

1 ADVISORY NOTES**1.1 Terminology**

1.1.1 Any reference in this document to a "consent" means a "development consent" defined in the Environmental Planning and Assessment Act 1979.

1.1.2 Any reference in this consent to a Construction, Compliance, Occupation or Subdivision Certificate is a reference to a certificate as defined by Section 109C of the Environmental Planning and Assessment Act 1979.

1.2 Scope of Consent

1.2.1 The granting of this consent does not imply or confer compliance with the requirements of the Disability Discrimination Act 1992. The applicant is advised to investigate any liability that may apply under that Act. The current suite of Australian Standard 1428 - Design for Access and Mobility, should be consulted for guidance. The prescriptive requirements of Part 1 of the Standard apply to certain buildings requiring development consent.

1.3 Other Approvals

1.3.1 A separate valid Construction Certificate shall be issued prior to commencement of any construction works.

1.3.2 The applicant's attention is drawn to the need to obtain Council's separate approval for any ancillary development not approved by this consent, including:

- (a) the removal of any tree(s) not indicated on the approved plans and any tree(s) located greater than 3 metres from the building perimeter, and
- (b) any fence, retaining wall, land excavation or filling, advertising structure or other development not being exempt development under Council's Local Environmental Plan, and

1.3.3 This consent does not authorise the encroachment or overhang of any building or structure over or within any easement.

1.4 Services

1.4.1 The applicant is advised to consult with:

- (a) Sydney Water Corporation Limited
- (b) Endeavour Energy
- (c) Natural Gas Company
- (d) The relevant local telecommunications carrier

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regarding any requirements for the provision of services to the development and the location of existing services that may be affected by proposed works, either on the land or on the adjacent public road(s).

All approved building construction plans attached to the Construction Certificate should be submitted to and stamped by a Sydney Water Corporation Limited Customer Centre or a Sydney Water Quick Check Agent as an indication that the proposal complies with the Sydney Water requirements. Sydney Water may also require the applicant to obtain a Trade Waste Approval as part of the operation of the approved development. Enquiries should be made to ascertain the Sydney Water requirements for the eventual operation of the approved use.

- 1.4.2 Information regarding the location of underground services may be obtained from the Sydney "Dial Before You Dig" service, telephone number 1100, fax number (02) 9806 0777. Inquirers should provide the street/road name and number, side of street/road name and the nearest cross street/road name.

1.5 Other Matters.

- 1.5.1 Compliance with the Sydney Regional Development Advisory Committee requirements as outlined in their letter dated 26 September 2012:

- i. All works/regulatory signposting associated with the proposed development are to be at no cost to the RMS.
- ii. The developer shall be responsible for all public utility adjustment/relocation works, necessitated by the above work and as required by the various public utility authorities and/or their agents.

2 GENERAL

2.1 Scope of Consent

- 2.1.1 This consent relates to the following drawings/details submitted to Council with the Development Application, subject to compliance with any other conditions of this consent:

Drawing No.	Dated	Council's File Enclosure No.
Site Plan Stage 1 Dwg No. DA-15-00 Rev No 00	No date	1A
Ground Floor Plan Stage 1 Dwg No. 20-00 Rev No 00	06.08.2012	1B
Site Plan Dwg No. DA-15-00 Rev No. 03	09.08.2012	1D

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Ground Floor Plan Dwg No. DA-20-00 Rev No. 03	09.08.2012	1E
Elevations Dwg. No. DA-30-10 Rev No. 03	09.08.2012	1H
Overall Landscape Plan Sheets L-01 to L-03 Rev D	09-08-12	1I-1K

*Unless modified by any condition(s) of this consent.

- 2.1.2 This consent authorises the use of the completed approved building for the following purposes, subject to full compliance with all other conditions of this consent:

PLACE OF PUBLIC WORSHIP FOR A MAXIMUM OF 250 PERSONS AS PART OF STAGE 1 OF THE DEVELOPMENT AND 1000 PERSONS AS PART OF STAGE 2 OF THE DEVELOPMENT.

2.2 Other Authorities

- 2.2.1 The applicant shall consult with the Department of Environment and Climate Change (National Parks and Wildlife Service) in relation to the protection of any Aboriginal artefacts that may be discovered on the land. Council's initial assessment has shown little or no potential for such artefacts to be discovered. However, as the DECC is legally entrusted with the protection of Aboriginal relics in New South Wales and as penalties may apply, the applicant is advised to consult with the DECC to ascertain the possible need for further archaeological assessment. Such consultation should occur prior to any land disturbance.

