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Deferred Commencement Conditions

Pursuant to the provisions of S. 80(3) of the Environmental Planning and Assessment Act 1979 the development application is granted a Deferred Commencement Consent subject to the completion of the following:

Amended civil works plans are to be prepared to the satisfaction of Council incorporating the following changes;

- a. The area between the northern and eastern boundaries of proposed Lot 3 and a line created by the root protection zones of the following trees (Trees T186, T84, T77, T128 and T145) stretching to the eastern boundary (a minimum of 20m south of the northern boundary) is to be retained at the existing level (i.e. no cut or fill is to occur) and the indigenous trees and vegetation within is to be retained. The root protection zone is to be identified by a suitably qualified arborist and is to be determined by an assessment of the area of the tree roots which must be retained (as identified in red on the approved plans, Drawing Nos. DAC005, Issue F and DAC006, Issue D) without any fill to ensure the protection of the trees. This batter slope is to commence at the line and slope back to the finished level of the building platform;
- b. The area within the 'gully' located at the north-western corner of the site is to be retained at the existing level (i.e. no cut or fill is to occur) and the indigenous trees and vegetation within is to be retained (inclusive of Trees T99 – T109).
- c. A suitably qualified arborist is to assess the area of the roots of the trees located within the adjacent reserve in close proximity to the site boundary which must be retained without any fill to ensure the protection of the trees. The location of the batter slope for the fill is to be relocated accordingly.
- d. The batter slopes are to be provided wholly within the subject site, sloping back to the finished level of the building platform for proposed Lot 3; and
- e. The proposed vegetated buffer adjacent to the northern boundary of the site shall be provided to the top of the proposed fill batter (as shown amended in red on the approved plans and as amended by the deferred commencement conditions).

Notes: The batter slopes identified above can be replaced by suitably designed retaining walls made using suitable rock to create habitat for native species in lieu of batter slopes if desired. The identified finished levels of the building platforms are not to be increased from that shown on the approved plans in the above changes.

The applicant must provide to the Council appropriate documentary evidence sufficient to enable it to be satisfied of the matters in the above Condition(s) within **Six (6) months** or such further period as Council may determine is appropriate upon application in writing being made to Council no later than four weeks before the Notice of Expiry date.

Upon written confirmation of compliance with the above requirements from Council, the consent will become operable subject to the following conditions:

General Matters

Plans and Documents

1. The development is to be carried out in compliance with the following plans and documentation listed below, as amended in red, and endorsed with Council's stamp, subject to any changes required by conditions of this consent.

Drawing N°	Dated
Plan of Subdivision, Plan No. 72768 P'SUB Sheet 1 of 1, Ver E, prepared by Land Partners	2/12
Cover Sheet, Notes and Legends, Drawing No. DAC001, Issue D, prepared by AT & L Civil Engineers and Project Managers	10-2-12
General Arrangement Plan, Drawing No. DAC003, Issue D, prepared by AT & L Civil Engineers and Project Managers	10-2-12
Bulk Earthworks and Demolition Plan Sheets 1-2, Drawing Nos. DAC005, Issue F and DAC006, Issue D, prepared by AT & L Civil Engineers and Project Managers	10-2-12
Site works and Stormwater Drainage Plan Sheets 1-5, Drawing Nos. DAC010,12-14 Issue D and DAC011, Issue E, prepared by AT & L Civil Engineers and Project Managers	10-2-12
Typical Sections, Drawing No. DAC020, Issue E, prepared by AT & L Civil Engineers and Project Managers	10-2-12
Pavement, Signage and Line marking Plan, Sheets 1-2, Drawing No. DAC025-6, Issue D, prepared by AT & L Civil Engineers and Project Managers	10-2-12
Sedimentation and Erosion Control Plan Sheets 1-2, Drawing No. DAC030-31, Issue D, prepared by AT & L Civil Engineers and Project Managers	10-2-12
Architectural Plans – Site Analysis, Site & Roof	14.02.12

Drawing N°	Dated
Plan, Drawing No. 030, Amd B, prepared by John R Brogan & Associates	
Architectural Plans – Warehouse & mezzanine Level Floor, Sections and Elevations Plans, Drawing Nos. 100, 120 and 130, Amd B, prepared by John R Brogan & Associates	12.01.12
Landscape Plans – Drawing Nos. L000-4, Rev F, prepared by Habitation	09.02.12

Document(s)	Dated
Statement of Environmental Effects prepared by DFP Planning Consultants (inclusive of all attachments)	October 2011
Letter from Bunnings entitled “Proposed Subdivision and Bunnings Development (DA 709/2011) Amendment to Application and Response to Letters Dated 6 December 2011 & 8 February 2012 (inclusive of all attachments)	1 March 2012

Reason: To ensure the event is carried out in accordance with the approved plans.

Development not Approved

- The proposed signage to the northern and western facades (other than the directional signage), and the lighting for the signage to the western façade, are not approved.

Reason: To ensure proposed signage is appropriate and provides for effective communication.

PA10 Demolition work carried out in accordance with Australian Standards

- Demolition work shall be carried out in accordance with Australian Standard 2601-2001 - *Demolition of Structures* and the requirements of the NSW Work Cover Authority.

Reason: To ensure appropriate demolition practices occur.

Building work in compliance with BCA

- All building work must be carried out in accordance with the current provisions of the Building Code of Australia.

Reason: To comply with the Environmental Planning & Assessment Act 1979, as amended and the Environmental Planning & Assessment Regulation 2000.

Waste Management Plan

5. The submitted Waste Management Plan is to be adhered to at all times during both the pre and post-construction phases of the development.
Reason: Ensure compliance

Prior to the Release of the Construction Certificate

Construction Certificate

6. Prior to commencement of any construction works associated with the approved development (including excavation if applicable), it is necessary to obtain a Construction Certificate. A Construction Certificate may be issued by Council or an Accredited Certifier. Plans and documentation submitted with the Construction Certificate are to be amended to satisfy all relevant conditions of this development consent.
Reason: To ensure compliance with legislative requirements.

Amended Architectural Plans

7. Prior to the release of the Construction Certificate for the proposed building works on proposed Lot 1 amended plans are to be prepared showing the following changes:
- a) A reduction in height of the pylon sign from 12m to 8m;
 - b) The three signage panels on the direction sign are to be resized such that they all have equal areas;
 - c) The provision of one share space (in lieu of 1 parking space);
 - d) The security fencing around the bagged goods area and nursery shall be coloured black;
- and
- e) The provision of a landscaped external staff lunch/recreation area within the front landscaped setback area having a minimum area of 12m², to be provided with suitable furniture to allow for its appropriate use by staff

Reason: To ensure signage is appropriate to the scale of the development and provides effective communication, to provide appropriate amenities for staff and to reduce reliance upon private transport.

Amended Landscape Plans

8. Prior to the release of the Construction Certificate for the proposed building works on proposed Lot 1 amended landscape plans are to be prepared showing the following changes:

- a) The landscaping in front of the security fencing in Condition 7(d) above and to the south of the southernmost row of parking spaces is to be of appropriate species and height to provide visual screening to those elements as viewed from Victoria Road;
- b) A minimum of 1 canopy tree is to be provided every 10m of frontage to Victoria Road. The trees may be clumped in groups; and
- d) No security fencing shall be provided forward of the fencing and car parking identified in a) above.

Reason: To ensure the landscaping proposed screens the less attractive elements of the site and is of appropriate height and scale for the design of the development.

Amended Stormwater Plans

- 9. Amended stormwater plans, any other relevant documents that address the following issues to the satisfaction of council are to be submitted for approval with the Construction Certificate application for the subdivision works or the building on Proposed Lot 1, whichever occurs first.

Onsite detention design calculation summary sheet, design certification, Layout, and cross-sectional details

- a. The proposed stormwater plan is to be amended to address the following issues/provide the following information:
 - i) pit details such as the surface and invert levels of the pit and the pipe gradients.
 - ii) the cross-sectional details of the on-site detention (OSD) tank. The OSD storage requirement are to be determined in accordance with the Upper Parramatta River Catchment Trust's (UPRCT's) handbook on the OSD Design calculation summary sheet together with the OSD design certification (Form B9 of UPRCT's Handbook). The site discharge shall not exceed the permissible limit. The area bypassing the OSD system shall be avoided as far as practicable. The design shall take into account the minor storm event as well as major storm events. In this regard, the OSD design shall be based on the 4th Edition of the handbook. The OSD design shall also take into consideration the appropriate tail water conditions at Subiaco Creek. The invert levels and the flood levels in metre AHD shall be adopted.

As the discharge from the orifice is dependent upon the head of water over the centre of the orifice, the cross-sectional detail of the proposed OSD tank and the control pit shall be submitted to assess and ascertain that the on-site detention storage volume and the site discharge comply with the permissible limits.

Overflow/ overland flow from proposed lot 1 on to the lot 3.

- b. The overland flow route proposed over the middle of Lot 3 to drain overflow/overland runoff from Lot 1 shall be directed underground or above ground through the proposed driveway along the rear boundary of Lot 1. An underground pipeline with 1:100 year storm conveying capacity is recommended. This pipe shall be merged with either the proposed 525 mm dia pipe or follow the proposed drainage easement on the western boundary of Lot 3. The proposed 525mm dia pipe over the easement shall be upgraded (as necessary) to carry flow from the Lots 1, 2 and 3. The drawing shall show the long-section profile with surface and invert levels, sectional pipe gradients and size and the location of any services and their levels.

