Council's drainage system located Wynne Avenue*
- (2) A detailed drainage design shall be submitted to the Principal Certifying Authority.
 - a. The design and calculations shall indicate the details of the proposed method of stormwater disposal and shall be prepared by a competent practicing hydraulic/civil engineer in accordance with Council's Stormwater Management Code.
 - b. Allowance shall be made for surface runoff from adjacent properties, and to retain existing surface flow path systems through the site. Any redirection or treatment of these flows shall not adversely affect any other property.
 - c. Overflow paths shall be provided to allow for flows in excess of the capacity of the pipe/drainage system draining the site, as well as from any on-site stormwater detention storage.
 - d. The design is to be reviewed by Council or an Accredited Certifier - Civil Engineering **prior to the issuing of a Construction Certificate.**
- (3) Details and calculations shall be prepared by a competent practicing hydraulic/civil engineer. They shall include:
 - a. a catchment plan,
 - b. plans showing proposed and existing floor, ground and pavement levels to AHD,
 - c. details of pipelines/channels showing calculated flows, velocity, size, materials, grade, invert and surface levels,
 - d. details and dimensions of pits and drainage structures,
 - e. hydrologic and hydraulic calculations,
 - f. details of any services near to or affected by any proposed drainage line,
 - g. any calculations necessary to demonstrate the functioning of any proposed drainage facility is in accordance with Council's requirements.
 - h. The depth and location of any existing stormwater pipeline and/or channel being connected to shall be confirmed by the applicant on site. Certification of such is to be provided to Council prior to the release of the construction certificate.

The details and calculations are to be reviewed by Council or an Accredited Certifier - Civil Engineering, **prior to the issuing of a Construction Certificate**

- (4) On-site stormwater detention storage shall be provided in conjunction with the stormwater disposal system.
 - a. This storage shall be designed by a competent practicing hydraulic/civil engineer in accordance with Council's Stormwater Management Code and submitted to the Principal Certifying Authority.
 - b. The design is to be reviewed by Council or an Accredited Certifier - Civil Engineering, **prior to the issuing of a Construction Certificate**.
- (5) The stormwater works on the development property and connection to Council's stormwater system are to be inspected during construction by a competent practicing hydraulic/civil engineer. The inspections are to be carried out at the stages of construction listed in the following schedule. A compliance Certificate verifying that the construction is in accordance with the approved design, this development consent and satisfies the relevant Australian Standard is to be submitted to the Principal Certifying Authority before proceeding beyond the relevant stage of construction.

SCHEDULE OF CONSTRUCTION STAGES REQUIRING INSPECTION

- a. Following placement of pipe bedding material. Confirm trench/pipe location, adequacy of depth of cover, bedding material and depth.
 - b. Following joining of pipes and connection to Council's stormwater system.
 - c. For on-site detention systems:-
 - (i) Following set out of detention tank/area to confirm area and volume of storage.
 - (ii) Following placement of weep-holes, orifice and/or weir flow control, outlet screen and overflow provision.
 - d. Following backfilling. Confirm adequacy of backfilling material and compaction.
- (6) Following completion of all drainage works:-
- a. Works-as-executed plans, prepared and signed by a registered surveyor, shall be prepared. These plans shall include levels and location for all drainage structures and works, buildings (including floor levels) and finished ground and pavement surface levels. These plans are to be reviewed by the competent practicing hydraulic/civil engineer that inspected the works during construction.