2.3 Suburb Name

- 2.3.1 The land the subject of this consent is known to be located in the following suburb. This suburb name shall be used for all correspondence and property transactions:

Suburb: STANHOPE GARDENS

2.4 Engineering Matters

2.4.1 Definitions

- 2.4.1.1 Where this consent requires both engineering and building works to be undertaken, a separate Construction Certificate may be issued for each category of works i.e. a separate construction Certificate for the Engineering works nominated in "Prior to Construction Certificate (Engineering)" and a separate Construction Certificate (for all building works relating to the erection and fit-out of a structure). This excludes all works on existing public roads significant enough to warrant separate engineering approval pursuant to the Road Act 1993. In relation to this consent, a Construction

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Certificate must be issued for the *Bio-Retention system* prior to issue of any Construction Certificate. This is to ensure that the Bio-Retention system will be located in an area of the site in which they will function hydraulically and will not conflict with any other structures proposed for the site.

In lieu of issuing a separate Construction Certificate, the above-mentioned engineering works can be included on an overall Construction Certificate provided that SPECIFIC REFERENCE is made to the relevant Engineering works. In such instances, the certifier shall provide evidence that they are accredited to do so. This is not applicable where Roads Act or Local Government Act Approvals are required.

Council does not permit the private certification of works on existing public roads or reserves, or any land under the care and control of Council. In this regard Council will not accept a Construction or Compliance Certificate from a Private Certifier for any works on Stanhope Parkway, View Street or Lookout Circuit.

2.4.1.2 Any Construction Certificate issued in relation to this consent shall incorporate and address the design of those works required by Scope of Engineering Works and other sections of this consent which do not require separate Roads Act 1993 or Local Government Act 1993 approval and any ancillary works necessary to make the construction effective. All works on existing public roads require separate engineering approval pursuant to the Roads Act 1993.

2.4.1.3 The Construction Certificate for Engineering works may be issued by Council or by an appropriately qualified certifier. For Council to issue the Construction Certificate a separate application must be made on the prescribed form complete with detailed plans and specifications. You are further advised that Council does not permit the private certification of works on existing public roads or reserves Council property or any property under the care and control of Council. In this regard Council will not accept a Construction or Compliance Certificate from a Private Certifier for any works on Stanhope Parkway, View Street or Lookout Circuit.

2.4.2 Design and Works Specification

2.4.2.1 All engineering works required by Scope of Engineering Works and other sections of this consent must be designed and undertaken in accordance with the relevant aspects of the following documents except as otherwise authorised by this consent:

- (a) Blacktown City Council's Works Specification - Civil (Current Version)
- (b) Blacktown City Council's Engineering Guide for Development (Current Version)
- (c) Blacktown City Council Development Control Plan (Current Version)
- (d) Blacktown City Council Soil Erosion and Sediment Control Policy (Current Version)

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(e) Blacktown City Council On Site Detention General Guidelines and Checklist

(f) Upper Parramatta River Catchment Trust On Site Stormwater Detention Handbook Third Edition December 1999.

(g) Blacktown City Council Water Sensitive Urban Design & Integrated Water Cycle Management, DCP Part R.

Design plans, calculations and other supporting documentations prepared in accordance with the above requirements **MUST** be submitted to Council with any application for Construction Certificate, Road Act 1993 or Local Government Act 1993 Approval.

Any Construction Certificates issued by Private Certifiers must also be accompanied by the above documentations.

NOTE: Any variations from these design requirements must be separately approved by Council.

2.4.3 Payment of Engineering Fees

- 2.4.3.1 If it is the applicant's intention to engage Council to undertake the checking of the engineering design plans and the issue of the Construction Certificate for the engineering works nominated in the "Prior to Construction Certificate (Engineering)" section, it will be necessary to submit the relevant engineering plans to obtain a quote for this service.

A verbal quote will be provided within 48 hours based upon Council's Goods and Services Pricing Schedule. This will also be confirmed in writing.

- 2.4.3.2 If it is the applicant's intention to engage Council to undertake Construction inspections and the issue of the Compliance Certificate for engineering works, it will be necessary to contact Council's Development Services Engineer for a quote.

A verbal quote will be provided within 48 hours based upon Council's Goods and Services Pricing Schedule. This will also be confirmed in writing.

- 2.4.3.3 Fees are required to be paid to Council's Development Services Unit pursuant to Section 223 of the Roads Act 1993 for;

(a) The checking of engineering drawings for stormwater drainage connection to Council's existing drainage system and the issue of an Engineering Approval pursuant to the Roads Act 1993.

