

MINUTES OF THE SYDNEY WEST REGION JOINT REGIONAL PLANNING PANEL MEETING HELD AT PENRITH CITY COUNCIL ON THURSDAY, 14 JUNE 2012 AT 10.30AM – 12NOON

PRESENT:

Mary-Lynne Taylor	Chair
Paul Mitchell	Panel Member
Bruce McDonald	Panel Member
Wayne Mitchell	Panel Member
Ross Fowler	Panel Member

IN ATTENDANCE

Peter Wood	Development Assessment Co-ordinator
Robert Craig	Principal Planner
Pukar Pradhan	Senior Environmental Planner
Anna Tomas and 3 others	NSW Land and Housing Corporation

1. The meeting commenced at 11:27am
2. Declarations of Interest – Nil.
3. **Business Items**

ITEM 1 2012SYW019 – Penrith City Council, DA12/0044, 135 Parker Street, South Penrith.

4. **Public Submission – NIL**

5. **DECISION**

ITEM 1 2012SYW019 – Penrith City Council, DA12/0044, 135 Parker Street, South Penrith.

The Panel unanimously approves the application for the reasons given in the Council assessment report and also the approval from NSW Land and Housing Corporation and subject to the conditions as amended and makes a further recommendation:

Schedule 1 - Standard Conditions

1.1 A001 (Approved Plans)

The development must be implemented substantially in accordance with the plans numbered DA·A·051 Rev D, DA·A·101 Rev D, DA·A·102 Rev C, DA·A·103 Rev D, DA·A·104 Rev D, DA·A·105 Rev D, DA·A·106 Rev D, DA·A·107 Rev C & DA·A·108 Rev C (inclusive) DA·A·010 Rev 6, DA·A·260 Revision C drawn by Quattro Design Pty Ltd dated 26/6/2011; and dated 30/04/2012, and stamped approved by Council, the application form, the BASIX Certificate and any supporting information received with the application, except as may be amended in red on the attached plans and by the following conditions.

1.2 A008 (Works to BCA requirements)

The work must be carried out in accordance with the requirements of the Building Code of Australia.

1.3 A014 (Lot Consolidation)

Lots 2 to 6 on DP 220581 & Lot 11 on DP 27993 are to be consolidated as one lot.

A copy of the registered plan of consolidation from Land and Property Information division of the Department of Lands is to be submitted to Penrith City Council,

1.4 A038 (Lighting Locations)

Prior to Occupation, a lighting system shall be installed for the development to provide uniform lighting across common areas and driveways. Exterior lighting shall be located and directed in such a manner so as not to create a nuisance to surrounding land uses. The lighting shall be the minimum level of illumination necessary for safe operation. The lighting shall be in accordance with AS 4282 "Control of the obtrusive effects of outdoor lighting" (1997).

1.5 A039 (Graffiti)

The finishes of all structures and buildings are to be maintained at all times and any graffiti or vandalism removed/repared within 14 days.

1.6 B001 (Demolition of existing structures)

The existing structures on the subject sites are to be demolished as part of the approved work.

1.7 B002 (Demolition and disposal)

All demolition works are to be conducted in accordance with the provisions of AS 2601-1991 "The Demolition of Structures". **Prior to demolition**, all services shall be suitably disconnected and capped off or sealed to the satisfaction of the relevant service authority requirements.

All demolition and excavated material shall be disposed of at an approved site or waste facility. Details of the proposed disposal location(s) of all excavated material from the development site shall be provided to the Land and Housing Corporation **prior to commencement of demolition**.

1.8 B003 (Asbestos)

You should read Council's Fact Sheet titled "Handling and Disposal of Fibrous Cement Products" **before any demolition works commence on the site**.

Prior to commencement of demolition works on site, a portable toilet with appropriate washing facilities shall be located on the site and Land and Housing Corporation Authority is to be satisfied that:

- ☐ Measures are in place so as to comply with the WorkCover Authority's "Short Guide to Working with Asbestos Cement" and
- ☐ The person employed to undertake the works is a licensed asbestos removal contractor and is holder of a current WorkCover Asbestos Licence.