- b. The Principal Certifying Authority is to be provided with a Certificate from a competent practicing hydraulic/civil engineer. The Certificate shall state that all stormwater drainage and related work has been constructed in accordance with the approved plans and consent conditions as shown on the work-as-executed plans, prior to the issuing of an Occupation Certificate.
- (7) A Positive Covenant under section 88E of the Conveyancing Act shall be created on the title of the property(s) detailing the
- i) *Overland surface flow path*
 - ii) *Finished pavement and ground levels*
 - iii) *Prevention of the erection of any structures or fencing.*
 - iv) *On-site Stormwater Detention system*
 - v) *Pump and rising main system*

incorporated in the development. The wording of the Instrument shall include but not be limited to the following:-

- a. The proprietor of the property agrees to be responsible for keeping clear and the maintenance of the facilities consisting of:-
 - i) *The overland surface flow path*
 - ii) *Finished pavement and ground levels*
 - iii) *Prevention of the erection of any structures or fencing*
 - iv) *On-site Stormwater Detention system*
 - v) *Pump and rising main system*
- b. The proprietor agrees to have the facilities inspected annually by a competent practicing hydraulic/civil engineer.
- c. The Council shall have the right to enter upon the land referred to above, at all reasonable times to inspect, construct, install, clean repair and maintain in good working order the facilities in or upon the said land; and recover the costs of any such works from the proprietor.
- d. The registered proprietor shall indemnify the Council and any adjoining land owners against damage to their land arising from failure of any component of the facilities.

The applicant shall bear all costs associated with the preparation of the 88E Instrument. The wording of the Instrument shall be submitted to, and approved by Council prior to lodgement at the Land and Property Information. Evidence that the Instrument has been registered at the Land and Property Information shall be submitted to Council, prior to issuing of an Occupation Certificate.

- (8) The pump system is only permitted for the drainage of the basement areas where the finished slab is below the ground level. The following conditions are to be satisfied:-

- a. A pump and rising main design shall be submitted to the Principal Certifying Authority and shall satisfy the following conditions:-
 - (i) The holding tank for the pump shall be capable of storing runoff from a one hour, 1 in 100 year ARI storm event.
 - (ii) The pump system shall consist of two (2) pumps, connected in parallel, with each pump being capable of emptying the holding tank at a rate equal to the lower of the allowable on site detention discharge rate, or the rate of inflow for the one hour duration storm.
 - (iii) An overflow, flashing light and audible alarm are to be provided, to warn of pump failure.
 - (iv) Full details of the holding tank, pump type, discharge rate and the delivery line size are to be documented.
 - (v) Any drainage disposal to the street gutter, from a pump system must have a stilling sump provided at the property line, and connected to the street gutter by a suitable gravity line.
 - (vi) The capacity of the stilling sump and outlet pump shall be determined and verified by calculations which are to be documented.
 - b. Pumping system details shall be submitted to Council or an Accredited Certifier - Civil Engineering, **prior to the issuing of a Construction Certificate.**
 - c. The applicant shall submit written evidence to the Principal Certifying Authority that a contract has been let for the regular maintenance of the pump system for a minimum period of 12 months. Information to be submitted to the Principal Certifying Authority prior to issuing of an Occupation Certificate.
- (9) All activities and works external to the site, or that affect public roads, are to be carried out in accordance with Council's Policies including but not limited to the Code for Activities Affecting Roads, Rubbish Skips Policy, Work Zone Policy and Temporary Road Closure (Including Standing Plant) Policy.
- (10) A road-opening permit shall be obtained for all works carried out in public or Council controlled lands. Restoration of landscaping, roads and paths shall be carried out by Council at the applicant's expense in accordance with Council's restoration rates. The applicant or any contractors carrying out works in public or Council controlled lands shall have public liability insurance cover to the value of \$20 million, and shall provide proof of such cover to the Principal Certifying Authority prior to carrying out the works.