(b) All construction inspections for the works approved by (a) above. The required fee will be determined upon submission of the relevant plans to Council. This fee is subject to periodic review and may vary at the actual time of payment.

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2.4.4 Other Fee and Bond/Securities

- 2.4.4.1 The payment of the following fee to Council's Maintenance Section pursuant to Sections 608 and 609 of the Local Government Act 1993. The fee is subject to periodic review and may vary at actual time of payment.

(a) Vehicular Crossing Application and Inspection Fee: \$130.00 per crossing.

2.4.5 Other Necessary Approvals

- 2.4.5.1 A separate application or details (as necessary) shall be submitted for the separate approval of Council under the provisions of the Local Government Act 1993 and/or the Roads Act 1993 for any of the following:

(a) The installation of a vehicular footway crossing servicing the development as required by "Scope of Engineering Works and other sections of this consent".

(b) Works on or occupation of existing public roads - that are not covered by a Roads Act Approval - which may require a Road Occupancy Licence or Work Zone Permit.

2.5 Other Matters

- 2.5.1 In relation to matters concerning Aboriginal archaeology, should any archaeological material be uncovered during construction activities on any location within the proposed development, then all works are to cease immediately and representatives of the Department of Environment and Climate Change (National Parks and Wildlife Service) and a member of each of the Western Sydney Aboriginal Stakeholder Groups is to be contacted.

3 PRIOR TO CONSTRUCTION CERTIFICATE (GENERAL)

3.1 DA Plan Consistency

- 3.1.1 A Construction Certificate for the proposed development shall only be issued when the accompanying plans, specifications and/or details are consistent with the approved Development Application design plans.

3.2 Road Deposit/Bond

- 3.2.1 The following current fee and bond (which is subject to periodic review and may vary at time of payment) shall be lodged with Council:

- (a) Road inspection fee of \$169.00,
- (b) Road maintenance bond of \$5000.00, and
- (c) Administration fee of \$90.00.

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The bond is required to cover the cost of any damage to Council's public assets (eg: road, guttering, footpaths, drainage systems) arising from development works. The bond (less an administration fee) will be refunded upon the completion of the development should there be no damage to Council's assets as a result of the development works.

The road inspection fee covers Council's costs to inspect public assets adjacent to the development site before and after development work.

3.3 DCP 2006

- 3.3.1 Except as otherwise approved, the design plans which accompany the Construction Certificate shall comply with the design criteria specified in Council's Development Control Plan 2006.

3.4 Services/Utilities

- 3.4.1 The following documentary evidence shall accompany any Construction Certificate:

- (a) A Notification of Arrangement" Certificate from Endeavour Energy, stating that electrical services, including the provision of street lighting, have been made available to the development.
- (b) A written clearance from Telstra or any other recognised communication carrier, stating that services have been made available to the development or that arrangements have been made for the provision of services to the development.

3.5 Other Matters

- 3.5.1 A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control shall be submitted to and approved by Council prior to the issue of a construction certificate.
- 3.5.2 The recommendations of Environmental Noise Assessment prepared by Marshall Day Acoustics and dated 3 August 2012 held at Enclosure 2AC on Council File DA-12-1529 are to be implemented.

4 PRIOR TO CONSTRUCTION CERTIFICATE (PLANNING)

4.1 Section 94 Contributions

- 4.1.1 The following monetary contributions pursuant to Section 94 of the Environmental Planning & Assessment Act 1979 must be paid. The amounts below are BASE contributions which WILL BE INDEXED from the nominated base date to the date of payment. Payment of the indexed amounts must be made (BY BANK CHEQUE IF IMMEDIATE CLEARANCE IS REQUIRED. NOTE Council DOES NOT accept payment of S.94 Contributions by credit card or EFTPOS) prior to the issue of a

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Construction Certificate (for building works) either by Council or any accredited certifier.

Contribution Item	Base Amount	Relevant C.P.	Base Date
(i) Tributary Trunk Drainage – Catchment C5a	\$35,439	5	1 September 2003
(ii) Tributary Trunk Drainage – Catchment S2b	\$10,698	5	1 September 2003
(iii) Major Roads	\$59,397	5	1 September 2003
(iv) Local Roads	\$23,893	5	1 September 2003

The contribution(s) will be indexed according to the Australian Bureau of Statistics' Implicit Price Deflator for Gross Fixed Capital Expenditure (Private Dwellings) and the Consumer Price Index (Sydney Dwellings).