Any demolition works involving the removal of all asbestos shall only be carried out by a licensed asbestos removal contractor who has a current WorkCover Asbestos Licence.

All asbestos laden waste, including asbestos cement flat and corrugated sheeting must be disposed of at a tipping facility licensed by the Environmental Protection Authority to receive asbestos wastes.

1.9 B004 (Dust Suppression)

Dust suppression techniques are to be employed during demolition to reduce any potential nuisances to surrounding properties.

1.10 B005 (Mud/Soil)

Mud and soil from vehicular movements to and from the site must not be deposited on the road.

1.11 B006 (Hours of demolition works)

Demolition works will be restricted to the following hours in accordance with the NSW Environment Protection Authority Noise Control Guidelines:

- ☐ Mondays to Fridays, 7am to 6pm
- ☐ Saturdays, 8am to 1pm
- ☐ No demolition work is permitted on Sundays and Public Holidays.

1.12 D001 (Sediment & Erosion)

Erosion and sediment control measures shall be installed **prior to the commencement of works on site** including approved clearing of site vegetation. The erosion and sediment control measures are to be maintained in accordance with the approved erosion and sediment control plan(s) for the development and the Department of Housing's "Managing Urban Stormwater: Soils and Construction" 2004.

Certification by NSW Land and Housing Corporation that the erosion and sediment control measures have been installed in accordance with the approved erosion and sediment control plan (s) for the development and "Managing Urban Stormwater: Soils and Construction 2004" shall be obtained and issued a minimum 2 days before any other site works are to commence, including earthworks and clearing of the site. The above certification is to be submitted to Council for information.

The approved sediment and erosion control measures are to be installed **prior to and maintained throughout the construction phase of the development until the landscaping, driveway and on-site parking areas have been completed for the development.** These measures shall ensure that mud and soil from vehicular movements to and from the site does not occur during the construction of the development.

1.13 D005 (No filling without prior approval)

No fill material is to be imported to the site without the prior approval of Penrith City Council in accordance with Sydney Regional Environmental Plan No.20 (Hawkesbury-Nepean River) (No.2-1997). No recycling of material for use as fill material shall be carried out on the site without the prior approval of Council.

1.14 D009 (Covering of waste storage area)

All waste materials stored on-site are to be contained within a designated area such as a waste bay or bin to ensure that no waste materials are allowed to enter the stormwater system or neighbouring properties. The designated waste storage areas shall provide at least two waste bays / bins so as to allow for the separation of wastes, and are to be fully enclosed when the site is unattended.

1.15 D010 (Appropriate disposal)

All excavated material and other wastes generated as a result of the development are to be re-used, recycled or disposed of in accordance with the approved waste management plan.

Waste materials not specified in the approved waste management plan are to be disposed of at a lawful waste management facility. Where the disposal location or waste materials have not been identified in the waste management plan, details shall be provided to the Land and Housing Corporation as part of the waste management documentation.

All receipts and supporting documentation must be retained in order to verify lawful disposal of materials and are to be made available to Penrith City Council on request.

1.16 E01A (BCA Compliance)

All aspects of the building design shall comply with the applicable performance requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the on-going benefit of the community. Compliance with the performance requirements can only be achieved by:

- (a) complying with the deemed to satisfy provisions, or
- (b) formulating an alternative solution which:
 - ☐ complies with the performance requirements, or
 - ☐ is shown to be at least equivalent to the deemed to satisfy provision, or
- (c) a combination of (a) and (b).

It is the owner's responsibility to place on display, in a prominent position within the building at all times, a copy of the latest fire safety schedule and fire safety certificate/ statement for the building.

1.17 E005 (Smoke Detector)

The smoke alarms shall be interconnected so that the sounding of the alarm in one detector activates the alarm in all detectors.

1.18 E009 (Annual Fire Safety)

The owner of a building, to which an essential fire safety measure is applicable, shall provide Penrith City Council with an annual fire safety statement for the building. The annual fire safety statement for a building must:

- (a) deal with each essential fire safety measure in the building premises, and
- (b) be given:
 - ☐ within 12 months after the last such statement was given, or
 - ☐ if no such statement has previously been given, within 12 months after a final fire safety certificate was first issued for the building.