Provision of infrastructures for sub-division

- c. Provision shall be made to facilitate the management of site stormwater from Lots 2 and 3. In this regard, the stormwater proposal shall include the stormwater infrastructure (pits, pipes etc.), which allows the site stormwater from Lots 2 and 3 to appropriately discharge (without interfering with the OSD system of Lot 1) on to Victoria Road and/or Subiaco Creek. The proposed 525mm dia pipe along the western boundary of Lot 3 shall be upgraded (as necessary) to facilitate conveyance of the stormwater from Lot 2 and 3. Detail drawings shall be submitted which show a long-section profile up to the outfall including the following details.
 - i) existing ground levels, designed ground level, pipe invert levels,
 - ii) pipe material, sectional length, size and gradient,
 - iii) any services crossing with its invert and obvert levels etc.

Public liability insurance

10. Any person or contractor undertaking works on public land must take out Public Risk Insurance with a minimum cover of \$10 million in relation to the occupation of approved works within Council's road reserve or public land, as approved in this consent. The Policy is to note and provide protection for Council as an interested party and a copy of the Policy must be submitted to Council prior to commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public land.

Note: Applications for hoarding permits, vehicular crossing etc will require evidence of insurance upon lodgement of the application.

Reason: To ensure the community is protected from the cost of any claim for damages arising from works on public land.

Long Service Levy payment where construction costs exceed \$25,000

11. The Construction Certificate is not to be released unless the Principle Certifying Authority is satisfied that the required levy payable, under Section 34 of the Building and Construction Industry Long Service Payments Act 1986, has been paid.
Reason: To ensure that the levy is paid.

PB15 Power lines to be underground

12. All overhead lines (both existing and proposed) shall be underground from the proposed building on the site to the appropriate power pole(s) or other connection point, in accordance with the requirements of Integral Energy. Details to be shown on plans submitted with the Construction Certificate.
Reason: To provide infrastructure that facilitates the future improvement of the streetscape by relocation of overhead lines below ground.

S94A contribution – Outside the City Centre

13. A monetary contribution comprising \$168,300 is payable to Parramatta City Council pursuant to Section 94A of the Environmental Planning and Assessment Act, 1979 and the Parramatta Section 94A Development Contributions Plan (Amendment No. 1). Payment must be by cash, EFTPOS, bank cheque or credit card only. The contribution is to be paid to Council prior to the issue of a construction certificate for the proposed building works on proposed Lot 1. At the time of payment, the contribution levy will be indexed quarterly in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician.
Parramatta Section 94A Development Contributions Plan (Amendment No. 1) can be viewed on Council's website at: http://www.parracity.nsw.gov.au/build/forms_and_planning_controls/developer_contributions

PB24 Cigarette butt receptacle for commercial development

14. That provision is made for cigarette butt receptacles on the site to minimise littering. Cigarette butt receptacles must be provided during building works on any site and permanently provided to any restaurant/bar/retail/commercial component of the development after construction. Details of the size and the location of the receptacle are to be provided to the satisfaction of the Principal Certifying Authority prior to the issue of the Construction Certificate for works on proposed Lot 1.
Reason: To ensure that adequate provision is made for the disposal of cigarette butts to prevent littering of the public domain.

PB26 Disabled access for commercial developments

15. Access for people with disabilities from the public domain and all car parking areas on site to all areas within the building, including to the first floor office area, is to be provided. Consideration must be given to the means of dignified and equitable access from public places to adjacent buildings, to other areas within the building and to footpath and roads. Compliant access provisions for people with disabilities shall be clearly shown on the plans submitted with the Construction Certificate for the proposed building works on proposed Lot 1. All details shall be prepared in consideration of, and construction completed to achieve compliance with the Building Code of Australia Part D3 "Access for People with Disabilities", provisions of the Disability Discrimination Act 1995, and the relevant provisions of AS1428.1 (2001) and AS1428.4.

Reason: To ensure the provision of equitable and dignified access for all people in accordance with disability discrimination legislation and relevant Australian Standards.

PB28 Disabled toilets

16. Toilet facilities shall be provided for disabled persons in accordance with the design criteria in AS1428.1 (2001) - Design for Access and Mobility - General Requirements for Access - New Building Work. An accessible toilet is to be provided for customers and a second toilet is to be provided for staff adjacent to the other staff toilets. This requirement shall be reflected on the Construction Certificate plans for the proposed building works on proposed Lot 1.

Reason: To ensure equity of access and appropriate facilities are available for people with disabilities in accordance with Federal legislation.

PB29 Disabled access signage

17. Signs incorporating the international symbol of access for disabled persons must be provided to identify each accessible:

- (a) entrance
- (b) lift or bank of lifts; and
- (c) sanitary facility

This requirement shall be reflected on the Construction Certificate plans for the proposed building works on proposed Lot 1 and supporting documentation.

Reason: To ensure equity of access and appropriate facilities are available for people with disabilities in accordance with Federal legislation.

PB32 Cycle shower facilities for commercial & mixed use

18. Shower facilities shall be provided and made accessible without charge to cyclists who work in the building. Details demonstrating compliance are to be provided with the Construction Certificate for the proposed building works on proposed Lot 1.

Reason: To ensure the protection of existing built public infrastructure.

EB01 Section 73 Compliance Certificate

19. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Application must be made through an authorized Water Servicing Coordinator. Please refer to “Your Business” section of Sydney Water’s web site at <http://www.sydneywater.com.au> then the “e-developer” icon or telephone 13 20 92.

Following application a “Notice of Requirements” will detail water and sewer extensions to be built and charges to be paid. Please make early contact with the Co-ordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design. The Notice of requirements must be obtained and submitted to the Principal Certifying Authority prior to issue of the Construction Certificate.

Reason: Statutory requirement.

Swept Path Analysis

20. Swept path analysis shall be provided demonstrating that the largest vehicle (i.e. 19.0 metre semi-trailer) can undertake the following manoeuvres legally, to the satisfaction of Council and RMS prior to the issue of any Construction Certificate for the building works on proposed Lot 1:

- Enter from the proposed left turn deceleration lane;
- Turn around inside the loading areas;
- Exit left eastbound without encroaching onto the other side of the road.

In this regard, the swept path analysis of the longest vehicle (including trucks) entering and exiting the subject site, as well as manoeuvrability through the site, shall be in accordance with Austroads.

Garbage Rooms

21. Garbage rooms must be large enough to store the generated waste from the proposed uses and allowance should be made for separation of putrescible waste from waste suitable for recycling, to the satisfaction of Council. In any event, no garbage room is to be smaller than 5000mm x 4000mm or 2400mm ceiling height with a door entry width not less than 2200mm. Details are to be provided for approval with the Construction Certificate for the proposed building works on proposed Lot 1. (Reason: Ensure compliance)

Stormwater system

22. No construction works shall start on the stormwater system until the detailed final storm water plans have been approved by the Principal Certifying Authority. Prior to the approval of storm water drainage plans, the person issuing the Construction Certificate shall ensure that:
 - a. The final stormwater plans are consistent with, and address and incorporate all the notes/issues marked on the approved Stormwater Plans i.e. the plans with the stamp "Approved Stormwater Plan" on the following drawings **(as amended by the requirements of condition 9 of this consent)**, together with the comments, notes and rectification requirements as annotated thereon and approved with this Development Consent.
 - i. **"Site works and Stormwater Drainage Plan Sheet 1"**, Drawing # DAC010, Project # 11-50, Issue **"D"**, dated 10/02/2012, prepared by AT&L (1 Sheet).
 - ii. **"Site works and Stormwater Drainage Plan Sheet 2"**, Drawing # DAC011, Project # 11-50, Issue **"E"**, dated 10/02/2012, prepared by AT&L (1 Sheet).
 - iii. **"Site works and Stormwater Drainage Plan Sheet 3"**, Drawing # DAC012, Project # 11-50, Issue **"D"**, dated 10/02/2012, prepared by AT&L (1 Sheet).
 - iv. **"Site works and Stormwater Drainage Plan Sheet 4"**, Drawing # DAC013, Project # 11-50, Issue **"D"**, dated 10/02/2012, prepared by AT&L (1 Sheet).
 - v. **"Site works and Stormwater Drainage Plan Sheet 5"**, Drawing # DAC014, Project # 11-50, Issue **"D"**, dated 10/02/2012, prepared by AT&L (1 Sheet).

Note: The approved Stormwater Plans are for DA approval only and shall not be used for construction purposes as the construction plan (drawing). Separate Rectified Plan addressing the issues and incorporating all notes marked on this plan shall be submitted for Construction Certificate Approval.

- b. The proposed On-Site Detention (OSD) System has been designed and certified by a suitably qualified Hydraulic Engineer, in accordance with the Upper Parramatta River Catchment Trust "On-Site Detention Handbook" and Council's Drainage Code E4 and stormwater Drainage Guidelines.
- c. The design achieves,
 - i) based on the 3rd edition of UPRCT's handbook are the Site Storage Requirement (SSR) of **330m³/ha** and Permissible Site discharge (PSD) of **130 l/s/ha** or
 - ii) based on the 4th edition of Upper Parramatta River Catchment Trust's (UPRCT's) handbook as adopted by the applicant, the Site Reference Discharge (Lower Storage), **SRD_L** of **40 l/s/ha** with Site Storage Requirement (Lower Storage) **SSR_L** of **284 m³/ha** and Site Reference Discharge (Upper Storage), **SRD_U** of **150 l/s/ha** with Site Storage Requirement (Total) **SSR_T** of **438m³/ha** for undrowned orifice condition with an OSD storage capacity of not less than **2,250m³**.
- d. Detailed Stormwater plans with cross sectional details of OSD storage areas; pits etc, OSD Detailed Design Submission (**Form B9**) and OSD Detailed Calculation Summary Sheets are submitted and are acceptable.
- e. A calculation table for available storage volume with incremental depth versus segmental area and volume has been provided.