Copies of the following relevant Contributions Plan(s) may be inspected/purchased from Council's Development Services Unit:

S.94 CP No. 5 - Parklea Release Area

The Section 94 Contribution(s) have been based on the total developable area nominated below. Should the final plan of survey indicate any change in the total developable area the Section 94 Contribution(s) will be adjusted accordingly.

Developable Area: 1.852 hectares

4.2 Aesthetics/Landscaping

4.2.1 Council is particularly concerned about the appearance of the development. Accordingly, the following additional information is required to be submitted for Council's separate approval prior to the issue of any Construction Certificate for the approved development:

- (a) Details of the proposed external building materials and finishes, including colour samples from brochures or the like.
- (b) Details of any retaining walls to be constructed on site as part of the development. Please note that Council requires the construction of masonry retaining walls (i.e. no timber walls) where such walls are proposed to be located within a publicly visible area (such as future front building setbacks) or proposed to have a height in excess of 900mm.
- (c) Details of the proposed fencing including materials and finishes. A 1.8m high solid feature fence, at least in the form of brick piers at 3m intervals with timber infill slats is required for the fencing along the Lookout Circuit.

4.2.2 The reflectivity index of glass used in the external facade of the building is not to

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exceed 20 percent.

- 4.2.3 Any bathroom, w.c. or laundry window in the external wall of the building shall be fitted with translucent glazing.

4.3 Access/Parking

- 4.3.1 The internal driveway and parking areas are to be designed in accordance with Australian Standard 2890.1.

- 4.3.2 123 car parking spaces, including 10 overflow car parking spaces are to be provided on site as part of Stage 1 of the development and a total of 292 car parking spaces including 21 overflow car parking spaces are to be provided on site for the completion of Stage 2 of the development. All car parking spaces are to designed having minimum internal clear dimensions in accordance with Australian Standard 2890.1 as follows:

Commercial Car Space: 2.6m x 5.4m

- 4.3.3 All internal driveways and other paved areas shall be designed to provide continuous surface drainage flow paths to approved points of discharge.
- 4.3.4 Access to and parking for persons with disabilities shall be designed in accordance with Australian Standard 2890.6.
- 4.3.5 The layout of the 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 AS2890.2-2002 for heavy vehicle usage.
- 4.3.6 The swept path of the longest vehicle (including garbage trucks) entering and existing the subject site, as well as manoeuvrability through the site, shall be in accordance with AUSTROADS.
- 4.3.7 The required site lines to pedestrians or other vehicles within the development shall not be compromised by landscaping, signage, fencing or display materials and in accordance with minimum sight lines for pedestrian safety as outlines in AS2890.1.

4.3.8 Salinity

- 4.3.8.1 To ensure that the development has no adverse effects or is not adversely effected by soil salinity, the following documentation must be submitted prior to the release of any Construction Certificate:

(a) A Salinity Report is to be submitted for the proposed development. A Salinity Assessment and Management Plan (Ref. 12339/1-AA) prepared by Geotechnique Pty Ltd dated 7 October 2010 was submitted at the subdivision stage of development. An addendum is to be provided to this report, outlining

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site specific salinity conditions, to a depth level appropriate for the footings and excavation levels of any building. In accordance with the recommendations of the Salinity Report, additional management practices may need to be implemented and further detailed on any plans submitted prior to the release of any Construction Certificate.

5 PRIOR TO CONSTRUCTION CERTIFICATE (BUILDING)

5.1 Building Code of Australia Compliance

5.1.1 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 ongoing 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 :
 - (i) complies with the performance requirements, or
 - (ii) is shown to be at least equivalent to the deemed to satisfy provision, or
 - (iii) A combination of (a) and (b).

5.1.2 A preliminary assessment of the plans submitted with the application has disclosed that the following design and/or construction issues need to be addressed prior to the issue of any Construction Certificate to ensure compliance with the Building Code of Australia (BCA):

- (a) Consideration of maximum volume for construction type as permitted by Table C2.2 of Part C2.2 of the BCA.
- (b) Compliance with Part D2.20 of the BCA.

6 PRIOR TO CONSTRUCTION CERTIFICATE (ENGINEERING)

6.1 Compliance with Conditions

6.1.1 All conditions in the "Prior to Construction Certificate (Engineering)" Section and the relevant conditions in the "General" Section of this consent, must be complied with prior to the issue of any Construction certificates.

6.1.2 All fees for Construction and Compliance Certificates, Roads Act 1993 and Local government Act 1993 approvals must be paid to Council prior to the issue of any of the above certificates or approvals.