As soon as practicable after the annual fire safety statement is issued, the owner of the building to which the statement relates:

- ☐ must also provide a copy of the statement (together with a copy of the current fire safety schedule) to the Commissioner of New South Wales Fire Brigades, and
- ☐ prominently display a copy of the statement (together with a copy of the current fire safety schedule) in the building.

1.19 E010 (Fire Safety Statement)

A supplementary fire safety statement is to be given to Penrith City Council where a critical fire safety measure is implemented. A supplementary fire safety statement for a critical fire safety measure must be given at such intervals (being intervals of less than 12 months) as is specified in respect of that measure in the current fire safety schedule for the building. As soon as practicable after the supplementary fire safety statement is issued, the owner of the building to which the statement relates:

- ☐ must also provide a copy of the statement (together with a copy of the current fire safety schedule) to the Commissioner of New South Wales Fire Brigades, and
- ☐ prominently display a copy of the statement (together with a copy of the current fire safety schedule) in the building.

1.20 G002(Section 73 Certificate)

A Section 73 Compliance Certificate under the Sydney Water Act 1994 shall be obtained from Sydney Water. The application must be made through an authorised Water Servicing Coordinator. Please refer to “Your Business” section of Sydney Water’s website at www.sydneywater.com.au then the “e-developer” icon, or telephone 13 20 92.

The Section 73 Compliance Certificate must be submitted to Council for information prior to Occupation

1.21 G004 (Integral Energy)

Prior to the commencement of construction works, a written clearance is to be obtained from Integral Energy stating that electrical services have been made available to the development or that arrangements have been entered into for the provision of services to the development.

In the event that a padmounted substation is necessary to service the development, Penrith City Council shall be consulted over the proposed location of the substation before the commencement of Construction of the development as the location of the substation may impact on other services and building, driveway or landscape design already approved by Council.

1.22 G005 (Rainwater tank-water)

A completed Permit Application - for Plumbing and Drainage Work is to be submitted to Sydney Water **at least two working days before the rainwater tank is installed and associated plumbing work is started on the site.**

1.23 H001 (Stamped Plans)

Stamped plans, specifications, a copy of the development consent, and any other Certificates to be relied upon shall be available on site at all times during construction.

The following details are to be displayed in a maximum of 2 signs to be erected on the site:

- ☐ the name of the Contractor, their address and telephone number,

- ☐ the name of the person in charge of the work site and telephone number at which that person may be contacted during work hours,
- ☐ that unauthorised entry to the work site is prohibited,
- ☐ the designated waste storage area must be covered when the site is unattended, and
- ☐ all sediment and erosion control measures shall be fully maintained until completion of the construction phase.

Signage but no more than 2 signs stating the above details is to be erected:

- ☐ at the commencement of, and for the full length of the, construction works onsite, and
- ☐ in a prominent position on the work site and in a manner that can be easily read by pedestrian traffic.

All construction signage is to be removed prior to **the Occupation of the development.**

1.24 H002 (All forms of construction)

Prior to the commencement of construction works:

- (a) Toilet facilities at or in the vicinity of the work site shall be provided at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be:
 - a standard flushing toilet connected to a public sewer, or
 - if that is not practicable, an accredited sewage management facility approved by the council, or
 - alternatively, any other sewage management facility approved by council.
- (b) All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with the appropriate professional standards. All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.
- (c) If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:
 - must preserve and protect the building from damage, and
 - if necessary, must underpin and support the building in an approved manner, and
 - 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 adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished. The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land, (includes a public road and any other public place).
- (d) If the work involved in the erection or demolition of a building is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place:
 - if necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place,

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place, and any such hoarding, fence or awning is to be removed when the work has been completed.

- (e) An amended drainage plan to reflect the amended design of the buildings shall be submitted to Council to reflect the amended design of the buildings prior to commencement of works
- (f) An amended landscape plan to reflect the amended design of the buildings shall be submitted to Council prior to the commencement of works.

