

ATTACHMENT 1

Recommended Conditions of Consent (LDA2012/0285)\

GENERAL CONDITIONS OF CONSENT

The conditions in the following sections of this consent shall apply upon satisfactory compliance with the above requirements and receipt of appropriate written confirmation from Council.

1. **Approved Plans.** Except where otherwise provided in this consent, the development is to be carried out strictly in accordance with the stamped approved plans (referenced below) and supporting documents submitted with the application.

Plan Title and Number	Description	Date	Issue
Comprehensive Plans			
DA-A-A1 50/C	Entry Location (A & A1)	24.10.12	C
DA-A-A1-100/1	Car park and storage	24.10.12	1
DA-A-A1-101/1	Level 4	24.10.12	1
DA-A-A1-102/1	Level 5 (A & A1)	24.10.12 ¹	1
DA-A-A1-103/1	Level 6 (A & A1)	24.10.12	1
DA-A-A1-104/1	Level 7 (A & A1)	24.10.12	1
DA-A-A1-105/1	Level 8 (A & A1)	24.10.12	1
DA-A-A1-106/1	Level 9 (A & A1)	24.10.12	1
DA-A-A1-107/1	Roof Level (A & A1)	24.10.12	1
DA-A1-111/1	Elevations	24.10.12	1
DA-A-A1-112/1	Elevations	24.10.12	1
DA-A-A1-119	Sections	24.10.12	1
DA-A-A1-201/1	Adaptable Unit Layout	24.10.12	1
DA-A-A1-202/1	Adaptable Unit Layout	24.10.12	1
DA-A-A1-203/1	Adaptable Unit Layout	24.10.12	1
DA-A-A1-250/C	Level 3 Loading & Garbage Rooms	24.10.12	C
DA-A-A1-901	Site Plan showing location of A & A1	24.10.12	1
DA-A-A1-902/1	Perspective	25.5.2012	1
DA-A&A1-950	External Finishes	25.10.12	2
LA01	Landscape Plan (by Taylor Brammer)	24.04.2012	B
LA02	Landscape Plan (by Taylor Brammer)	24.04.2012	B
Building A Plans			
DA-A-101/1	Level3 with Pedestrian Ramp	24.10.2012	1
DA-A-102/1	Level 4 – Floor	24.10.2012	1
DA-A-103/1	Level 5 – Floor	24.10.2012	1
DA-A-104/1	Level 6 – Floor	24.10.2012	1
DA-A-105/1	Level 7 - Floor	24.10.2012	1

Plan Title and Number	Description	Date	Issue
DA-A-106/1	Level 8 – Floor	24.10.2012	1
DA-A-107/1	Level 9 – Floor	24.10.2012	1
DA-A-108/1	Roof Plan	24.10.2012	1
DA-A-112/1	Elevations	24.10.2012	1
DA-A-115/1	Sections	24.10.2012	1
Building A1 Plans			
DA-A1-101/1	Level 3 (Parking & Storage)	24.10.2012	1
DA-A1-102/1	Level 4 (Parking & Storage)	24.10.2012	1
DA-A1-103/1	Level 5 Apartment layout	24.10.2012	1
DA-A1-104/1	Level 6 Apartment layout	24.10.2012	1
DA-A1-105/1	Level 7 Apartment Layout	24.10.2012	1
DA-A1-106/1	Level 8 Apartment layout	24.10.2012	1
DA-A1-107/1	Level 9 Apartment Layout	24.10.2012	1
DA-A1-108/1	Roof Plan	24.10.2012	1
DA-A1-110/1	Elevations	24.10.2012	1
DA-A1-115/1	Sections	24.10.2012	1

2. **Amendments to Stage 1 Consent:** In accordance with Clause 80A(1)(c) of the EP&A Act, 1979, Condition 317 of the Development Consent No. 2006/672 is modified to remove reference to commercial development. The modified condition will read as follows:

317. Consent is granted to the concept proposal for subsequent stages of the proposed development comprising:

- (a) Residential land uses;
- (b) A maximum of 10,500m² net useable floor area (NUFA) for the purposes of residential buildings accommodated within two buildings on the southwest portion of the site, fronting Devlin Street;
- (c) A maximum of 56,000m² NUFA for the purposes of residential flat buildings (a total of approximately 650 apartments) on the site;
- (d) Building envelopes to be generally as depicted on the plans accompanying the development application and as described in Section 6.0 of the *Staged Mixed use Development Statement of Environmental Effects* dated November 2006 prepared by JBA Urban Planning Pty Ltd, within which detailed building design will be developed and will be the subject of separate future development applications;
- (e) Car parking comprising two residential car parking levels (at Levels 3 and 4 of the development) to service the residential buildings.

3. **Building Code of Australia.** All building works approved by this consent must be carried out in accordance with the requirements of the Building Code of Australia.

4. **Advertising Signs:** This consent does not authorise the erection of any signs or advertising structures not indicated on the approved plans. Separate approval must be obtained from Council for any additional signs, unless such signage is “exempt development” or approved under this consent.
5. **Hours of work.** Building construction activities (including demolition) may only be carried out between 7.00am and 7.00pm Monday to Friday (other than public holidays) and between 8.00am and 4.00pm on Saturday. No building activities are to be carried out at any time on a Sunday or a public holiday.
6. **Hoardings.**
 - (a) A hoarding or fence must be erected between the work site and any adjoining public place.
 - (b) An awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
 - (c) Any hoarding, fence or awning erected pursuant this consent is to be removed when the work has been completed.
7. **Public place kept lit:** Any public place affected by works must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
8. **Construction within site boundaries.** The development must be constructed wholly within the boundaries of the premises. No portion of the proposed structures shall encroach onto the adjoining properties including any other public, private or land owned by the Roads and Maritime Services. Gates must be installed so they do not open onto any footpath.
9. **No obstruction to the public way.** The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances, without prior approval from Council.
10. **Works on public road.** Compliance with the requirements (including financial costs) of any relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra, RTA, Council etc) in relation to any connections, works, repairs, relocation, replacements and/or adjustments to public infrastructure or services affected by the development.
11. **Car parking.** At least 168 car parking spaces must be provided on the site for the proposed residential development. Each apartment must be allocated a minimum of one car parking space. A total of 15 car parking spaces shall be provided as accessible parking spaces and allocated to the adaptable apartments. Details are to be submitted on the relevant Construction Certificate plans.
12. **BASIX:** The development is to be carried out in compliance with BASIX Certificate No. 404810M dated 26 June 2012 and 404779M dated 26 June 2012.

13. **Telephone Installations.** Advice should be obtained from your local telecommunications office regarding any telephone lines required to be installed in concrete floors.
14. **Australia Post.** Approval for the site and size of proposed household mailboxes must be obtained from Australia Post.
15. **Public Utilities.** The developer shall be responsible for all public utility adjustment / relocation works, necessitated by the above work and as required by the various public utility authorities and / or their agents.
16. **Road traffic noise** – The residential flat building(s) must be designed and constructed so that road traffic noise levels inside the building(s) comply with the satisfactorily design sound levels recommended in Australian/New Zealand Standard AS/NZS 2107: 2000 *Acoustics – Recommended design sound levels and reverberation times for building interiors*, when the windows and doors are closed.
17. **Mechanical ventilation of rooms** - If the noise level with windows and doors open exceeds the above noise criteria by more than 10 dBA, an approved system of mechanical ventilation must be provided so that the building occupants can leave the windows and doors closed.
18. **Air-conditioning to be screened.** Air-conditioning is to be installed to all apartments. The condensing units located in the balcony must be suitably screened for improved visual presentation and acoustic privacy.
19. **Ventilation of rooms** - Every habitable room, sanitary compartment or other room occupied by a person for any purpose must be provided with adequate natural ventilation or an approved system of mechanical ventilation.
20. **Plumbing and drainage work** - All plumbing and drainage work must be carried out in accordance with the requirements of Sydney Water Corporation.