6.2 Road-works

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- 6.2.1 A Traffic Management / Control Plan shall be included as part of the Roads Act Approval for road and drainage works to be carried out within public road reserves in strict compliance with the requirements of current Australian Standard 1742.3 (Traffic Control Devices for Works on Roads) and current RTA Traffic Control at Work Sites manual. Any persons preparing such traffic control layout plans shall be RTA accredited.

6.3 Drainage

- 6.3.1 Where the internal driveway cannot be drained to an internal pit a grated drain shall be provided at the property boundary.

6.4 Stormwater Quality Control

- 6.4.1 Stormwater Treatment Measures for the proposed development shall be designed in accordance with the requirements of Council's Water Sensitive Urban Design & Integrated Water Cycle Management, DCP Part R. Details are to be included with the plans and specifications accompanying any Construction Certificate. Any variation to the proposed bio-retention systems will require a lodgement of a Section 96 application to Council for amendment of the consent.

- 6.4.2 Council acknowledges the submission of the stormwater drainage concept plans prepared by Whipps-Wood Consulting, drawing No. H01/P3 dated 9/8/12, H02/P2 dated 23/7/12, H03/P3 dated 9/8/12 & H04/P3 dated 9/8/12 and Stormwater Management Plans, prepared by Stefani Group Pty Ltd, drawing No. 1225, dated 9/8/12 (Council file JRPP-12-1529). The Construction Certificate issued in this regards must generally be in accordance with this concept.

This plan is considered sufficient in detail for the purpose of issuing Consent, however, the final plan will need to vary from this concept as follows:

- i. Provide scour protection for the piped discharges into the bio-retention area with supporting calculations.
- ii. A typical bio-retention system section needs to be shown. This section should contain 400mm to 700mm of soil filter media, a 100mm sand transition layer and typically 200mm of 5mm gravel. The bio-retention system is to be wrapped in HDPE liner or equivalent. Unsocked slotted PVC pipes are to be provided within the gravel layer. Details are available from Council upon request.
- iii. Provide a minimum of 5 subsoil lines in the North Western Bio-retention and provide 7 subsoil lines in a radial pattern for the North Eastern Bio-retention within the bio-retention systems.
- iv. On drawing 2011-0403/H02(P2) provide dimensions on the plan to clearly provide 165m² and 175m² of filter surface area for the western and eastern bio-retention system respectively, excluding the area of scour aprons and pits.

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- v. A detail of a subsoil riser is to be provided for flushing and maintenance of the subsoil collection pipe. The riser is to include two 45° bends with a short section of un-slotted straight in between. The vertical riser is to stop 100mm below the surface of the filter material and sealed with a removable screw cap. A small marker plate marked as "SS" is to be positioned on the adjacent wall or on a concrete marker within a batter.
- vi. Extend northern swale further towards the northwest bio-retention to direct water towards the North Eastern bio-retention.
- vii. The Stormwater Pipe Schedule sizing for some of the pipes do not match what is shown on the drainage plans. The pipe sizes for upstream node 32, 34 and 40 needs to be amended to 300mm, 300mm and 450mm respectively.
- viii. Council does not allow the use of Fibre Reinforced Concrete within the roadway. The pipes from upstream node 14 connecting to downstream node 1000 and upstream node 43 connecting to downstream node 2000 are to each have a 450mm reinforced concrete pipe.
- ix. Pits 14 and 42 are to have raised park style grates for overflow from the bio-retention basin. Reposition pit 14 into the centre of the basin.
- x. The pit inserts are to have a 200µm mesh in the carparks.
- xi. The rainwater tank is to be increased to a minimum of 60KL.
- xii. Floodway warning signs are to be fitted to each of the bio-retention basins as per the Engineering Guide for Development.

6.4.3 Landscape plans are required that include appropriate species for the bio-retention system in accordance with the BCC Handbook Part 5 – Vegetation Selection Guide (drafted or as revised). Planting should incorporate several growth forms, including shrubs, tufted plants and groundcover species and be densely planted (at a minimum of 8 to 10 plants per square metre) to ensure plant roots occupy all parts of the media. A minimum of 7 different species is required for each basin.

6.4.4 Confined space entry warning signs are to be detailed on the drainage plans adjacent to all entries into the rainwater tank.

6.4.5 Where Council is not the Certifying Authority, an independent engineering consultant is to assess the final drainage plans and certify that the pipe/ pit systems and water quality requirements including MUSIC modelling meet Council's Engineering Guide for Development 2005 (and as amended) design standard and the consent conditions. Note that the MUSIC model 1225Blacktown6min(67-76)v1.sqz required major changes by Council to ensure compliance. The modified model is available from Council upon request.