- (11) Spoil and building materials shall not be placed, stored, thrown or caused to fall within any public roadway or footpath. Waste containers shall be placed in accordance with Council's Rubbish Skips Policy. Contact Council for a list of approved skip bin suppliers.
- (12) The builder is to ensure footpaths and roads affected by construction works are kept safe and prevent any damage to Council property. The builder shall erect and maintain where necessary approved hoardings, barricades, warning signs and night warning lamps to ensure public safety. Pedestrian access across the footpath must be maintained at all times.
- (13) The following matters shall apply to the damage deposit listed in the Table of Fees:-
- a. This deposit is refundable if no damage occurs. Any damage caused will be repaired at Council's restoration rates, at the applicant's expense. All or part of the deposit will be forfeited to cover damage to Council's property during the course of demolition and/or construction.
 - b. Council will only carry out two inspections of the Council's footpath, kerb and gutter, stormwater drainage system and roadway, prior to works commencing and at the completion of all work covered by this consent. Council is aware that damage may be caused by individual contractors that culminate in the damage inspected at Council's final inspection. The applicant is responsible for attributing any part of the damage to their individual contractors. Council will not refund any part of a damage deposit until the completion of the work covered by this consent.
- (14) Internal driveway levels shall be designed and constructed to conform with existing footpath and road profiles such that vehicles are not damaged while accessing the property. Council footpath and road profiles will not be altered for this purpose.
- (15) Stormwater from all roof and paved surfaces shall be collected and discharged by means of a gravity pipe to Council's street drainage system.
- (16) The applicant is to have prepared a longitudinal section of the proposed vehicular ramp access, drawn at 1:25 natural scale.
- a. The longitudinal section shall be prepared by a competent practicing civil engineer in accordance with AS 2890.1.
 - b. The design is to be reviewed by Council or an Accredited Certifier - Civil Engineering **prior to the issuing of a Construction Certificate.**

- (17) Temporary measures shall be provided during demolition, excavation and/or construction to prevent sediment and polluted waters discharging from the site.
- a. An erosion and sediment control plan showing such measures shall be prepared by a competent practicing hydraulic/civil engineer in accordance with Supplement 10 of Council's Stormwater Management Code.
 - b. The erosion and sediment control plan is to be reviewed by Council or an Accredited Certifier - Civil Engineering **prior to the issuing of a Construction Certificate.**
- (18) All demolition and excavation materials are to be removed from the site or disposed off site using methods that comply with relevant environmental protection legislation.
- (19) Vehicles removing demolished materials from the site shall access and depart from the site through Wynne Avenue Railway Parade and then to the nearest State Road. Vehicles involved in removing materials from the site shall be limited to an 8 tonne gross weight per axle.
- (20) The applicant shall provide certification from a qualified traffic engineer that all on-site parking and access thereto fully complies with AS2890.1-2004 (for intended tenant, visitor, general public and disabled users with reference to the user class from that standard), AS2890.6-2009, AS2890.2-2002 & bicycle standard AS1742.3 prior to those parking spaces being used by the intended users.
- (21) The applicant shall submit a Loading Dock Management Plan (LDMP) for both the retail and residential loading dock areas that outlines the maximum size truck to be accommodated and the restricted times that will apply. The LDMP shall identify the times and days of the week that deliveries to individual retail tenancies will occur.
- (22) The loading dock management plan shall clearly outline the limited dimensions (length, travelling height and operational height of lifting mechanism (with loaded waste receptacle) of garbage collection vehicles) of service vehicles that are to enter & leave the premises.
- (23) The applicant shall provide a written statement from an accredited Level 3 Road Safety Auditor (RSA) that:
- a) The internal vehicular design of the car park / loading dock between the approved traffic signalised access from Wynne Avenue to a point at least 50 metres from Wynne Avenue will operate safely for all intended users, providing where necessary measures that will need to be introduced or modifications to the design that will be needed in order for the internal road corridor to operate safely.

- b) The loading dock driveway from Belmore Street will operate safely for the intended users and for pedestrian activity along Belmore Street.

The applicant shall ensure that all measures identified by the RSA report will be implemented.