1.25 H003 (Traffic safety during construction)

No work is to commence on site until such time as a person accredited to prepare traffic control plans in accordance with AS1742.3 "Traffic Control Devices for Works on Roads" and the Roads and Traffic Authority's publication "Traffic Control at Worksites" has certified a Traffic Control Plan for the development/site. The Traffic Control Plan shall be implemented during the construction phase of the development and a copy of the plan shall be available on site at all times.

A copy of the Traffic Control Plan shall accompany the Notice of Commencement to be submitted to Penrith City Council **2 days before any work is to commence on site.**

1.26 H18F (Timber frame works)

All timber framework shall comply with AS1684-1999 "Residential Timber-Framed Construction."

1.27 H022 (Survey)

The building shall be set out by a registered surveyor. A Survey Certificate shall be undertaken and submitted to the Land and Housing Corporation when the building is constructed to ground floor slab level.

1.28 H024 (Glass Installation)

Glass installations within the building shall comply with AS 1288 and the Building Code of Australia. On completion of the glass installation, a report shall be submitted certifying compliance with AS 1288.

1.29 H041 (Hours of operation for construction)

Construction works or subdivision works that are carried out in accordance with an approved consent that involve the use of heavy vehicles, heavy machinery and other equipment likely to cause offence to adjoining properties shall be restricted to the following hours in accordance with the NSW Environment Protection Authority Noise Control Guidelines:

- ☐ Mondays to Fridays, 7am to 6pm
- ☐ Saturdays, 7am to 1pm (if inaudible on neighbouring residential premises), otherwise 8am to 1pm
- ☐ No work is permitted on Sundays and Public Holidays.

Other construction works carried out inside a building/tenancy and do not involve the use of equipment that emits noise are not restricted to the construction hours stated above.

The provisions of the Protection of the Environment Operations Act, 1997 in regulating offensive noise also apply to all construction works.

1.30 H036 (Rain water tank)

The rainwater tank(s) is to be:

- ☐ erected on a self-supporting base in the approved location on the property in accordance with the stamped-approved site plans for the development,
- ☐ structurally sound and constructed in accordance with AS/NZS 3500 1.2-1998: *National Plumbing and Drainage - Water Supply - Acceptable Solutions*,
- ☐ fully enclosed and all openings sealed to prevent access by mosquitoes,
- ☐ fitted with a first flush device,
- ☐ fitted with a trickle system to top up from mains water,
- ☐ provided with an air gap, and
- ☐ installed by a licensed plumber in accordance with Sydney Water's "*Plumbing requirements Information for rainwater tank suppliers and plumbers April 2003*" and the *NSW Code of Practice: Plumbing and Drainage*.

Additionally, the following are to be provided:

- ☐ back flow prevention device shall be provided at the water meter in accordance with Sydney Water requirements.
- ☐ In the event of a power failure, a back up supply of mains water shall be provided to at least one toilet in the dwelling.
- ☐ The rainwater tank(s) and associated piping is to be labelled 'Rainwater Not for Drinking' in accordance with Sydney Water requirements.
- ☐ The rainwater tank and pipework is to be painted in colours matching the external finishes of the dwelling and is to be of non-reflective finish.
- ☐ The overflow for the rainwater tank is to be connected into the existing stormwater disposal system on the site.

Before a rainwater tank(s) can be used, a certificate or suitable document is to be submitted to the Land and Housing Corporation stating that the rainwater tank has been installed in accordance with:

- ☐ the manufacturer's specifications, and
- ☐ Sydney Water and NSW Health requirements.
- ☐ This certificate or documentation is to be provided by the licensed plumber who installed the rainwater tank on the property, and is to be submitted **prior to the Occupation..**

1.31 H037 (Safe supply of water)

The catchment area (for the rainwater tank) includes the parts of the roof of the dwelling(s) from which water is collected and includes gutters. To ensure a safe supply of water:

- ☐ roof catchment areas must be kept clear of overhanging vegetation,
- ☐ gutters must have sufficient fall to downpipes to prevent pooling of water,
- ☐ overflow, discharge from bleed off pipes from roof mounted appliances such as airconditioners, hot water services and solar heaters must not discharge into the rainwater catchment area,
- ☐ for roofs containing lead based, tar based or asbestos material the tank supply must not be connected to drinking, bathing and gardening tap water outlets,
- ☐ gutter guard must be installed in roof gutters to prevent foreign materials from contaminating the water which enters the rainwater tank.