6.4.6 An experienced hydraulic engineer is to prepare and have approved a detailed Rainwater Reuse Supply, Pipe and Fixture Plan for non-potable water uses on the site. The plan is to show the rainwater pipe arrangement including first flush or pre-treatment system, pump, mains water direct tank top up (no solenoid controlled mains bypass), isolation valves flow meters for the pump outflow and mains water top up, timer(s) for landscape watering, an inline filter and indicate that all Sydney

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Water requirements have been satisfied. Rainwater warning signs are to be fitted to all external taps where rainwater is used as a source.

6.4.7 A detailed Landscape Watering Plan is to be provided showing the layout of taps and pipes and the use of sprinklers or drip irrigation. In particular the bio-retention basins are to have a separate watering system to allow for more frequent watering. The system is to be designed to achieve a minimum usage rate of 800KL/year as nominated in MUSIC.

6.4.8 Details are to be provided for permanent interpretive signage minimum A2 size to be installed to highlight the water quality improvement processes. The sign is to incorporate a simplified drainage layout of the site and detail through words and pictures all the different water quality devices including the rainwater tank and explain the benefit to the site and community. This sign is to be supported by a steel post or on a wall and is to be located adjacent to the major water quality device. The wording and detail is to be approved by Council.

6.5 Erosion and Sediment Control

6.5.1 Soil erosion and sediment control measures for drainage, bio-retention system and earth works shall be designed in accordance with Council's Soil Erosion and Sediment Control Policy and Engineering Guide for Development. Details are to be included with the plans and specifications to accompany any Construction Certificate.

6.6 Asset Management

6.6.1 A detailed estimate of the cost of civil engineering work must be submitted to Council prior to the issue of the Construction Certificate for engineering works. If engineering works are of a value greater than \$25,000; documentary proof of payment of the levy required by the Building and Construction Industry Long Service Payments Act must be provided to Council prior to any approval of engineering plans either by Council or an appropriately accredited certifier.

6.7 Scope of Engineering Works

The following scope of works shall be included in the design documentation accompanying the Construction Certificate for engineering works:

6.7.1 Road and Drainage works

6.7.1.1 Any redundant gutter and/or footway crossing(s) must be replaced with integral kerb and gutter. The footway area must be restored by turfing.

6.7.1.2 Overland flows up to the 1% A.E.P. (100 year Average Recurrence Interval) event must be intercepted at the boundary of the site and conveyed through the

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RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council

site in a piped or channelled discharge system and discharged in a satisfactory manner.

6.7.1.3 Drainage from the site must be connected into Council's existing drainage system. A Roads Act approval must be obtained for the stormwater drainage connection works within the footway areas.

6.7.1.4 Any drainage currently entering the site is to be collected and conveyed in an approved manner to the nearest appropriate point of discharge.

6.7.2 Stormwater Quality Control

6.7.2.1 Stormwater Treatment Measures are required for this development. These measures must be designed, implemented and constructed in accordance with Council's Water Sensitive Urban Design & Integrated Water Cycle Management, DCP Part R.

6.7.2.2 A Maintenance Schedule must be provided for the stormwater treatment measures (bio-retention system and rainwater tank) in accordance with the requirements of Council's Water Sensitive Urban Design & Integrated Water Cycle Management, DCP Part R. For bio-retention systems these are to include ultimate system replacement. The information provided on drawing H04/P3 is considered insufficient. The designer of the stormwater treatment measures must prepare the Maintenance Schedule and this schedule must show the designer's name, signature and date on it.

6.7.3 Vehicular Crossings

6.7.3.1 Construction of Council's standard commercial and industrial vehicular footway crossing(s), with the following nominated width(s) at the property boundary in accordance with Council plan A(BS)103S.

Nominated Widths: 11m.

6.7.4 Footpaths

6.7.4.1 The footway area being fully turfed in an appropriate manner to be free draining to the street and of neat appearance.

6.7.5 Finished Boundary Levels

6.7.5.1 Finished levels of all internal works at the road boundary of the property must be 4% above the top of the kerb.

7 PRIOR TO DEVELOPMENT WORKS

7.1 Safety/Health/Amenity

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
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RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council

- 7.1.1 Toilet facilities shall be provided on the land at the rate of 1 toilet for every 20 persons or part thereof employed at the site.

Each toilet provided shall be:

- (a) a standard flushing toilet, or
- (b) a temporary on-site toilet which is regularly maintained and the waste disposed to an approved sewerage management facility.