PRIOR TO CONSTRUCTION CERTIFICATE

A Construction Certificate must be obtained from a Principal Certifying Authority to carry out the relevant building works approved under this consent. All conditions in this Section of the consent must be complied with before a Construction Certificate can be issued.

Council Officers can provide these services and further information can be obtained from Council's Customer Service Centre on 9952 8222.

Unless an alternative approval authority is specified (eg Council or government agency), the Principal Certifying Authority is responsible for determining compliance with the conditions in this Section of the consent.

Details of compliance with the conditions, including plans, supporting documents or other written evidence must be submitted to the Principal Certifying Authority.

21. **Damage security.** The Council must be provided with security for the purposes of section 80A(6) of the *Environmental Planning and Assessment Act 1979* in a sum determined by reference to Council's Management Plan (category: other buildings with delivery of bricks or concrete or machine excavation).
22. **Payment of fees.** The following fees must be paid to Council in accordance with Council's Management Plan:
 - (a) Infrastructure Restoration and Administration Fee
 - (b) Enforcement Levy
23. **Long Service Levy.** Documentary evidence of payment of the Long Service Levy under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 is to be submitted to the Principal Certifying Authority prior to the issuing of a **Construction Certificate**.
24. **Compliance with Australian Standards:** The development is required to be carried out in accordance with all relevant Australian Standards. Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate.
25. **Sightlines:** Car space No. 90 (on Level 3) is to be removed or relocated to improve sightlines and minimise conflict between north bound vehicles on the aisle and vehicles exiting ramp 13. Details demonstrating compliance are to be submitted on the on the relevant Construction Certificate plans.
26. **Stormwater:** Stormwater runoff from the proposal shall be collected and piped to the existing stormwater system design for a minimum 5 minutes 1 in 100 year storm event with provision to convey any surcharge flows safely to the public road. Details demonstrating compliance are to be submitted on the on the relevant Construction Certificate plans.
27. **Car park design:** The car parking layout be designed to comply with relevant sections of AS 2890. The design shall ensure all vehicles can enter and leave in a forward direction. Details demonstrating compliance are to be submitted on the on the Construction Certificate plans.
28. **Design Verification in respect of SEPP 65.** Prior to the relevant Construction Certificate being issued with respect to this development, the Principal Certifying

Authority (PCA) is to be provided with a written Design Verification from a qualified designer. The statement must include verification from the designer that the plans and specifications achieve or improve the design quality of the development to which this consent relates, having regard to the design quality principles set out in Part 2 of State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development. This condition is imposed in accordance with Clause 143A of the Environmental Planning and Assessment Regulation 2000.

29. **Operable Windows and treatment of facade:** Windows to the residential units and screens on the balconies must be operable where necessary to allow adequate cross ventilation and improved amenity. Details of the materials and finishes in respect of both buildings must be submitted to and approved by Council prior to the issue of the relevant any Construction Certificate. The following details are required:
- (a) Details of individual bay configuration with respect to the proposed aluminium screens to be fixed to the balconies.
 - (b) Proposed finishes of the aluminium screening along western façade;
 - (c) Building A elevation details showing the design and screening fixture to reflect the curved corner of the building.
 - (d) Submit section details drawn at a 1:20 scale of the screen and balcony.
 - (e) Details of materials and finishes is required as the corner of Devlin Street and Blaxland Road (building A) is highly visible and marks the town centre. It is critical that the architectural detailing of this corner is successful. A higher quality of finish and detail is required to reflect the curved section of the building. More clarity around the final configuration and finishes is required than was supplied as part of the DA.
30. **Natural Ventilation.** The applicant must resubmit a revised Natural Ventilation Assessment Report from an appropriately qualified person. This report is to include the selection and operation modes of the aluminium screens. In addition, construction details of the proposed aluminium screen on the balcony is to be provided to the PCA with supporting test results and certification from an appropriately qualified ventilation expert that the proposed aluminium screen will not unduly obstruct the flow of air into the apartments (the report must confirm that at least 60% of the units will be naturally ventilated) and that design measures will ensure this will occur. Details are to be submitted prior to the issue of relevant **Construction Certificate**.
31. **Pedestrian Wind Report.** The development is to incorporate all of the recommendations contained for Buildings A and A1 in the Pedestrian Wind Environment Study referenced W999-11F06(REVO) – prepared by Windtech dated 14 June 2012. Details are to be included in the relevant Construction Certificate plans.
32. **Disabled Access & Adaptable Units:** Disabled access is to be provided within the development in accordance with the recommendations contained in the Access