Reason: To minimise the quantity of storm water run-off from the site, surcharge from the existing drainage system and to manage downstream flooding.

Driveway Grades

- 23. Prior to the issue of a Construction Certificate, longitudinal driveway sections are to be prepared by a qualified civil/traffic engineer and be submitted to and approved by the Certifying Authority. These profiles are to be at 1:100 scale along both edges of the proposed driveway to the car park, access way to **Lot 3**, starting from the centreline of the frontage street carriageway to the proposed car park, access to **Lot 3** or end of access way (whichever is applicable). The civil/traffic engineer shall provide specific written certification on the plans that
 - Vehicular access can be obtained using grades of 20% (1 in 5) maximum and
 - All changes in grade (transitions) comply with Australian Standard 2890.1 (2004) – "Off-street car parking" to prevent the scraping of the underside of the vehicles.

- The grade of the driveway NOT more than 5% at the nature strip from the kerb & gutter up to the property line. Grade Transitions with transition length of at least 2m are provided where the grade change is 12.5% or more for the Summit grade change and 15% or more for the Sag grade change.

Note: The driveway profile should have the surface level at the front property line higher than the top of the kerb to avoid the street runoff spilling into the property through the driveway.

Reason: To provide suitable vehicle access without disruption to pedestrian and vehicular traffic.

Water Quality Management

24. The stormwater management systems shall be designed in accordance with the water sensitive urban design principles and shall comply with the Parramatta City Council's Development Control Plan. The quality of the stormwater flow from the developed site shall be improved to achieve following pollutant reduction target prior to discharge into the council's drainage system/ downstream creek system. The designer shall ensure and certify that the stormwater management system will achieve the following objectives.

Gross Pollutants (Trash litter and vegetation larger than 5mm) at least **90%** of mean annual load shall be captured.

Coarse Sediment (Contaminant particles between 0.1mm and 0.5mm)) at least **50%** of mean annual load shall be captured.

Fine Sediment/Suspended solids (Contaminant particles 0.1mm or less) at least **85%** of mean annual load shall be captured.

Nutrients:

Total phosphorus: at least **60%** reduction in the mean annual load

Total nitrogen: at least **45%** reduction in the mean annual load.

Hydrocarbons, motor oils, oil and grease: i) No visible oils for flows up to 50% of the 1-year ARI peak flow and ii) Total discharge from site of Total Petroleum Hydrocarbons (TPH) <10 mg/L at all times, **whichever is greater** shall be captured.

The configuration of the stormwater quality improvement devices shall be such that the treatment measures are in the order from primary to tertiary treatment as stated in the **"Table 3.2: WSUD Treatment Measure Categories"** of design guideline titled **"Water Sensitive Urban Design - Technical Guidelines for Western Sydney"**. The treatment system components shall be re-configured according to this order. However they should be installed upstream of OSD system. The stormwater plan shall be amended (if required) to represent the actual configuration of the treatment system components.

The proposed stormwater quality improvement devices (SQID) shall be designed and constructed in accordance with the manufacturer's specification. Details of the proposed units shall be submitted for the approval of the Principal Certifying Authority prior to the determination of the Construction Certificate. The certifier shall ensure that the designer has designed the unit(s) in accordance with the manufacturer's/ supplier's specifications and complied with all the requirements specified by the manufacturer/ supplier of the unit(s), and provided sufficient details demonstrating that the devices will achieve the stormwater quality improvement objectives. These devices shall be installed upstream of OSD system.

The Post Development Music model layout shall be amended to represent the actual layout/ configuration and the order as shown on the amended stormwater plan (if required) and that the model and the stormwater plan are consistent in terms of the configuration/ order of the system components. The combined effectiveness of the treatment measures proposed shall meet the water quality improvement objectives.

The proposed Stormwater Quality Improvement Device (SQID) i.e. **Storm filter (Stormwater filtration Unit)** requires pre-treatment of gross pollutant and coarse sediments removal to minimise filter clogging. A Gross Pollutant Trap (GTP) with Oil & Grease removal capability should be provided at the upstream side of the **Storm filter** (i.e. the stormwater should pass through the GTP prior to entering the **storm filter**).

"Standard Operation & Maintenance Procedure Manual" with operation procedure and maintenance schedule for each of the component and the system as a whole shall be prepared and submitted to the Principal certifying authority for its approval. The certifier shall ensure that a copy of the manual shall be submitted to the council prior to issue of the Construction Certificate. Provisions shall be made to ensure that the occupant and the person/ body responsible for maintenance of the OSD system shall obtain a copy of the manual.

Reason: To ensure that the water quality management measures are implemented.

Sydney Water approval

25. The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect Sydney Water's sewer and water mains, storm water drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped. For Quick Check agent details please refer to the web site www.sydneywater.com.au see Your Business then "Building and Developing" then Building and Renovating or telephone 13 20 92. The Principal Certifying Authority must ensure the plans are stamped by Sydney Water prior to works commencing on site.

Reason: To ensure the requirements of Sydney Water have been complied with.

Construction of heavy-duty vehicular access-way to Lot 3

26. Heavy-duty vehicular access-way for access to the rear lot (i.e. Lot 3) to shall be constructed in accordance to the Council's requirement. Details shall be submitted to the satisfaction of Principal Certifying Authority with the application for the Construction Certificate for the proposed subdivision works. A Vehicle Crossing application shall be submitted to Council together with the appropriate fee prior to any work commencing for construction of the vehicular crossing.

Reason: To ensure appropriate vehicular access is provided.

Driveway Crossing Application

27. Prior to the issue of a Construction Certificate, an application is required for any new, reconstructed or extended sections of driveway crossings between the property boundary and road alignment which must be obtained from Parramatta City Council. All footpath crossings, laybacks and driveways are to be constructed according to Council's Specification for Construction or Reconstruction of Standard Footpath Crossings and in compliance with **Standard Drawings DS1** (Kerbs & Laybacks); **DS7** (Standard Passenger Car Clearance Profile); **DS8** (Standard Vehicular Crossing; and **DS10** (Vehicular Crossing Profiles).

In order to apply for a driveway crossing, the relevant application form needs to be completed with supporting plans, levels and specifications and pay the appropriate fee.

Note: This development consent is for works wholly within the property. Development consent does not imply approval of the footpath or driveway levels, materials or location within the road reserve, regardless of whether the information is shown on the development application plans.

Reason: To provide suitable vehicular access without disruption to pedestrian and vehicular traffic.

Nomination of Engineering Works Supervisor

28. Prior to the issue of a Construction Certificate the applicant shall nominate an appropriately qualified civil engineer (at least NPER) to supervise all public area civil and drainage works to ensure that they are constructed in compliance with Council's "Guidelines for Public Domain Works".
- The engineer shall:
- a. provide an acceptance in writing to supervise sufficiency of the works to ensure compliance with:
 - i) all relevant statutory requirements,
 - ii) all relevant conditions of development consent
 - iii) construction requirements detailed in the above Specification, and
 - iv) the requirements of all legislation relating to environmental protection,
 - b. On completion of the works certify that the works have been constructed in compliance with the approved plans, specifications and conditions of approval and,
 - c. Certify that the Works as Executed plans are true and correct record of what has been built

Impact on Existing Public Utility Installations

29. Should any proposed work be undertaken where it is likely to disturb or impact upon a public utility installation (e.g. power pole, Telstra pit sewer pipeline, water main etc) written confirmation from the affected utility provider (e.g. Integral Energy / Telstra) that they have agreed to the proposed works shall be submitted to the Principal Certifying Authority, prior to the issue of the Construction Certificate or any works commencing, whichever comes first. The arrangements and costs associated with any adjustment to a public utility installation shall be borne in full by the applicant/developer.

Note: Details, such as utility type, exact location(s), size, and depths below the ground surface (or reduced level in m AHD) etc. shall be obtained from the respective authority or investigated in the field and confirmed by the authority.

Reason: To ensure no unauthorised work to public utility installations and to minimise costs to Council.

Vegetation Management Plan

31. A Vegetation Management Plan (VMP) shall be prepared by an ecological consultant who has experience in the regeneration of Blue Gum High Forest. The VMP must be approved by Parramatta City Council Open Space and Natural Resource team prior to the release of the construction certificate for the subdivision works.

The site must be divided into 2 main management units;

Area 1 - the toe of the embankment to the top of the embankment identified as a revegetation area (as shown highlighted in blue on Drawing Nos. DAC005, Issue F and DAC006, Issue D, as amended by the deferred commencement conditions).

Area 2 – The eastern section buffer between trees 129 and 169 to be identified as a bushland regeneration area and the 'gully' at the north western corner of the site (as marked in red on Drawing Nos. DAC005, Issue F and DAC006, Issue D, as amended by the deferred commencement conditions).

Each of these management units is to have separate actions that relate to the different type of environmental restoration works needed within these areas.

Area 1 – Is to be revegetated with tube stock grown from seedlings or seed collected within local Blue Gum High Forest remnants for the tree canopy species or seeds collected within regional Blue Gum High Forest areas for the shrub and ground cover species. Species selection should include a mix of ground cover, shrub layer and canopy species that are representative of the mix found within a Blue Gum High Forest. The proponent is to fund the implementation of the VMP in Area 1 for a period of two years after the release of the occupation certificate. This is to include plant establishment and maintenance.

Area 2 – A bushland regeneration program is to be funded within this zone to preserve and protect the existing Blue Gum High Forest species present. The proponent is to fund the implementation of the VMP in Area 2 for a period of two years after the release of the occupation certificate. The indigenous trees, shrubs and groundcovers within this Area must be protected during construction through appropriate sediment control techniques.