- 7.1.2 A sign is to be erected and maintained in a prominent position on the site in accordance with Clause 98 A (2) of the Environmental Planning and Assessment Regulations 2000 indicating:

- (a) the name, address and telephone number of the principal certifying authority for the work, and
- (b) the name of the principal contractor (if any) for the building work and a telephone number on which that person may be contacted outside working hours, and
- (c) stating that unauthorised entry to the work site is prohibited.

This condition does not apply to:

- (a) building work carried out inside an existing building, or
- (b) building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.

- 7.1.3 Should the development work:

- (a) be likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
- (b) involve the enclosure of a public place,

a hoarding or protective barrier shall be erected between the work site and the public place. Such hoarding or barrier shall be designed and erected in accordance with Council's current Local Approvals Policy under the Local Government Act 1993.

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

The hoarding, awning or protective barrier shall be effectively illuminated between sunset and sunrise where it may be hazardous to any person in the public place.

- 7.1.4 All soil erosion and sedimentation control measures indicated in the documentation accompanying the Construction Certificate shall be installed prior to the commencement of development works.

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RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council

7.2 Notification to Council

- 7.2.1 The person having the benefit of this consent shall, at least 2 days prior to work commencing on site, submit to Council a notice under Clauses 135 and 136 of the Environmental Planning and Assessment Regulation 2000, indicating details of the appointed Principal Certifying Authority and the date construction work is proposed to commence.

8 DURING CONSTRUCTION (BUILDING)

8.1 Safety/Health/Amenity

- 8.1.1 Any excavation and/or backfilling associated with the ongoing development works shall be executed safely and in accordance with appropriate professional standards, with any excavation properly guarded and protected to prevent them from being dangerous to life or property.

- 8.1.2 Building and construction materials, plant, equipment and the like shall not be placed or stored at any time on Council's footpath, roadway or any public place.

8.2 Building Code of Australia Compliance

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

8.3 Nuisance Control

- 8.3.1 Any objectionable noise, dust, concussion, vibration or other emission from the development works shall not exceed the limit prescribed in the Protection of the Environment Operations Act 1997.

- 8.3.2 The hours of any offensive noise-generating development works shall be limited to between 7.00am to 6.00pm, Mondays to Fridays: 8.00am to 1pm, Saturdays; and no such work to be undertaken at any time on Sundays or public holidays.

8.4 Construction Inspections

- 8.4.1 The person having the benefit of this consent is required to notify the Principal Contractor for the building construction project that various mandatory and critical stage inspections must be conducted by an accredited certifier, and may include inspections (where applicable):

- (a) At the commencement of the building work; and
- (b) After excavation for, and prior to placement of, any footings; and
- (c) Prior to pouring any in-situ reinforced concrete building element; and

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RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council

(d) Prior to the covering of the framework for any floor, wall roof or other building element, and prior to covering waterproofing in any wet areas; and

(e) Prior to covering waterproofing in any wet areas (but for a minimum of 10% of rooms with wet areas in any class 2,3 or 4 building); and

(f) Prior to covering any stormwater drainage connections; and

(g) After the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

The critical stage inspection “(g)” must be carried out by the Principal Certifying Authority.

Any inspection conducted by an accredited other than the nominated PCA for the project must be verified by way of a Compliance Certificate issued for the relevant works.

Note: Failure to ensure the relevant inspections are conducted will preclude the issue of an Occupation Certificate.

8.5 Access/ Parking

8.5.1 Design of car parking areas, aisle widths, driveway widths, manoeuvring areas, sight distances, ramp grades, headroom, loading areas, etc to conform to AS 2890.1-2004 and AS 2890.2-2002.

8.5.2 The required sight lines to pedestrians or other vehicles in or around the car park or entrances are not be compromised by landscaping, signage or fencing.

8.5.3 The required driveways and car parking spaces, excluding overflow car parking spaces, are to be line marked, sealed with a hard standing all-weather material and maintained to a satisfactory useable standard.

8.5.4 All landscaping shall be completed in accordance with approved landscaping design plan. All turfed areas shall be finished level with adjoining surfaces and graded to approved points of drainage discharge.

8.5.5 Off-street car parking shall be encouraged by the installation of appropriate, permanent and prominent signs indicating its availability.

8.5.6 Access and parking for people with disability shall be provided in accordance with Australian Standard 2890.1.

8.6 Salinity Management

8.6.1 The recommendations outlined within the Salinity Management Plan submitted to comply with condition 4.5.3 of this consent shall be implemented.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
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RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council

9 DURING CONSTRUCTION (ENGINEERING)

9.1 Notice of work Commencement

- 9.1.1 At least 5 full working days written notice shall be given of the commencement of engineering works. Such notice shall be accompanied by evidence of the contractor's Public Liability and Workers Compensation Insurances. For Public Liability Insurance this should be a minimum of \$20,000,000.