1.32 H038 (Connection of rainwater)

The rainwater tank supply must not be connected to drinking and bathing water tap outlets.

1.33 H039 (Rainwater tank Pump)

The pump must not exceed 5dBA above ambient background noise level at the nearest residential property boundary. The provisions of the Protection of the Environment Operations Act 1997 apply to the development, in terms of regulating offensive noise.

1.34 K101 (works at no cost to Council)

All roadworks, drainage works and dedications, required to effect the consented development shall be undertaken at no cost to Penrith City Council.

1.35 K201 (Sediment and Erosion Control)

All works within any road reserve shall be carried out in accordance with Penrith City Council's Design Guidelines and Construction Specification for Civil Works.

1.36 K203 (S138 Roads Act – roadworks requiring approval of civil drawings)

a) Provision of stormwater drainage in Fragar Road.

Civil design drawings are to be prepared strictly in accordance with Penrith City Council's Design Guidelines and Construction Specification for Civil Works.

1.37 K209 (Stormwater Concept Plan)

The stormwater drainage system shall be provided generally in accordance with the approved concept plan/s.

The proposed development and stormwater drainage system shall be designed to ensure that stormwater runoff from upstream properties is conveyed through the site without adverse impact on the development or adjoining properties.

Prior to commencement of Construction Land and Housing Corporation shall ensure that the stormwater drainage system has been designed in accordance with Penrith City Council's Design Guidelines and Construction Specification for Civil Works.

1.38 K221 (Access Car Park)

Prior to the commencement of Construction the Land and Housing Corporation shall ensure that vehicular access, circulation, manoeuvring, pedestrian and parking areas associated with the subject development are in accordance with AS 2890.1, AS2890.2, AS2890.6.

1.39 K401 (Erosion Sediment control)

Erosion and sediment control measures shall remain in place and be maintained until all disturbed areas have been rehabilitated and stabilised.

1.40 K404 (Services – Underground)

All existing (aerial) and proposed services for the development are to be located or relocated underground in accordance with relevant authorities regulations and standards.

1.41 K406 (Drainage Connection)

Prior to the connection of private drainage to Council's drainage system, an inspection is to be carried out by Penrith City Council's Development Engineering Unit. A fee will be charged in accordance with Council's adopted Fees and Charges, and is to be paid prior to the inspection.

1.42 K501 (Roads Authority Clearance)

Prior to the Occupation, the Land and Housing Corporation shall ensure that all works within the road reserve have been carried out to Council's standards and inspected and by Penrith City Council.

1.43 K502 (Works as Executed)

After completion of all civil works, works-as-executed drawings and compliance documentation shall be submitted to the Council for information.

An original set of works-as-executed drawings and copies of compliance documentation shall also be submitted to Penrith City Council with notification prior to Occupation of the development.

1.44 K513 (Drainage works in Fragar Road)

Any drainage works within Fragar Road reserve shall be completed to Council's standards.

Note:

1. Contact Council's Development Engineering Unit on 4732 7777 for further information relating to Council's standards/requirements.

1.45 K041 (Infrastructure Restoration Bond)

Any damage to Council's Public Infrastructure Assets as a result of the development shall be repaired or reinstated to Council's standards.

A dilapidation report of Council's Public Infrastructure Assets shall be prepared and submitted to Council prior to construction or works commencing.

1.46 L001 (General Landscaping)

All landscape works are to be constructed in accordance with the stamped-approved Landscape Plans and Sections F5 "Planting Techniques", F8 "Quality Assurance Standards", F9 "Site Management Plan" of Penrith Council's Landscape Development Control Plan.