CONSTRUCTION TRAFFIC MANAGEMENT PLAN

(1) Prior to the commencement of any works on site, the applicant must submit for review by Council's Traffic Engineer a Construction Traffic Management Plan. The following matters must be specifically addressed in the plan:

- a. A plan view of the entire site and frontage roadways indicating:
 - i. Dedicated construction site entrances and exits controlled by certified traffic controllers, to safely manage pedestrians and construction related vehicles in the frontage roadways.
 - ii. Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site.
 - iii. The location(s) of proposed work zones.
 - iv. Location of any proposed crane and concrete pump and truck standing areas on and off the site.
 - v. A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries.
 - vi. Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected.
 - vii. An on-site parking area for employees, tradespersons and construction vehicles as far as possible. Any alternative construction staff parking area to be fully identified with supporting documents from affected property owner(s).
- b. Traffic control plan(s) for the site
 - i. All traffic control plans must be in accordance with the RTA publication "Traffic Control Worksite Manual" and prepared by a suitably qualified person (minimum 'red card' qualification). The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each stage.
 - ii. Approval is to be obtained from Council for any temporary road / lane / footpath closures or crane use from public property. Applications to Council shall be made a minimum of 4 weeks prior to the activity proposed being undertaken.
- c. A detailed description and route map of the proposed route for vehicles involved in spoil removal, material delivery and machine floatage must be provided:
 - i. Light traffic roads and those subject to a load or height limit and school zones must be avoided where alternate routes exist.

- ii. A copy of the route(s) is to be made available to all contractors and shall be clearly depicted at a location within the site.
- iii. The plan must provide a schedule of site inductions to be held on regular occasions and as determined necessary to ensure all new employees are aware of their construction management obligations. These must specify that construction-related vehicles are to comply with the approved requirements.
- iv. For those construction personnel that drive to the site, the applicant shall attempt to provide on-site parking so that their personnel's vehicles do not impact on the current parking demand in the area.
- v. The construction traffic management plan shall be prepared by a suitably qualified and experienced traffic consultant and be certified by this person as being in accordance with the requirements of the abovementioned documents and the requirements of this condition.
- vi. The construction management measures contained in the approved plan shall be implemented in accordance with the plan prior to the commencement of, and during, works on-site including excavation.
- vii. As the plan has a direct impact on the local road network, the plan shall be submitted to and reviewed by Council's Development Engineer.
- viii. Written acknowledgment from Council's Engineer shall be obtained (attesting to this condition being appropriately satisfied) and submitted to the Principal Certifying Authority prior to the commencement of any works on site.

The Traffic Control Plans are to be prepared by a qualified person (red card holder). One must be provided for each of the following stages of the works:

- Demolition
- Excavation
- Concrete pour
- Construction of vehicular crossing and reinstatement of footpath
- Traffic control for vehicles reversing into or out of the site.

Traffic controllers must be in place at the site entry and exit points to control heavy vehicle movements in order to maintain the safety of pedestrians and other road users.

When a satisfactory TMP is received, a letter of approval will be issued with conditions attached. Traffic management at the site must comply with the approved TMP as well as any conditions in the letter issued by Council.

ADDITIONAL DRAINAGE CONDITIONS

- (1) The On-Site-Detention under Final Flood Level must satisfy the following criteria;
 - The storage is self cleansing; the base shall have 2% fall towards outlet.
 - The storage can readily be inspected from the surface for silt and debris.
 - The storage is well ventilated and not cause the accumulation of noxious odours

- Adequate access is provided to the storage basin for regular cleaning and maintenance purposes.
- (2) The outflow control structure of the OSD shall be designed to control variable outflow rate. Storage outflows are to be controlled to ensure the full range of ARI (2 to 100 yr) occurs. It is envisaged that the discharge control pit is required to be provided with low level and high level outlets with different orifices diameters.
 - (3) Basement drainage and stormwater rising main discharge to Council drainage system shall be provided with proper design and documentation.
 - (4) The stormwater drainage analysis and design report including hydrologic and hydraulic calculations shall be submitted to Council for its review. For Quality Control Purpose, Council requires the drawings and design calculations to be certified by a suitably qualified NPER civil/hydraulic engineer. A set of all A1-size drawings shall be submitted.
 - (5) Gravity drainage from the property to Council's drainage system shall be provided with a silt arrestor pit within the property boundary prior to its connection to Council's stormwater system. **Details to be provided to the Principal Certifying Authority prior to release of a Construction Certificate.**