A costing for the funding of the above vegetation management plan is to be prepared and evidence provided to Council that money has been allocated for the works, by way of a bond, bank guarantee or other agreed arrangement, prior to the release of the subdivision certificate.

Public Arts Plan

32. A Public Arts Plan, prepared in consultation with Council and in accordance with part 3.4.1 of the Parramatta DCP 2011 shall be submitted to Council prior to the issue of the Construction Certificate for the proposed building works on proposed Lot 1.

Prior to Commencement of Works

PC05 Notification of demolition works

33. A minimum of five (5) working days prior to any demolition work commencing a written notice is to be given to Parramatta City Council and all adjoining occupants. Such written notice is to include the date when demolition will be commenced and details of the principal contractors name, address, business hours contact telephone number, Council's after hours contact number and the appropriate NSW Work Cover Authority licence.
- Reason:** To protect the amenity of the area.

Appointment of PCA

34. Prior to commencement of work, the person having the benefit of the Development Consent and a Construction Certificate must:
- (a) appoint a Principal Certifying Authority (PCA) and notify Council in writing of the appointment irrespective of whether Council or an accredited private certifier is appointed within 7 days; and
 - (b) notify Council in writing of their intention to commence works (at least 2 days notice is required prior to the commencement of works).

The PCA must determine when inspections and compliance certificates are required.

Reason: To comply with legislative requirements.

Toilet facilities on site

35. Prior to work commencing, adequate toilet facilities are to be provided on the work site prior to any works being carried out.
- Reason:** To ensure adequate toilet facilities are provided.

Enclosure of the site

36. The site must be enclosed with a 1.8 m high security fence to prohibit unauthorised access. The fence must be approved by the Principal Certifying Authority and be located wholly within the development site prior to commencement of any works on site.
- Reason:** To ensure public safety.

Site Sign

37. A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
- (a) Stating that unauthorised entry to the work site is prohibited;
 - (b) Showing the name of the principal contractor (or person in charge of the work site), and a telephone number at which that person may be contacted at any time for business purposes and outside working hours; and

- (c) Showing the name, address and telephone number of the Principal Certifying Authority for the work.
- (d) Showing the approved construction hours in accordance with this development consent.
- (e) Any such sign must be maintained while the excavation building work or demolition work is being carried out, but must be removed when the work has been completed.
- (f) This condition does not apply to building works being carried out inside an existing building.

Reason: Statutory requirement.

Damage to public infrastructure

38. Prior to commencement of works the applicant shall advise Council in writing, of any existing damage to Council property. A dilapidation survey of Council's assets, including photographs and written record, must be prepared and submitted to the Principal Certifying Authority and Council (if Council is not the PCA) prior to the commencement of works; failure to identify any damage to Council's assets will render the applicant liable for the costs associated with any necessary repairs.

Reason: To protect Council's assets throughout the development process.

Prior approval from NSW Office of Waters

39. Prior approval from NSW Office of Water, (NSW Water Authority) should be obtained and meet their requirement for
- i) pumping of stormwater water from temporary sediment pond during the construction phase and
 - ii) discharge of the post development site stormwater. In addition to this, the applicant should comply with the requirements, terms and conditions as set out by the NSW Office of Water.

Reason: Compliance with the requirements of NSW Office of Water.

Headwall/ Outfall discharge into the Creek

- 40.** The headwall for the outfall should be in accordance with the requirements of NSW Office of Water including stabilisation of the drain discharge points to prevent erosion in accordance with a plan, which needs approval from NSW Office of Water.

Reason: Compliance with the requirements of NSW Office of Water.

Construction and Traffic Management Plan

- 41.** Prior to the commencement of any works on the site the applicant must submit, a Construction and/or Traffic Management Plan to the satisfaction of the Principle Certifying Authority. The following matters must be specifically addressed in the Plan:

(a) Construction Management Plan for the Site

A plan view of the entire site and frontage roadways indicating:

- i. Dedicated construction site entrances and exits, controlled by a certified traffic controller, 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 locations of proposed Work Zones in the egress frontage roadways,
- iv. Location of any proposed crane standing areas,
- 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. The provisions of an on-site parking area for employees, tradesperson and construction vehicles as far as possible.

(b) Traffic Control Plan(s) for the site:

- i. All traffic control devices installed in the road reserve shall be in accordance with the Roads and Traffic Authority, NSW (RTA) publication '*Traffic Control Worksite Manual*' and be designed by a person licensed to do so (minimum RTA '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,
- ii. Approval shall be obtained from Parramatta City Council for any temporary road closures or crane use from public property.

- (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 and a copy of this route is to be made available to all contractors.
- (d) Where applicable, the plan must address the following:
 - i. Evidence of RTA concurrence where construction access is provided directly or within 20 m of an Arterial Road,
 - ii. A schedule of site inductions shall be held on regular occasions and as determined necessary to ensure all new employees are aware of the construction management obligations.
 - iii. Minimising construction related traffic movements during school peak periods,

The Construction and 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.

Reason: To ensure that appropriate measures have been considered during all phases of the construction process in a manner that maintains the environmental amenity and ensures the ongoing safety and protection of people.

Notification of excavation

- 42.** If an excavation associated with the erection or demolition of a building extend below the level of the base of the footings of a building on an adjoining allotment of land; the person causing the excavation to be made; must preserve and protect the building from damage; and if necessary, must underpin and support the building in an approved manner. At least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made must 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 and submit to the Principal Certifying Authority details of the date and manner by which the adjoining owner(s) were advised.

Reason: To control excavation procedures.

Dial Before you Dig Service

- 43.** Prior to any excavation on or near the subject site the person/s having benefit of this consent are required to contact the NSW Dial Before You Dig Service (NDBYD) on 1100 to received written confirmation from NDBYD that the proposed excavation will not conflict with any underground utility services. The person/s having benefit of this consent are required to forward the written confirmation from NDBYD to their Principal Certifying Authority (PCA) prior to any excavation occurring.

Reason: To prevent any damage to underground utility services.

Road Opening Permit

44. Prior to commencement of any work on the council's road, road reserve or footpath, a Road Opening Permit must be obtained from council by lodging the application for Road Opening Permit. Upon completion of the work, the road, road reserve, and footpath shall be reinstated to its original state to the satisfaction of Council and the cost shall be borne by the applicant.

Reason: To ensure Council's approval is obtained prior to commencement of work on council's road, road reserve and footpath and reinstated to its original state upon completion of the works.

Dilapidation survey and report

45. Prior to the commencement of any excavation works on site, the applicant must submit for approval by the Principal Certifying Authority (with a copy forwarded to Council) a full dilapidation report on the visible and structural condition of all neighbouring structures within the 'zone of influence' of the required excavation face to twice the excavation depth.

The report should include a photographic survey of adjoining properties detailing their physical condition, both internally and externally, including such items as walls, ceilings, roof, structural members and other similar items. The report must be completed by a consulting structural/geotechnical engineer as determined necessary by that qualified professional based on the excavations for the proposal and the recommendations of the geotechnical report. Where the consulting geotechnical engineer is of the opinion that no dilapidation reports for adjoining structures are required, certification to this effect shall be provided for approval by the Principal Certifying Authority prior to any excavation. A copy of the dilapidation report shall be submitted to Council.

In the event that access for undertaking the dilapidation survey is denied by an adjoining owner, the applicant must demonstrate in writing to the satisfaction of the Principal Certifying Authority that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed.

Note: This documentation is for record keeping purposes only, and may be used by an applicant or affected property owner to assist in any action required to resolve any dispute over damage to adjoining properties arising from works. It is in the applicant's and adjoining owner's interest for it to be as detailed as possible.

Reason: Management of records.

Erosion and sediment control measures

46. Erosion and sediment control devices are to be installed prior to the commencement of any demolition, excavation or construction works upon the site. These devices are to be maintained throughout the entire demolition, excavation and construction phases of the development and for a minimum three (3) month period after the completion of the project, where necessary.

Reason: To ensure soil and water management controls are in place before site works commence.

Vibration Management Plan

47. A Vibration Management Plan (VMP) shall be prepared in consultation with the adjoining property owner (Thales) detailing the likely timing of heavy construction activities that would result in significant vibration (i.e. bedrock drilling or blasting) as the work carried out on the adjoining property for the Navy requires vibration free testing. The management plan is to include details of the suitable period of prior notice to be given to Thales and the method of communicating that advice such that Thales can continue to meet their testing deadlines. The VMP is to be prepared prior to commencement of any works related to this consent.

PC04 Hazardous material survey

48. At least one (1) week prior to demolition, the applicant must submit to the satisfaction of the Principal Certifying Authority a hazardous materials survey of the site. Hazardous materials include (but are not limited to) asbestos materials, synthetic mineral fibre, roof dust, PCB materials and lead based paint. The report must be prepared by a suitably qualified and experienced environmental scientist and must include at least the following information:

- (a) The location of hazardous materials throughout the site;
- (b) A description of the hazardous material;
- (c) The form in which the hazardous material is found, eg AC sheeting, transformers, contaminated soil, roof dust;
- (d) An estimation (where possible) of the quantity of each particular hazardous material by volume, number, surface area or weight;
- (e) A brief description of the method for removal, handling, on-site storage and transportation of the hazardous materials, and where appropriate, reference to relevant legislation, standards and guidelines;
- (f) Identification of the disposal sites to which the hazardous materials will be taken.

Reason: To ensure risks associated with the demolition have been identified and addressed prior to demolition work commencing.