Landscaping shall be maintained:

- ☐ in accordance with the plans submitted to Council, and
- ☐ in a healthy state, and in perpetuity by the existing or future owners and occupiers of the property.

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

1.47 L002 (Landscape Construction)

The approved landscaping for the site must be constructed by an appropriately qualified professional suitable to construct category [3] landscape works in accordance with Penrith DCP 2006.

1.48 L003 (Report Requirement)

The following series of reports relating to landscaping are to be submitted to the nominated consent authority at the appropriate time periods as listed below. These reports shall be prepared by an appropriately qualified professional suitable to construct category [3] landscape works in accordance with Penrith DCP 2006.

i. Implementation Report

☐ Upon completion of the landscape works associated with the development and prior to the Occupation of the development, an Implementation Report must be submitted to the Land and Housing Corporation attesting to the satisfactory completion of the landscaping works for the development. The report is to be prepared by an appropriately qualified professional suitable to construct category [3] landscape works in accordance with Penrith DCP 2006.

☐ Occupation of the development should not occur until such time as a satisfactory Implementation Report has been received. A copy of the satisfactory Implementation Report is to be submitted to Council for information.

ii. Maintenance Report

☐ On the first anniversary of the date of the occupation of the development, a Landscape Maintenance Report is to be submitted to Penrith City Council certifying that the landscape works are still in accordance with the development consent and the plant material is alive and thriving.

☐ This report is to be prepared by an appropriately qualified professional suitable to construct category [3] landscape works in accordance with Penrith DCP 2006.

☐ The landscaping on site has matured and is in accordance with:

- i. The original landscape approval, or
- ii. The landscaping on site has not matured in accordance with the original design philosophy and requires significant restoration.

In this case, restoration plans are to be submitted to Council for its consideration and approval. The approved plans shall be implemented at the expense of the property owners.

1.49 L005 (Planting)

All plant material associated with the construction of approved landscaping is to be planted in accordance with the Tree Planting Specification prescribed in Penrith Council's Landscape Development Control Plan.

1.50 L007 (Tree protection)

All trees that are required to be retained as part of the development are to be protected in accordance with the minimum tree protection standards prescribed in section F4 of Council's Landscape Development Control Plan.

1.51 L008 (Tree preservation)

No trees are to be removed, ringbarked, cut, topped or lopped or wilfully destroyed (other than those within the proposed building footprint or as shown on the approved plans) without the prior consent of Penrith City Council and in accordance with Council's Tree Preservation Order and Policy.

1.52 Q01F (Notice of Commencement)

Prior to the commencement of any earthworks or construction works on site, the proponent is to:

- a) to oversee that the said works carried out on the site are in accordance with the development consent issued for the approved development, and with the relevant provisions of the Environmental Planning and Assessment Act and accompanying Regulation.

1.53 Q006 (Occupation Certificate)

Before the Occupation of development Fire Safety Certificates issued for the building are to be submitted to Penrith City Council and the New South Wales Fire Brigades.

1.54 Q010 (Basix requirements.)

The commitments listed in the BASIX Certificate for the dwelling, and forms part of the development consent, is to be maintained during the life of the dwelling. Where the commitments require replacement, the replacement must be identical to or is at a higher star rating to that listed in the BASIX Certificate.

2. Special Conditions

2.1 (Noise criteria)

Noise levels within the premises shall not exceed the relevant noise criteria detailed in "Road Traffic Noise Impact Assessment: 131-141 Parker Street, Penrith" (Report No. TF076-01F02) prepared by Renzo Tonin and Associates dated 15 December 2011. The recommendations provided in the above-mentioned acoustic report shall be implemented and incorporated into the design and construction of the development, and shall be **shown on plans**. A certificate is to be obtained from a qualified acoustic consultant certifying that the building has been constructed to meet the noise criteria in accordance with the approved acoustic report and the relevant Australian Standards. This certificate is to be submitted to the Land and Housing Corporation **prior to the Occupation of the development**.

The provisions of the Protection of the Environment Operations Act 1997 apply to the development, in terms of regulating offensive noise.