Review Report prepared by Morris-Goding Accessibility Consulting dated 25 July 2012. Details indicating compliance with the AS1428 & AS4299, Building Code of Australia and the recommendations contained in the above Report are to be submitted to the Principal Certifying Authority (PCA) prior to the relevant Construction Certificate being issued. A minimum of 15 adaptable apartments must be provided within the 2 buildings. Accessible parking spaces are to be allocated to the adaptable units and shown on the strata plan.

33. **Reflectivity.** Roofing and other external materials/ glazing must be of low glare and reflectivity. Visible light reflectivity from building materials used on the façades of new buildings should not exceed 18%. Details of the approved finished external surface materials, including colours and texture must be provided to the Principal Certifying Authority. The roof material is to be finished in a non reflective surface.
34. **Services & Substation:** All service infrastructure/utilities including electrical substations, fire hydrants, gas meters and the like shall be located within the building envelope. Where this is not possible and subject to Council approval such infrastructure shall be located on the subject site and appropriately screened from view. Details of all service infrastructure/utilities are to be submitted to Council and approval obtained prior to issue of the relevant Construction Certificate.
35. **Lighting** shall be provided to all common areas including the car parking levels, the stairs, access to external courtyards and balconies, communal gardens and the bin storage rooms. Such lighting to be automatically controlled by time clocks, and where appropriate, sensors to provide an energy efficient and controlled environment for residents. All lighting should be designed to Australian and New Zealand lighting standards. In addition a lighting maintenance policy must be established. Details of lighting shall be submitted for approval prior to issue of the relevant **Construction Certificate**. The details are to include certification from an appropriately qualified person that there will be no offensive glare onto adjoining residents.
36. **Storage Facility:** All residential units must be provided with sufficient secure storage facility (other than the kitchen cupboard areas) at the following rates:
 - At least one-bedroom apartments 6m³
 - At least two-bedroom apartments 8m³

Storage facility must be lockable and allocated to individual units.

37. **Road Noise:** The proposed buildings must be designed and constructed so that road traffic noise levels inside the building(s) comply with the satisfactory design sound levels recommended in Australian/New Zealand Standard AS/NZS 2107: 2000 *Acoustics – Recommended design sound levels and reverberation times for building interiors*, when the windows and doors are closed. The recommendations contained under Section 4.3.1 (Glazing), 4.3.2 (External doors), 4.3.3 (Mechanical Ventilation), Section 6.1 (Floors), 6.2 (Treatment of hard floors), 6.3.1 (Inter-

tenancy wall), 6.3.2 (Corridor/Lobby/Stairway Wall) of the Acoustic Report prepared by Acoustic Logic (Document No. 20111113.1/ 1811A/R2/JZ Issue 2 dated 10/11/2011 must be incorporated in the relevant Construction Certificate drawing prior to its approval by the PCA. A certification must be obtained to confirm that the details comply with the above recommendations and the relevant standards.