PC02 Asbestos sign must be placed on site

49. On demolition sites where buildings are known to contain bonded or friable asbestos material, a standard sign containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' measuring not less than 400mm x 300mm is to be erected in a prominent position on site visible from the street kerb. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos material has been removed from the site. Advice on the availability of these signs can be obtained by contacting the NSW Work Cover Authority hotline or the website www.workcover.nsw.gov.au.

Reason: To comply with the requirements of the NSW Work Cover Authority

Asbestos Management Plan

50. A construction management plan is to be produced prior to commencement of proposed earthworks or construction works to address the management of asbestos containing materials should they be encountered during construction. The plan is also to identify the method of disposal of the apparently illegally dumped material at the rear of the site which appears to include materials containing asbestos.

Reason: To ensure that asbestos is managed in the appropriate manner.

During Construction Works

Copy of development consent

51. A copy of this development consent, stamped plans and accompanying documentation is to be retained for reference with the approved plans on-site during the course of any works. Appropriate builders, contractors or sub-contractors shall be furnished with a copy of the notice of determination and accompanying documentation.

Reason: To ensure compliance with this consent.

PD02 Adjoining Bushland

52. No vehicle access is to be provided from the premises into the adjoining bushland reserve.

Reason: To ensure protection of the bushland reserve and manage the impacts of the development.

Construction Noise

53. Noise emissions and vibration must be minimised and work is to be carried out in accordance with the NSW Department of Environment, Climate Change and Water's Interim Noise Construction Guidelines 2009 for noise emissions from demolition, excavation and construction activities.

Vibration levels resulting from demolition and excavation activities shall not exceed 5mm/sec peak particle velocity (PPV) when measured at the footing of any nearby building.

Reason: to maintain appropriate amenity to nearby occupants.

Dust Control

54. Dust control measures shall be implemented during all periods of earth works, demolition, excavation and construction in accordance with the requirements of the NSW Department of Environment and Conservation (DEC). Dust nuisance to surrounding properties should be minimised.

Reason: To protect the amenity of the area.

PD07 Plant and equipment kept within site

55. All plant and equipment used in the construction of the development, including concrete pumps, wagons, lifts, mobile cranes, etc, shall be situated within the boundaries of the site and so placed that all concrete slurry, water, debris and the like shall be discharged onto the building site, and is to be contained within the site boundaries.

Reason: To ensure public safety and amenity on public land.

Occupation of Road Reserve

56. Occupation of any part of footpath or road at or above (including construction and/or restoration of footpath and/or kerb or gutter) during construction of the development shall require a Road Occupancy Permit from Council. The applicant is to be required to submit an application for a Road Occupancy Permit through Council's Traffic and Transport Services, prior to carrying out the construction/restoration works.

Reason: To protect public safety.

Oversized Vehicle Permit

57. Oversize vehicles using local roads require Council's approval. The applicant is to be required to submit an application for an Oversize Vehicle Access Permit through Council's Traffic and Transport Services, prior to driving through local roads within Parramatta LGA.

Reason: To protect public safety.

Work hours

58. All work including building, demolition and excavation work; and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (eg. loading and unloading of goods, transferring tools etc) in connection with the proposed development must only be carried out between the hours of 7.00am and 5.00pm on Monday to Fridays inclusive, and 8.00am to 5.00pm on Saturday. No work is to be carried out on Sunday or public holidays.

Note – Council may allow extended work hours for properties located on land affected by Parramatta City Centre LEP 2007 in limited circumstances and upon written application and approval being given by Parramatta City Council at least 30 days in advance.

Such circumstances where extended hours may be permitted include:

- Delivery of cranes required to the site outside of normal business hours;
- Site is not located in close proximity to residential use or sensitive land uses;
- Internal fit out work.

Reason: To protect the amenity of the area.

PD15 Waste data file

- 59.A Waste Data file is to be maintained, recording building/demolition contractor's details and waste disposal receipts/dockets for any demolition or construction wastes from the site. The proponent may be required to produce these documents to Council on request during the site works.

Reason: To confirm waste minimisation objectives under Parramatta Development Control Plan 2005 are met.

PD16 Importation of clean fill

- 60.Any fill material imported to the site is to be virgin excavated natural material (VENM) and is to be certified as such by a suitably qualified industry professional. Records of each individual certification are to be kept on site and produced for inspection when requested.

Reason: To ensure the site does not become contaminated and appropriate compaction levels can be achieved.

PD17 Survey Report

- 61.A survey certificate is to be submitted to the Principal certifying Authority at footing and/or formwork stage. The certificate shall indicate the location of the building in relation to all boundaries, and shall confirm the floor level prior to any work proceeding on the building.

Reason: To ensure the development is being built as per the approved plans.

BE02 Record of inspections carried out

62. In accordance with Clause 162B of the Environmental Planning and Assessment Regulation 2000, the Principal Certifying Authority that is responsible for critical stage inspections must make a record of each inspection as soon as practicable after it has been carried out. Where Council is not the PCA, the PCA is to forward a copy of all records to Council.

The record must include details of:

- (a) the development application and Construction Certificate number;
- (b) the address of the property at which the inspection was carried out;
- (c) the type of inspection;
- (e) the date on which it was carried out;
- (f) the name and accreditation number of the certifying authority by whom the inspection was carried out; and
- (g) whether or not the inspection was satisfactory in the opinion of the certifying authority who carried it out.

Access Points

63. Access points are to be provided as shown on the plan (Drawing Nos. DAC010, Issue D, DAC011, Issue E and DAC013, Issue D, all prepared by AT&L Civil Engineers and Project Managers), as follows:

- i) External vehicle access arrangements:
 - minor modification of the existing traffic signal controlled access intersection on Victoria Road including:
 - formalisation and extension of the 2 lane egress
 - extension of the left-turn ingress lane in Victoria Road
 - extension of the right-turn ingress lane in Victoria Road
 - provision of a pedestrian crossing across Victoria Road on the western side of the intersection
 - an egress on Victoria Road near the western boundary for Bunning's delivery vehicles only which is to be restricted to left-turn only egress under traffic signal control (ie modification of the existing Clyde Street intersection signals).
- ii) Internal vehicle access arrangements:
 - a principal ingress/egress connection located 85m north of the Victoria Road access for Bunning's and the fast food car parks with channelized/sign controlled priority for the car park connection
 - secondary and tertiary ingress/egress connections for the Bunning's north car park located off the principal connection access road connection into the rear lot.

Operational Plan for Pedestrian Safety in Trade/Landscape Yards

64. A Management Plan or Operational Plan is to be submitted to Council for information indicating the safety measures and features within the timber trade and building and landscape supplies yards.

Line-marking of Car Park

65. The aisle ways are to be marked with pavement arrows to direct traffic movements in / out of the site and guide traffic circulation through the car park.

Parking Space Dimensions

66. The dimensions and configuration of the disabled parking spaces are to comply with AS 2890.6-2009 (a dedicated space plus a shared space - 2.4m wide x 5.4m long each with a bollard installed on the shared space).

Parking Provision

67. 455 off-street parking spaces (including 10 disabled parking spaces in front of the building, 5 spaces for vehicles with towing trailers and 23 spaces for staff parking) are to be provided, permanently marked on the pavement and used accordingly. The dimensions for parking spaces and aisle width to be in accordance with AS 2890.1-2004 (2.5m wide x 5.5m long clear of columns plus 300mm clearance adjacent walls and width varies from 7.5m to 8.923m as shown on the plan).

Driveway and Ramp Gradients

68. Driveway and ramp gradients are to comply with Clause 2.5, Clause 2.6 and Clause 3.3 of AS2890.1-2004.

Driveway Width

69. The driveway width (w) at the concrete layback is to comply with Council's Standard Heavy Duty Vehicular Crossing plan (DS9).

Traffic Facilities

70. Traffic facilities to be installed, such as; wheel stops, bollards, kerbs, signposting, pavement markings, lighting and speed humps, shall comply with AS2890.1-2004.

Sight Distances

71. Sight distance to pedestrians exiting the property is to be provided by clear lines of sight in a splay extending 2m from the driveway edge along the front boundary and 2.5m from the boundary along the driveway in accordance with Figure 3.3 of AS2890.1. The required sight lines to pedestrians or other vehicles in or around the site should not be compromised by the landscaping, signage fences, walls or display materials.

The required sight lines to pedestrians or other vehicles in or around the car park or entrances should not be compromised by landscaping, signage, fencing or display materials. In addition, measures should be implemented to improve visibility to pedestrians and other vehicles where sight distance is restricted.

Car Park Layout

72. The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths, and parking bay dimensions) shall be in accordance with AS 2890.1 - 2004 and AS 2890 - 2002 for service areas.

Road Occupancy Licence

73. A Road Occupancy Licence should be obtained from the Transport Management Centre for any works that may impact on traffic flows on Victoria Road during construction activities.

Signposting

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

No encroachment into the Tree Protection Zone (TPZ) of Existing Trees

75. Any of the proposed structures such as pits pipes, tanks, retaining walls road works, landfill, excavation etc. should be clear off the Tree Protection Zone (TPZ) of the existing trees within the site or the reserve. No encroachment is permitted.

Support for Council Roads, footpaths, drainage

76. Council's or public property adjoining the construction site must be fully supported at all times during all excavation and construction works. Details of shoring, propping and anchoring of works adjoining Council's or public property, prepared by a qualified structural engineer or geotechnical engineer, must be submitted to and approved by the Principal certifying Authority (PCA), before the commencement of the works. A copy of these details must be forwarded to Council and relevant public authority. Backfilling of excavations adjoining Council's or public property or any void remaining at completion of construction between the building and Council's or public property must be fully compacted prior to the completion of works.

Reason: To protect Council's infrastructure.