2.2 (Noise construction guideline)

Construction works shall be carried out in accordance with the NSW Department of Environment and Heritages (2009) "Construction Noise Guideline". A detailed Construction Management Plan including provisions for noise and dust control and sediment and erosion control is to be prepared prior to the commencement of the construction of the development.

2.3 (air conditioning)

Where air conditioning units are proposed or installed, these are to be certified by a qualified acoustic consultant that the noise generated by the air conditioning units do not exceed 5dB(a) when measured at the property boundary or within 1 metre from the façade of an adjoining dwelling. Suitable mitigation measures are to be employed when any air conditioning unit exceeds the above mentioned noise criteria.

2.4 (Acoustics)

All recommendations made in the acoustic report in "Road Traffic Noise Impact Assessment: 131-141 Parker Street, Penrith" (Report No. TF076-01F02) prepared

by Renzo Tonin and Associates dated 15 December 2011 shall be implemented and documentary evidence prepared by a qualified person shall be submitted to Council to indicate that all works have been satisfactorily completed **prior to the Occupation.**

2.5 (Landscaping)

- All trees recommended for retention are to be properly protected **prior to the commencement of any works on site.**
- All trees indicated on the landscape plan shall be planted as per recommendations made in the Arborist's Report prepared by Urban Forestry Australia dated June 2009 prior to the occupation of the development.

2.6 (Restriction as to Users)

The applicant is to register a restriction as to user under section 88E of the Conveyancing Act 1919, limiting the use of any accommodation for only the following to occupants as outlined in Clause 18 of the SEPP (Seniors Living) 2004 below.

- a. seniors or people who have a disability,
- b. people who live within the same household with seniors or people who have a disability,
- c. staff employed to assist in the administration of and provision of services to housing provided under SEPP Seniors living 2004.

The restriction as to user shall be registered **prior to the Occupation of the development.**

2.7 (Gradient rectification)

The applicant shall rectify the gradients for all footpath area to the Northern bus stop area in Jamison Road and in particular to the Traffic Island and Pram crossing area shall comply with the gradient outlined in Clause 26 (2) (a) (i, ii & iii). These works are to be completed **prior to the Occupation of the development.**

2.8 (Gradient)

The traffic Island and Pram crossing area along Jamison Road located outside house No.95 shall be reconstructed to comply with the gradient (less than 1:12 requirements stipulated in Clause 26 (2) (a) of SEPP (senior's living) 2004. These works are to be **completed prior to the Occupation of the development.**

2.9 (peep holes)

The applicant shall provide each building with a peep hole or other means to allow surveillance without the need to open the front door. These shall be provided prior to the Occupation of the development.

2.10 (Parking area compliance)

All car parking and manoeuvring must be in accordance with AS2890.1-2004; AS2890.6-2009.

2.11 (sight lines)

The required sight lines around the driveway entrances are not to be compromised by street trees, landscaping or fencing.

2.12 (Visitor Parking Sign)

The applicant shall provide Signage indicating location of any visitor parking at the Parker Street driveway entrance.

2.13 (No Stopping Sign)

Prior to occupation, the applicant shall provide a “No Stopping” zone across the Parker Street development frontage, and the sign shall be subject to the approval of the Roads and Maritime Services.

2.14 (On site Detention)

The “On-Site Detention” system as detailed on plans prepared by Glenn Haig & Associates reference number H-000, H-001 & H-002, revision B, dated 09/07/10 is **not required and is to be deleted in the amended plans as required by condition No. 1.24(e).**

2.15 (retaining walls)

All proposed retaining walls shall be located wholly within the property boundary, including footings and subsoil drainage.

2.16 (Subsoil drainage)

All subsoil drainage associated with the proposed retaining walls shall be connected to the proposed stormwater system.

2.17 (Drainage easement)

Prior to Occupation the proposed 2.0m wide drainage easement over Lot 13 DP220581 shall be registered with the LPI – Land & Property Information (Department of Lands).

The meeting concluded at 12:05pm.

Endorsed by

Mary-Lynne Taylor
Chair, Sydney West Region JRPP
Date: Wednesday 26 June 2012