38. **Roads and Maritime Services – Construction Traffic Management Plan:** A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Roads and Maritime Services and Council for approval prior to the issue of relevant Construction Certificate.
39. **Waste management plan** – The operation and management of all waste and recycling generated from the residential flat buildings to be in accordance with the waste management plan prepared by Elephant's Foot Waste Compactors Pty Ltd. The Waste Management Plan is to be amended to allow for the following:
- Provide 6 X 1100L bins;
 - Provide 40 X 240L recycle bins.
40. **Construction of garbage chutes** - The garbage chutes must be designed and constructed in accordance with the following requirements:
- (a) The chute must be constructed of non-corrosive metal at least 500mm in diameter, with no bends or off-sets and all internal joints and seams finished to a smooth even surface to allow the free flow of garbage through the chute;
 - (b) Chute branches to charging devices must not exceed one (1) metre in length and must be angled to allow the free flow of garbage into the chute;
 - (c) The chute must terminate in the garbage room and discharge the garbage directly into a waste container or garbage compactor in such a way that no spillage occurs;
 - (d) A suitable cut-off device must be provided at or near the base of the chute to effectively close off the chute while the waste containers are being serviced or the compaction equipment is being maintained;
 - (e) The chute must be ventilated so that air does not flow from the chute through any service opening and the flow of air through the chute does not impede the downward movement of garbage; and
 - (f) The vent at the top of the chute must extend above the roof level and be fitted a weather-proof cowl and wire mesh screen to prevent the entry of rainwater and birds;

Details demonstrating compliance with these requirements is to be submitted on the relevant Construction Certificate plans.

41. **Construction of garbage rooms** - All garbage and recycling rooms must be constructed in accordance with the following requirements:

- (a) The room must be of adequate dimensions to accommodate all waste containers, and any compaction equipment installed, and allow easy access to the containers and equipment for users and servicing purposes;
- (b) The floor must be constructed of concrete finished to a smooth even surface, coved to a 25mm radius at the intersections with the walls and any exposed plinths, and graded to a floor waste connected to the sewerage system;
- (c) The floor waste must be provided with a fixed screen in accordance with the requirements of Sydney Water Corporation;
- (d) The walls must be constructed of brick, concrete blocks or similar solid material cement rendered to a smooth even surface and painted with a light coloured washable paint;
- (e) The ceiling must be constructed of a rigid, smooth-faced, non-absorbent material and painted with a light coloured washable paint;
- (f) The doors must be of adequate dimensions to allow easy access for servicing purposes and must be finished on the internal face with a smooth-faced impervious material;
- (g) Any fixed equipment must be located clear of the walls and supported on a concrete plinth at least 75mm high or non-corrosive metal legs at least 150mm high;
- (h) The room must be provided with adequate natural ventilation direct to the outside air or an approved system of mechanical ventilation;
- (i) The room must be provided with adequate artificial lighting; and
- (j) a hose with a trigger nozzle must be provided in or adjacent to the room to facilitate cleaning.

Details demonstrating compliance with these requirements is to be submitted on the relevant Construction Certificate plans.

42. Charging devices - The charging devices within the garbage chute must:

- (a) be designed to effectively close off the service opening in the chute when the device is opened for loading;
- (b) automatically return to the closed position after use;
- (c) permit free flow of garbage into the chute; and
- (d) be designed and constructed to permit easy cleaning of the device and the connection between the service opening and the chute.

43. Service openings - The service openings must:

- (a) be located in a separate service compartment;
- (b) be fitted with an approved charging device;
- (c) be between one (1) metre and one and a half (1.5) metres above floor level; and
- (d) have a cross-sectional area not more than half that of the garbage chute.