Erosion and Sediment controls for vehicular entry & exit points

77. The vehicular entry/exits to the site within Council's road reserve must prevent sediment from being tracked out from the development site. This area must be laid with a non-slip, hard-surface material, which will not wash into the street drainage system or watercourse. The access point is to remain free of any sediment build-up at all times.

Reason: To ensure soil and water management controls are in place before site works commence.

Special Permits

78. Unless otherwise specifically approved in writing by Council, all works, processes, storage of materials, loading and unloading associated with the development are to occur entirely on the property. The applicant, owner or builder must apply for specific permits available from Council's Customer Service Centre for the undermentioned activities on Council's property pursuant to Section 138 of the Roads Act 1993:

- (a) On-street mobile plant: e.g. Cranes, concrete pumps, cherry-pickers, etc. - restrictions apply to the hours of operation, the area of operation, etc. Separate permits are required for each occasion and each piece of equipment. It is the applicant's, owner's and builder's responsibilities to take whatever steps are necessary to ensure that the use of any equipment does not violate adjoining property owner's rights.
- (b) Storage of building materials and building waste containers (skips) on Council's property.
- (c) Permits to utilise Council property for the storage of building materials and building waste containers (skips) are required for each location. Failure to obtain the relevant permits will result in the building materials or building waste containers (skips) being impounded by Council with no additional notice being given.

Storage of building materials and waste containers on open space reserves and parks is prohibited.

(d) Kerbside restrictions, construction zones:

The applicant's attention is drawn to the possible existing kerbside restrictions adjacent to the development. Should the applicant require alteration of existing kerbside restrictions, or the provision of a construction zone, the appropriate application must be made to Council and the fee paid. Applicants should note that the alternatives of such restrictions may require referral to Council's Traffic Committee. An earlier application is suggested to avoid delays in construction programs.

Reason: Proper management of public land.

Notification of excavation and Support for neighbouring buildings

79. 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, excavation activity shall NOT commence until the applicant demonstrate that structural /geotechnical engineer's certificate and "certified detail drawings" from a qualified practicing structural/geotechnical engineer, showing methods to be employed to support the excavation adjacent to the neighbouring building foundation and extending further two (2) meters on each end of the foundation, have been submitted to and approved by the principal certifying authority (PCA). The person causing the excavation to be made:

- (a) Must preserve and protect the building from damage;
- (b) If necessary, must underpin and support the adjoining building in an approved manner; and
- (c) Must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the 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 clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this clause, allotment of land also includes a public road and any other public place.

Reason: To ensure adjoining owner's property rights are protected and protect adjoining properties from potential damage.

Damage to public infrastructure to be Rectified Immediately

80. Any damage to Council assets that affect public safety during construction shall be rectified immediately to the satisfaction of Council at the cost of the developer.

Reason: To protect public infrastructure and maintain public safety.

Reinstatement of redundant Laybacks and Disused Vehicular Crossing

81. All redundant laybacks and vehicular crossings shall be reinstated to conventional kerb and gutter, foot-paving or grassed verge as appropriate in accordance with Council's **Standard Plan No. DS1**. All costs shall be borne by the applicant, and works shall be completed to the satisfaction of Council prior to the issue of an Occupation Certificate.

Reason: To provide satisfactory drainage.

Vehicle egress signs

82. Appropriate sign(s) shall be provided and maintained within the site at the point(s) of vehicular egress to compel all vehicles to stop before proceeding onto the public way.

Reason: To ensure pedestrian safety.

Substation

83. The finished surface of the substation easement should be such that it provides a stable work surface for Integral Energy personnel. Furthermore, the finished surface should be such that it can be readily removed and/or restored. Materials such as pine bark, wood chip and blue metal are acceptable. Grass may be used however the applicant is advised that Integral Energy is not responsible for maintenance of this area.
84. Screening vegetation should be kept a minimum of 1000mm on the sides and 1500mm at the rear, **plus** half of the full-grown canopy width, from the substation plinth. All screening vegetation should be maintained in such a manner as to allow good personnel access.
85. Services such as drains, piping or wiring are not permitted to pass through the substation easement or the ground below it.
86. Pad-mount substations are to be suitably protected against vehicle impact or damage in areas of regular vehicle movements. The recommended protection should be placed not closer than the easement boundary and at a minimum should be:

“Armco” railing or similar for “high” hazard areas.

Posts (bollards) consisting of 1.5m lengths of 150mm-diameter minimum, galvanised water pipe set in concrete to a depth of 600mm.

Stabilisation of Soil

87. Within 1 week of completion of earthworks for the subdivision, the exposed soil on proposed Lots 2 and 3 is to be stabilised by appropriate vegetation (that will not cause a weed nuisance to the reserve at the rear). The vegetation is to be managed until it provides adequate coverage to prevent soil erosion and the temporary sedimentation devices are to be retained until the entire site is stabilized.

Prior to Release of the Subdivision Certificate

PE07 Telecommunications services

88. The developer shall submit to the Principal Certifying Authority a letter from the telecommunications company confirming that satisfactory arrangements have been made for the provision of telephone services, prior to the release of the Subdivision Certificate or issuing of any Occupation Certificate.

Reason: To ensure provision of appropriately located telecommunication facilities

PE08 Provision of Integral Energy services

89. Submission of a letter confirming satisfactory arrangements have been made for the provision of Integral Energy services.

Reason: To ensure appropriate electricity services are provided.

Provision of infrastructures - Heavy-duty Vehicular access for Lot 3

90. The heavy-duty vehicular access way to the proposed Lot 3 shall be constructed as a part of infrastructure for the land subdivision prior to the release of the Subdivision Certificate.

Reason: Provision of basic infrastructure.

Provision of infrastructures – Trunk drainage for Lot 2 & 3 and the associated Drainage easement through Lot 3.

91. Provision of trunk drainage shall be made to allow connection of stormwater system from proposed Lot 2, and 3 such that each lot will be able to provide separate OSD system, without causing interference to the OSD system for Lot 1. The proposed 525mm dia outlet pipe along the proposed easement on the western boundary of Lot 2 shall be upgraded, if required, to carry the expected flow from Lot 2 and Lot 3 as well. Design details together with a longitudinal drainage section and details of the scour protection headwall at the connection to Subiaco Creek are required prior to the release of the Subdivision Certificate.

Reason: Provision of basic infrastructure.

Creation of inter-allotment Drainage Easement over the proposed Stormwater outlet pipe

92. A 2m wide drainage easement shall be created over the proposed Lot 3, as shown on the stormwater plan, in favour of Lot 1 to allow laying of proposed **525mm** dia stormwater outlet pipe along the proposed southern and western boundary of **Lot 3**, to drain stormwater from **Lot 1**, under the provisions of section 88B of the Conveyancing Act 1919. The plan of easement shall show the extent of the easement and the location of pipeline. Proof of registration of the drainage easement with the NSW Department of Lands, must be provided to the Council by the Principal Certifying Authority, prior to the issue of the Subdivision Certificate

Reason: To ensure an appropriate Drainage easement is in place and council asset are protected.

Creation of Right of Ways and easement for services

93. A Right of carriageway as well as easement for services shall be created on the proposed **Lot 1** benefitting the proposed **Lot 2 & 3**, to allow for vehicular access and any services for the lots benefitted as shown on the approved subdivision plan (i.e. Plan of proposed subdivision prepared by LandPartners with Surveyor's Reference #72768P'Sub, Revision "E" dated 02/2012). Proof of registration shall be submitted to the Principal Certifying Authority prior to issue of the Subdivision Certificate. A copy of the registered documents shall be submitted to Council for record purpose.

Note: The document/instrument shall be submitted to Council for approval together with other relevant documents prior to lodgement with the Land and Property Information Service of NSW.

Creation of Restriction on the use of land / positive covenant to construct OSD system for the proposed Lot 2 and Lot 3

94. A restriction of the use of land shall be created on the property title of proposed **Lot 2 & 3**, under the provision of the Conveyancing Act 1919, to ensure that the future development of the lot including construction of building will not takes place on the lots burdened unless concurrently with an On-Site Detention system designed and constructed on each lot burdened, which will comply with the all requirements including a Site Storage Requirement and a Permissible Site Discharge of *as set out in the Upper Parramatta River Catchment's (UPRCT's) handbook*. A positive covenant and a restriction on the use of land shall also be created on the property title only upon completion of the OSD system under the provision of the Conveyancing Act 1919, to ensure that the required on-site detention system will be adequately maintained. A copy of the typical covenant may be obtained from the Council's Development Services Unit. Proof of registration shall be submitted to the Principal Certifying Authority prior to issue of the Subdivision Certificate.

Note: The document/instrument shall be submitted to Council for approval together with other relevant documents prior to lodgement with the Land and Property Information Service of NSW.

Reason: To ensure construction of on-site detention system.

Creation of Easement for Signage

95. An easement for signage shall be created on the proposed **Lot 1** benefitting proposed **Lots 2 & 3**, over the area to be occupied by the proposed pylon sign and directory sign to allow each property to erect a signage panel on each sign. Proof of registration shall be submitted to the Principal Certifying Authority prior to issue of the Subdivision Certificate. A copy of the registered documents shall be submitted to Council for record purpose.

Note: The document/instrument shall be submitted to Council for approval together with other relevant documents prior to lodgement with the Land and Property Information Service of NSW.

Request for a Subdivision Certificate

96. A separate application must be made for a subdivision certificate. The application is to be accompanied by documentary evidence demonstrating compliance with all conditions of Development consent no. **DA/709/2012**.

Reason: To comply with the requirements of the Environmental Planning and Assessment Act 1979 (as amended).