EXCAVATION

- (1) All excavations and backfilling associated with the erection or demolition of buildings shall be carried out in a safe and careful manner and in accordance with appropriate professional standards. All necessary planking and strutting shall be of sufficient strength to retain the sides of excavations. A Compliance Certificate verifying the suitability of Structural details of proposed shoring is to be submitted to the Principal Certifying Authority before excavation.
- (2) All excavations associated with the erection or demolition of the building are to be properly guarded and protected to prevent them from being dangerous to life or property.
- (3) Where soil conditions require it:
 - a. retaining walls must be provided so as to prevent soil movement; and
 - b. adequate provision must be made for drainage.
- (4) If an excavation associated with the erection or demolition of a building extends below any level of the base of the footings of a building or other structure on an adjoining allotment of land, the person causing the excavation to be made:
 - a. must preserve and protect the building or other structure from damage and rectify any damage caused by any such excavation, and

- b. if necessary, must underpin and support the building or other structure in an approved manner, and
- c. must, at least 7 days before excavation below the level of the base of the footings of a building or other structure on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to that owner.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

(5) If the work involved in the erection or demolition of a building:

- a. is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
- b. building involves the enclosure of a public place,

a hoarding or fence must be erected between the work site and the public place.

If necessary, an overhead awning shall be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

Any such hoarding where it encroaches upon or extends over a public place shall be subject to a separate application to Council prior to the hoarding being erected and shall be subject to such fees as specified in Council's Fees and Charges.

GROUND ANCHORS

The Applicant shall also comply with all the following conditions that apply to the protection of Council's public infrastructures.

- (1) Should the applicant require the use of temporary ground anchors to shore the bulk excavation within the public road, an NPER Registered Structural Engineer's certificate along with certified plans showing the details and extent of work shall be submitted to Council for its record. The following conditions to be complied with:
 - a) The contractor shall be responsible to obtain and submit to Council a written authority from all public utility authorities that they have no objection in regards to the installation of temporary ground anchors, prior to works commencing.

- b) The contractor shall be responsible for any injury or damage either to persons or property due to the presence or failure of the supporting structure on the public way and the contractor shall indemnify the Council against all claims that may arise from the installation of the supporting structure. In this regard the contractor shall provide written evidence of public liability insurance cover to the minimum value of \$20 million, with Council named in the insurance policy, prior to work commencing.
- c) The anchors shall be installed in accordance with the manufacturer's instructions.
- d) The construction of ground anchors shall be of a temporary nature only and a written undertaking shall be given that the ground anchors are temporary only and shall be de-stressed after final lateral supports are in place. The written undertaking is to be provided to Council, prior to work commencing.
- e) Council may unilaterally use the damage deposit for the demolition and removal of the shoring elements constructed within the public road including the repair/reconstruction of any other associated damage to Councils infrastructure, it be necessary due to non-compliance with these conditions.
- f) All shoring with the exception of the released temporary ground anchors shall be completely removed from the public road to a depth of 2.5m on completion. The void shall be backfilled by suitable materials and compacted.
- g) All shoring including ground anchors are to be certified by a practicing professional structural engineer. Certification is required as follows:
 - i) That the proposed shoring and anchor scheme is capable of supporting the public road, to be submitted prior to work commencing.
 - ii) Certification that the shoring and anchor scheme has been adequately constructed, following installation.
 - iii) Final certification that the anchors have been de-stressed and all shoring with the exception of the anchors have been removed to a depth of 2.5m, on completion following de-stressing of the anchors.
- h) Council's footpath and roadway are to be kept safe for the passage of motorists and pedestrians at all times. Closure of any part of the public thoroughfare shall only be carried out with the approval of Council's Traffic Engineer.
- i) All stockpiled shoring materials and equipment shall be kept solely within the private property and not obstruct the footpath or roadway at any time.
- j) All earth and rock anchors shall be released before the completion of building work.