44. **Service compartments** - The service compartments must:
- (a) have floors and walls finished with smooth even impervious materials that are coved to a 25mm radius at the floor junctions;
 - (b) be provided with an approved system of mechanical Ventilation and adequate artificial lighting; and
 - (c) include adequate space and facilities for the reception of recyclable materials.
45. **Mechanical ventilation details** - Details of all proposed mechanical ventilation systems, and alterations to any existing systems, must be submitted to Council or an accredited private certifier with the application for the **Construction Certificate**. Such details must include:
- (a) Plans (coloured to distinguish between new and existing work) and specifications of the mechanical ventilation systems;
 - (b) A site survey plan showing the location of all proposed air intakes exhaust outlets and cooling towers, and any existing cooling towers, air intakes, exhaust outlets and natural ventilation openings in the vicinity; and
 - (c) A certificate from a professional mechanical services engineer certifying that the mechanical ventilation systems will comply with the *Building Code of Australia* and setting out the basis on which the certificate is given and the extent to which the certifier has relied upon relevant specifications, rules, codes of practice or other publications
 - (d) Where any mechanical ventilation systems have been installed or altered, a certificate from a professional mechanical services engineer certifying that the systems comply with the approved plans and specifications must be submitted to the Principal Certifying Authority before the issue of an **Occupation Certificate**.
46. **Structural Certification.** The applicant must engage a qualified practising structural engineer to provide structural certification in accordance with relevant BCA requirements prior to the release of the relevant **Construction Certificate**.

PRIOR TO COMMENCEMENT OF CONSTRUCTION

Prior to the commencement of any demolition, excavation, or building work the following conditions in this Part of the Consent must be satisfied, and all relevant requirements complied with at all times during the operation of this consent.

47. **Site Sign**
- (a) A sign must be erected in a prominent position on site:
 - (i) showing the name, address and telephone number of the Principal Certifying Authority for the work,

- (ii) showing the name of the principal contractor (if any) or the person responsible for the works and a telephone number on which that person may be contacted outside working hours, and
 - (iii) stating that unauthorised entry to the work site is prohibited.
- (b) Any such sign must be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

48. **RMS – temporary Road Closure:** Any proposed temporary/partial road closures will require the applicant to apply for a Road Occupancy Licence (Form C & D) by contacting the Transport Management Centre's Planned Incidents Unit on (02) 8396 1513 during office hours (8am-4pm) or 131 700 after hours. The applicant will be required to submit the Road Occupancy Licence forms/traffic management plan at least 10 working days prior to the start of works. Plans should be forwarded to the Supervisor Planned Incidents Unit, Transport Operations, Transport Management Centre or on facsimile (02) 8396 1530.

DURING CONSTRUCTION

Unless otherwise specified, the following conditions in this Part of the consent must be complied with at all times during the construction period. Where applicable, the requirements under previous Parts of the consent must be implemented and maintained at all times during the construction period.

49. **Critical stage inspections.** The person having the benefit of this consent is required to notify the Principal Certifying Authority during construction to ensure that the critical stage inspections are undertaken, as required under clause 162A(4) of the *Environmental Planning and Assessment Regulation 2000*.
50. **Noise and Vibration.** The construction of the development and preparation of the site, including operation of vehicles, must be conducted so as to avoid unreasonable noise or vibration and not cause interference to adjoining or nearby occupations. The L_{10} noise level measured for a period of not less than 15 minutes while demolition or construction work is in progress must not exceed the background noise level by more than 20 dB(A) at the nearest affected residential premises.
51. **CCTV Cameras.** CCTV cameras must be installed in the following locations:
- In the lobbies to Building A & A1 (ground floor and on the podium lobbies);
 - The residents carpark lobbies;
 - At entry main entry/ exit points to the building.

Digital technology will be required to be used to record images from the camera and this is to be located in a secure location. The surveillance equipment will need to be able to zoom in and out on a person without losing focus. It must be

maintained in working order at all times and installed by a qualified and reputable company.