Linen plan of Subdivision to conform to Development consent

97. The Linen plan of subdivision shall conform to Council's Development Consent No. **DA/709/2012** and all relevant conditions there under including concept subdivision plan (i.e. Plan of proposed subdivision prepared by LandPartners with Surveyor's Reference #72768P'Sub, Revision "E" dated 02/2012) approved as a part of the development consent.

Reason: To ensure the Linen plans are in accordance with the approved subdivision plan as a part of the development consent.

Blue Gum High Forest Buffer in the eastern section of the site

98. The eastern section of buffer located between the Council reserve and tree number 129 through to 169 shall be dedicated as an Environmental Protection Zone and managed through recognised bushland regeneration practices and principles.

Prior to issue of the Subdivision Certificate, the applicant must create a positive covenant under Section 88E of the Conveyancing Act 1919, burdening the property with the requirement to maintain the vegetation within the environmental protection zone (Area 3) on the property. The terms of the instruments are to be generally in accordance with the vegetation management plan and to the satisfaction of Council (refer to Council's Open Space and Natural Resource Planner for terms). The location of the environmental protection zone subject to works, within the lot, must be shown on a scale sketch, attached as an annexure to the request forms. Registered title documents showing the covenants must be submitted to and approved by the Principal Certifying Authority prior to issue of an Occupation Certificate.

Reason: To ensure and enhance the protection of the critically endangered Blue Gum High Forest vegetation and ensure the long-term viability of the environmental protection zone via stabilisation of soils, improvement of water quality and reduction in exotic weeds.

Prior to Release of the Occupation Certificate for the Building on Proposed Lot 1

PE02 Arts and Cultural Plan implementation

99. The artworks shall be installed in accordance with the approved arts plan.

Reason: To ensure the appropriate implementation of the approved public art plan.

Intersection Works on Victoria Road

100. The existing right turn bay into the subject site at the intersection of Victoria Road and the site access shall be extended to a minimum of 60 metres in length. The developer is required to dedicate the first 20 metres of the site access driveway off Victoria Road as public road. This land dedication shall be at full cost to the developer and shall be executed prior to the release of any Occupation Certificate by the Principal Certifying Authority for the proposed structures on the site. The extent of the land dedication shall be to RMS requirements to accommodate detector loops and future maintenance of the traffic signals.

101. The proposed changes to the existing traffic signals and civil works on Victoria Road shall be designed to meet RMS requirements and endorsed by a suitably qualified and chartered practitioner. The design requirements shall be in accordance with Austroads, RMS supplements and other Australian Codes of Practice. The certified copies of the traffic signal design plans shall be submitted to RMS for consideration and approval prior to the release of the Occupation Certificate by the certifier and commencement of road works. RMS fees for administration, plan checking, signal works inspections and project management shall be paid by the developer prior to the commencement of works.

The developer will be required to enter into a 'Works Authorisation Deed' (WAD) for the abovementioned works.

102. The abovementioned signal and civil works will need to comply with the RTA's Technical Direction, '*Signalised Entries to Private Developments*' (Reference No.: TDT 2001/03).

103. The design of the proposed left turn deceleration lane on Victoria Road into the subject site shall be endorsed by a suitably qualified and chartered Engineer (i.e. who is registered with the Institute of Engineers, Australia). The design requirements (where applicable) shall be in accordance with Austroads, RMS supplements and other Australian Codes of Practice. The certified copies of the civil design plans shall be submitted to RMS for consideration and approval prior to the release of the Occupation Certificate by the Certifier and commencement of road works. The existing lane widths along Victoria Road shall not be compromised.

104. To facilitate the provision of the left turn deceleration lane on Victoria Road, the applicant shall provide a 3.5 metre wide land dedication from the subject site on the Victoria Road frontage of the site for the full length of the left turn deceleration lane into the site. This land shall be dedicated as public road at no cost to RMS and Council. Sufficient land dedication is to be provided for the relocation of the footway.

This land dedication from the subject site as public road shall be executed, prior to the release of an Occupation Certificate for the proposed development.

105. Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system are to be submitted to the RMS for approval, prior to the commencement of any works.

Details should be forwarded to:

**The Sydney Asset Management
PO Box 973
Parramatta CBD NSW 2124**

A plan checking fee will be payable and a performance bond may be required before RMS approval is issued. With regard to the Civil Works requirement please contact RMS Project Engineer, External Works Ph: 8849 2114 or Fax: 8849 2766.

106. The Occupation Certificate shall not be released for any stage of the development until such time that all the abovementioned signal and civil works are fully constructed and operational.
107. The developer shall be responsible for all public utility adjustments/relocation works, necessitated by the above work and as required by the various public utility authorities and/or their agents.

Work-as-Executed Plan

108. Works-As-Executed stormwater plans shall be submitted to the Principal Certifying Authority prior to the issue of the Occupation Certificate, certifying that the stormwater drainage system has been constructed and completed in accordance with the approved stormwater plans. The person issuing the Occupation Certificate shall ensure that:
- Stormwater system including On-Site Detention systems have been built according to and comply with the requirements including the OSD storage volume as shown on the approved stormwater plan.
 - The Work-As-Executed plans are prepared on the copies of the approved drainage plans issued with the Construction Certificate and variations are marked in red ink.
 - The Work-As-Executed plans have been prepared by a registered surveyor certifying the accuracy of dimensions, levels, storage volumes, etc.
 - As built On-Site Detention (OSD) storage volume calculated in tabular form (in incremental depth verses segmental area and volume table) and certified by the registered surveyor.

- OSD Works-As-Executed survey certification form and dimensions form (refer to UPRCT Handbook - Form B10 and Form Attachment B).
- Certificate of Hydraulic Compliance from a qualified drainage / hydraulic engineer (refer to UPRCT Handbook – **Form B11** Certificate). The person issuing Hydraulic certificate shall ensure that all the works have been completed and comply with the approved plans.
- Approved verses installed Drainage Design (OSD) Calculation Sheet certified by a qualified practicing Hydraulic Engineer.
- Structural Engineer's Certificate for the OSD tank structure, basement pump-out tank structure, OSD basin (retaining) wall etc.
- The original Work-As-Executed plans and all documents mentioned above have been submitted to Council's Development Services Unit.

Reason: To ensure works comply with approved plans.

Certification of the water quality management system

109. As constructed plan of Water quality management system shall be submitted to the Principal Certifying Authority prior to the issue of the Occupation Certificate, certifying that the water quality management system has been constructed and completed in accordance with the designed plans. The person issuing the Occupation Certificate shall ensure that:

- As constructed plan of the Water quality management system including the details of devices such as gross pollutant traps, bio-retention basins, wetland ponds etc have been prepared by a registered surveyor certifying the accuracy of dimensions, levels, storage volumes etc. and that they are prepared on the copies of the approved plans issued with the Construction Certificate and variations are marked in red ink.
- water quality management system including Water Quality Improvement Devices (SQID's) such as gross pollutant trap (GTP's), bio-retention basins, sand filters, storm filters, ponds, etc have been built according to and comply with the requirements as stated in the council's Stormwater design Guideline.
- Certificate of compliance of the system from a qualified professional engineer certifying that the system have been built according to the plan and meet the following water quality improvement objectives:

Gross Pollutants (Trash litter and vegetation larger than 5mm) at least **90%** of mean annual load shall be captured.

Coarse Sediment (Contaminant particles between 0.1mm and 0.5mm)) at least **50%** of mean annual load shall be captured.

Fine Sediment/Suspended solids (Contaminant particles 0.1mm or less) at least **85%** of mean annual load shall be captured.

Nutrients:

Total phosphorus: at least **60%** reduction in the mean annual load

Total nitrogen: at least **45%** reduction in the mean annual load.

Hydrocarbons, motor oils, oil and grease: i) No visible oils for flows up to 50% of the 1-year ARI peak flow and
ii) Total discharge from site of Total Petroleum Hydrocarbons (TPH) <10 mg/L at all times, **whichever is greater** shall be captured.

Reason: To ensure works comply with approved plans.

OSD Positive Covenant/Restriction

110. Prior to issue of the Occupation Certificate the applicant must create a Positive Covenant and Restriction on the Use of Land under Section 88E of the Conveyancing Act 1919, burdening the owner with the requirement to maintain the on-site stormwater detention facilities on the **Lot 1**. The terms of the instruments are to be generally in accordance with the Council's draft terms of Section 88B instrument for protection of on-site detention facilities and to the satisfaction of Council. For existing Titles, the Positive Covenant and the Restriction on the use of Land is to be created through an application to the Land Titles Office in the form of a request using **forms 13PC** and **13RPA**. The relative location of the On-Site Detention facility, in relation to the building footprint, must be shown on a scale sketch or a works as executed plan, attached as an annexure to the request forms. Registered title documents showing the covenants and restrictions must be submitted and approved by the Principal Certifying Authority prior to issue of an Occupation Certificate.

Note: The covenant is to be submitted to Council for approval prior to lodgement with the Land and Property Information Service of NSW. Documents relating proof of completion of the stormwater system according to the approved stormwater plan and certification of the compliance shall be submitted to the council together with the positive covenant and restriction.

Reason: To ensure maintenance of on-site detention facilities.

Post-construction dilapidation report

111. The applicant shall engage a suitably qualified person to prepare a post construction dilapidation report at the completion of the construction works. This report is to ascertain whether the construction works created any structural damage to adjoining–buildings, public infrastructure and roads. The report is to be submitted to the PCA. In ascertaining whether adverse structural damage has occurred to adjoining buildings, infrastructure and roads, the PCA must:

- (a) compare the post-construction dilapidation report with the pre-construction dilapidation report, and
- (b) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.
- (c) carry out site inspection to verify the report and ensure that any damage to the public infrastructure as a result of the construction work have been rectified immediately by the developer at his/her cost.