52. **Soil Depths:** Minimum soil depth of 800mm must be provided in all planter beds provided throughout the development
53. **Signage:** Signage must be provided at entry/exit points and throughout the development to assist users and warn intruders they will be prosecuted.
Warning: these premises are under constant surveillance
Warning: trespassers will be prosecuted
54. **Residential Access:** Access should be restricted to residents, their visitors and authorised persons only to the lifts and stairs leading to the apartments.
55. **Security of Doors.** To enhance the physical security of doors, all glass doors are to be laminated.
56. **Main Doors.** The main entry/exit doors to individual units including balcony doors are to be fitted with a single cylinder lockset (Australian and New Zealand Standard – Lock Sets). In addition, all windows to individual units are to be fitted with a key operated lock sets that satisfies the above standard.
57. **Window Locks:** The windows to individual units should also be fitted with key operated Locksets (Australia and New Zealand Standard - Lock Sets) to restrict unauthorized access to the units.
58. **Traffic Control:** All traffic control during construction must be carried out by accredited Roads and Maritime Services approved traffic controllers.

PRIOR TO OCCUPATION CERTIFICATE

An Occupation Certificate must be obtained from a Principal Certifying Authority prior to commencement of occupation of any part of the development, or prior to the commencement of a change of use of a building.

Prior to issue, the Principal Certifying Authority must ensure that all works are completed in compliance with the approved construction certificate plans and all conditions of this Development Consent.

Unless an alternative approval authority is specified (eg Council or government agency), the Principal Certifying Authority is responsible for determining compliance with conditions in this Part of the consent. Details to demonstrate compliance with all conditions, including plans, documentation, or other written evidence must be submitted to the Principal Certifying Authority.

59. **BASIX commitments.** The submission of documentary evidence of compliance with all commitments listed in BASIX Certificate referred to in this Development Consent.
60. **Pathways within the Landscaped Podium.** The pathways within the landscaped podium and to the common facilities must be a continuous accessible pathway from the proposed buildings Prior to the issue of any Occupation Certificate, certification is to be provided from an appropriately qualified person to verify that this has been achieved.
61. **Landscaping:** The proposed landscaping works between building A & A1 and between building A1 and the adjoining cinema building to the north must be completed prior to the issue of any Occupation Certificate.
62. **Disabled access.** Access for disabled persons shall be provided in the building or portion of the building in accordance with the applicable legislation and the requirements set out in AS 1428.1. Documentary evidence and certification is to be obtained from a suitable qualified person confirming that the development meets these requirements in accordance with this consent, is to be provided to the PCA prior to the issue of any Occupation Certificate.
63. **Noise Attenuation.** Certification must be obtained from a suitably qualified person and submitted to the PCA prior to the issue on any Occupation Certificate to confirm that the noise attenuation measures as recommended under Section 4.3.1 (Glazing), 4.3.2 (External doors), 4.3.3 (Mechanical Ventilation), Section 6.1 (Floors), 6.2 (Treatment of hard floors), 6.3.1 (Inter-tenancy wall), 6.3.2 (Corridor/Lobby/Stairway Wall) of the Acoustic Report prepared by Acoustic Logic (Document No. 20111113.1/ 1811A/R2/JZ Issue 2 dated 10/11/2011 have been implemented and that the proposal complies with the sound levels recommended in Australian/New Zealand Standard AS/NZS 2107: 2000 *Acoustics – Recommended design sound levels and reverberation times for building interiors* and AS 3671- 1989: *Road Traffic Noise Intrusion, Building Siting and Construction*.
64. **Sydney Water.** A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the Building 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 Co-ordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any Interim/Final Occupation Certificate.

65. **Design Verification:** Prior to an Occupation Certificate being issued to authorise a person to commence occupation or use of a residential flat building, the Principal Certifying Authority (PCA) is to be provided with design verification from a qualified designer. The statement must include verification from the qualified designer that the residential flat development achieves the design quality of the development as shown on plans and specifications in respect of the relevant Construction Certificate issued, having regard to the design quality principles set out in Part 2 of State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development. This condition is imposed in accordance with Clause 154A of the Environmental Planning and Assessment Regulation 2000.
66. **Signage Plan.** A plan for internal directional signage is to be prepared and implemented prior to the occupation of the development. This signage should inform visitors to the site about the location of the carpark entries and exits, the entrance to each building and the like. The plan is to provide an indicative location for all directional signage that will be erected within the site. The Plan is to be submitted to Council prior to occupation of the development.
- Signage is also to be provided at the entry/exit points and throughout the development to advise users and warn intruders that they will be prosecuted and that the premises are under constant surveillance.
67. **Lighting Maintenance Policy.** Prior to the issue of any Occupation Certificate, a Lighting Maintenance Policy will be required. This Policy is to ensure all lighting has been designed to the Australian Standard and is installed to all common areas within the development. The lighting is to be automatically controlled by time clocks and sensors to provide an energy efficient and controlled environment for residents.
68. **Security Design Report.** Prior to the issue of any Occupation Certificate, the recommendations of the Security Design Report prepared by Harris Crime Prevention Services and dated February 2011 is to be incorporated into the development.
69. **Skylights:** Skylights must be installed to all apartments on the top floor level of the Building A & A1.