A copy of this report shall be forwarded to Council.

Reason: To establish the condition of adjoining properties prior building work and any damage as a result of the building works.

Subdivision Certificate

112. The Occupation Certificate shall not be released until the Subdivision Certificate has been released.

Travel Plan

113. The Travel Plan referred to in the Statement of Environmental Effects shall be finalised and made ready for implementation prior to the issue of the Occupation Certificate.

Operational Plan of Management

114. Prior to issue of any Occupation Certificate, an operational plan of management is to be submitted to the satisfaction of the Principal Certifying Authority detailing measures to be put in place to prevent shopping trolleys being taken off site by customers and how and when shopping trolleys will be collected and returned to the premises in the advent that they are removed from the site by customers. Details must also include how the shopping trolleys will be securely stored outside the hours of operation. Details are also to be provided on how and when the operator will remove general litter associated with the premises from any public places immediately adjoining or adjacent to the site.

Reason: To maintain the amenity of the surrounding area

Provision of Footpath

115. A footpath along the entire length of the Victoria Road frontage of the site is to be provided to the satisfaction of Council prior to the release of the occupation certificate..

Reason: To ensure appropriate public access

BE01 Occupation Certificate

116. Occupation or use, either in part of full, is not permitted until an Occupation Certificate has been issued. The Occupation Certificate must not be issued unless the building is suitable for occupation or use in accordance with its classification under the Building Code of Australia and until all preceding conditions of this consent have been complied with.

Where Council is not the Principal Certifying Authority, a copy of the Occupation Certificate together with registration fee must be provided to Council.

Use of the Premises – Lot 1

PF04 External Plant/Air-conditioning noise levels

117. Any External Plant/ air-conditioning system shall not exceed a noise level of 5 dBA above background noise level when measured at the side and rear boundaries of the property.

Reason: To minimise noise impact of mechanical equipment.

Noise

118. The use of the premises not giving rise to:
- transmission of unacceptable vibration to any place of different occupancy,
 - a sound pressure level measured at any point on the boundary of any affected residential premises that exceeds the background noise level by more than 5 dB(A). The source noise level shall be assessed as an LAeq,15 min and adjusted in accordance with Environment Protection Authority (EPA) guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations, and temporal content as described in the NSW Environmental Planning & Assessment Act 1979: Environmental Noise Control Manual, Industrial Noise Policy 2000 and the Protection of the Environment Operations Act 1997.

Reason: To prevent loss of amenity to the area.

PF09 Illumination within trading hours

119. To maintain amenity for adjoining properties, the painted wall signs on the building shall not be illuminated beyond the approved trading hours.

Reason: To maintain amenity for adjoining properties.

PF16 Loading & unloading

120. All loading and unloading shall:
- a. take place within the designated loading areas on the subject property, or
 - b. take place within the approved loading dock to minimise disruption to public spaces, and
 - c. is to be carried out wholly within the site

Reason: To protect the amenity of the area.

PF25 Operating hours

121. The days and hours of operation are restricted to **6am to 10pm Monday to Friday and 6am to 6pm Saturday to Sunday**. Any alterations to the above will require further development approval.

Reason: To minimise the impact on the amenity of the area.

Turning Areas

122. The proposed turning areas within the car park are to be kept clear of any obstacles, including parked cars, at all times.

Waste Storage

123. No materials, waste matter or products are to be stored outside the building or any approved waste storage area at any time. The garbage receptacles are not to be used for the disposal of any type of liquid waste.

Reason: Health and amenity

Loading/Garbage Collection

124. The use of the loading docks and garbage collection is to be restricted to within the approved hours of operation of the premises.

Reason: To protect the amenity of adjoining and nearby residents

Easement for Substation

125. The easement area surrounding the substation is to be kept clear of all obstructions, encumbrances and other services in order to provide a safe work area for Integral Energy personnel to comply with Work cover and Occupational Health & Safety requirements. Consequently, no fences should be erected within 1 metre of the sides or 1.5 metres of the rear of the substation without prior consultation with Integral Energy. Metallic fences within 4 metres off a substation require special consideration in relation to isolation and earthing.

Access through security areas is not acceptable; e.g. where guard dogs or security systems are in place. Integral Energy locks are to be included in locking systems. If guard dogs are to be used or if security systems are electronic or otherwise complex, then it will be necessary for the substation to be fenced out of the property.

PA22 Graffiti Management

126. The owner/manager of the site is responsible for the removal of all graffiti from the building and fences within 48 hours of its application.

Reason: To ensure the removal of graffiti.

General Terms of Approval – Office of Water

1	<p>These General Terms of Approval (GTA) only apply to the controlled activities described in the plans and associated documentation relating to DA 2011/709 and provided by Council:</p> <p>Any amendments or modifications to the proposed controlled activities may render these GTA invalid. If the proposed controlled activities are amended or modified the NSW Office of Water must be notified to determine if any variations to these GTA will be required.</p>
2	<p>Prior to the commencement of any controlled activity (works) on waterfront land, the consent holder must obtain a Controlled Activity Approval (CAA) under the Water Management Act from the NSW Office of Water. Waterfront land for the purposes of this DA is land and material in or within 40 metres of the top of the bank or shore of the river identified.</p>
3	<p>The consent holder must prepare or commission the preparation of:</p> <ul style="list-style-type: none"> (i) Vegetation Management Plan (ii) Erosion and Sediment Control Plan (iii) Soil and Water Management Plan
4	<p>All plans must be prepared by a suitably qualified person and submitted to the NSW Office of Water for approval prior to any controlled activity commencing. The following plans must be prepared in accordance with the NSW Office of Water's guidelines located at www.water.nsw.gov.au/Water-Licensing/Approvals/default.aspx</p> <ul style="list-style-type: none"> (i) Vegetation Management Plans (ii) Riparian Corridors (iii) Outlet structures
5	<p>The consent holder must</p> <ul style="list-style-type: none"> (i) carry out any controlled activity in accordance with approved plans and (ii) construct and/or implement any controlled activity by or under the direct supervision of a suitably qualified professional and (iii) when required, provide a certificate of completion to the NSW Office of Water.

Rehabilitation and maintenance	
6	The consent holder must reinstate waterfront land affected by the carrying out of any controlled activity in accordance with a plan or design approved by the NSW Office of Water.
Reporting requirements	
7	The consent holder must use a suitably qualified person to monitor the progress, completion, performance of works, rehabilitation and maintenance and report to the NSW Office of Water as required.
Drainage and Stormwater	
8	The consent holder is to ensure that all drainage works (i) capture and convey runoffs, discharges and flood flows to low flow water level in accordance with a plan approved by the NSW Office of Water; and (ii) do not obstruct the flow of water other than in accordance with a plan approved by the NSW Office of Water.
9	The consent holder must stabilise drain discharge points to prevent erosion in accordance with a plan approved by the NSW Office of Water.
Erosion control	
10	The consent holder must establish all erosion and sediment control works and water diversion structures in accordance with a plan approved by the NSW Office of Water. These works and structures must be inspected and maintained throughout the working period and must not be removed until the site has been fully stabilised.
Excavation	
11	The consent holder must ensure that no excavation is undertaken on waterfront land other than in accordance with a plan approved by the NSW Office of Water.
Maintaining river	
12	<p>The consent holder must ensure that</p> <ul style="list-style-type: none"> (i) river diversion, realignment or alteration does not result from any controlled activity work and (ii) bank control or protection works maintain the existing river hydraulic and geomorphic functions, and (iii) bed control structures do not result in river degradation other than in accordance with a plan approved by the NSW Office of Water.
River bed and bank protection	
13	The consent holder must clearly mark (with stakes using a GPS or peg out survey), protect and maintain a riparian corridor within the subject site from the northern boundary to the highest bank of the river for the length of the site directly affected by the controlled activity in accordance with a plan approved by the NSW Office of Water.
14	The consent holder must establish a riparian corridor along the Subiaco Creek in accordance with a plan approved by the NSW Office of Water.

Advisory Notes

1. RMS currently has a bus priority project which involves widening on the northern side of Victoria Road east of the entry to the proposed Bunning's development. RMS has engaged a designer who is undertaking a design that will accommodate the proposed access to the Bunning's site as well as provide for the RMS bus priority project. There is currently an S-lane treatment at the site access and this will not allow for continuous bus priority westbound. The RMS bus priority proposal is being designed in conjunction with the Bunning's access design to ensure that the two projects can proceed separately without impacting adversely on the other.
2. The conditions of consent set by Council do not guarantee RMS's final consent to the specific road work and other structure works on the classified road network. RMS must provide a final consent for each specific change to the State road network prior to the commencement of any work.
3. RMS has previously resumed and vested a strip of land for road along the Victoria Road frontage of the subject site as shown by grey colour on the attached plan. RMS has no other approved proposal that requires any part of the subject property for road purposes.
4. The Office of Water has advised that when applying for the Controlled Activity Approval (CAA) a modification to the Site works and Stormwater Drainage Plan (sheet 3, drawing no DAC12 dated 10/2/2012 by AT&L) will be required to reflect the use of Rock Rip Rap instead of concrete, as a natural materials in the design and the construction of the storm water outlet (refer to conditions 4 and 9 of the attached GTAs). The applicant will also need relocate the temporary sediment pond shown on the Sedimentation and Erosion Control Plan, Sheet 1 (drawing DAC030 dated 10/2/2012) to outside the 40m zone.
5. Integral Energy advises that **written permission** must be sought for any activity within the easement area. For such approval, detailed plans drawn to scale and fully dimensioned should be submitted to Integral Energy.