OPERATIONAL CONDITIONS

The conditions in this Part of the consent relate to the on-going operation of the development and shall be complied with at all times.

70. **BASIX Completion Receipt.** Within 2 days of issuing a final Occupation Certificate, the Principal Certifying Authority (PCA) is required to generate a BASIX Completion Receipt in accordance with the provisions of the EP & A Regulation 2000. The PCA is to refer to the BASIX Completion Receipt tool at www.basix.nsw.gov.au/administration/login.jsp in order to generate the BASIX Completion Receipt and a printed copy of the receipt is to be placed on the PCA file.
71. **Garbage Collection:** Where necessary, staff or contractors must be employed to take the waste containers from garbage and recycling room to the container emptying point for servicing and to return the containers to the garbage room after servicing.
72. **Lighting of the Premises.** 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. All existing and proposed lights shall comply with the Australian Standard AS 4282-1997: Control of the Obtrusive Effects of Outdoor Lighting.
73. **Loading and Unloading.** All loading and unloading in relation to the use of the premises taking place wholly within the property.
74. **Recyclable wastes.** Wastes for recycling must be stored in separate bins or containers and be transported to a facility where the wastes will be recycled or reused.
75. **Cleaning and maintenance** - Suitable facilities must be provided for the cleaning and maintenance of all garbage chutes, chute branches and charging devices.
76. **Transfer of recyclable materials to garbage room.** Staff or contractors must be employed to take the recyclable materials from the service compartments and sort the materials into the containers provided in the garbage room.
77. **Transfer of waste containers to emptying point.** Staff or contractors must be employed to take the waste containers from the garbage room to the container emptying point for servicing and to return the containers to the garbage room after servicing.
78. **Maintenance of waste storage areas.** All waste storage areas must be maintained in a clean and tidy condition at all times.
79. **Security.** An in-house security team will be required to manage, monitor and patrol the security of the development.
80. **Car Parking.** At least one car parking space is to be allocated to each apartment.

81. **Access for maintenance purposes.** Safe easy access must be provided for the inspection and maintenance of all plant, equipment and components covered by- Australian/New Zealand Standard AS/NZS 3666.2: 2002 *Air-handling and water* systems of buildings - Microbial control - Operation and maintenance.
82. **S94 Payments:** Prior to the issue of Occupation Certificate, the applicant and the owner must ensure compliance in relation to the Section 94 contributions payable to Council for the increase in the number of apartments over 450 apartments in accordance with Clause 15 of the VPA (as amended by the Deed of Variation of Voluntary Planning Agreement executed on 6 November 2008) registered against the title, to the satisfaction of Council.
83. **Provision of Garbage Services** - Arrangements must be made with Council for the provision of garbage services to the premises before occupation commences.
84. **Indemnity** - Where it is necessary for waste collection vehicles to enter the property to service the waste containers, the property owner must indemnify Council and its contractor in writing against claims for any loss or damage to the pavement of the driveways and manoeuvring areas.
85. **Letterboxes and street/house numbering.** All letterboxes and house numbering are to be designed and constructed in accordance with the Australia Post requirement. Council must be contacted in relation to any specific requirements for street numbering.