9.2 Drainage

- 9.2.1 The filter media in the bio-retention area is not to be installed (unless protected by a temporary geotextile covering), or plants installed until the building works, upstream landscaping and driveways have been completed.
- 9.2.2 Prior to planting, the top 100 mm of the bio-retention filter medium is to be ameliorated with appropriate organic matter, fertiliser and trace elements to aid plant establishment as per the table below.

Table: Recipe for ameliorating the top 100 mm of bio-retention filter media.

Constituent	Quantity (kg/100 m2 of filter area)
Granulated poultry manure fines	50
Superphosphate	2
Magnesium sulphate	3
Potassium sulphate	2
Trace Element Mix	1
Fertilizer NPK (16.4.14)	4
Lime	20

- 9.2.3 The pit inserts are to have a maximum mesh size of 200µm.

9.3 Ancillary Works

- 9.3.1 Ancillary works shall be undertaken at no cost to Council to make the engineering works required by this consent effective. Such works shall include but are not limited to the following:
- (a) The relocation of underground services where required by the positioning of new drainage and road infrastructure.
 - (b) The relocation of above ground power and telephone services.
 - (c) The matching of new infrastructure into existing or future designed infrastructure.

9.4 Maintenance of Soil Erosion Measures

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
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RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council

- 9.4.1 Soil erosion and sediment control measures shall be implemented in accordance with Council's Soil Erosion and Sediment Control Policy.
- 9.4.2 Re-vegetation must be applied to disturbed areas as soon as practical after completion of earthworks and must be established prior to release of the maintenance security.
- 9.4.3 All required soil erosion and sediment control measures are to be maintained during the entire construction period until disturbed areas are restored by turfing paving or revegetation. Infringement Notices incurring a monetary penalty may be issued by Council where the maintenance of measures is inadequate.
- 9.4.4 Roads adjoining the site must be kept clean and free of all excavated /transportable spoil materials.
- 9.4.5 Trucks transporting material to and from the road must have their loads covered.
- 9.4.6 Provisions of "Shaker Pads" and wash-down areas for trucks leaving the site details are to be shown on plans.

9.5 Inspections of Works

- 9.5.1 Inspection Compliance Certificates issued by a Registered Engineer (NPER) or Registered Surveyor or Compliance Certificates issued by an accredited certifier, under Part A of Environmental Planning and Assessment Act 1979 as amended, are to be issued for works covered by the Construction Certificate for engineering works at the completion of the following mandatory inspection stages: -

(i) Soil Erosion and Sediment Control

- (a) Implementation of erosion and sediment control
- (b) Revegetation of disturbed areas
- (c) Removal of sediment basins/ fencing etc.
- (d) Internal sediment/ pollution control devices
- (e) Final Inspection

(ii) Construction of Drainage works

- (a) Pipes before backfilling including trench excavation and bedding
- (b) Sand Backfilling
- (c) Final pipe inspection
- (d) Pit bases
- (e) Pit Walls
- (f) Concrete pit tops
- (g) Connection to existing system
- (h) Final Inspection

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RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council

(iii) **Footpath Works**

- (a) Footpath Trimming and/or turfing (to ensure 4% fall)
- (b) Service Adjustments
- (c) Final Inspection

(iv) **Stormwater Quality Control**

- (a) Installation of bio-retention system
- (b) Final Inspection

(v) **Traffic Control**

- (a) Implementation of traffic control
- (b) Maintenance of traffic control during works
- (c) Removal of traffic control

(vi) **Final overall Inspections**

- (a) Preliminary overall final inspection
- (b) Overall final inspection

ALTERNATIVELY, one comprehensive Inspection Certificate or Compliance certificate may be issued to include all of the above-mentioned stages of construction.

Where Council is appointed as the Principal Certifying Authority for the development (e.g. all Torrens Title subdivisions), only Compliance Certificates issued by accredited certifiers will be accepted at the completion of the above-mentioned stages. Any Compliance Certificate must certify that the relevant work has been completed in accordance with the pertinent Notice of Determination / Development Consent and Construction certificate.

- 9.5.2 Inspection of the works required pursuant to the engineering approval issued under the Roads Act 1993 must be made by Council's Development Overseers who can be contacted on 9839-6586 between 7am - 8am and 12.30pm - 1.30pm. A site inspection is required prior to commencement of work. A minimum twenty-four (24) hours notice must be given prior to any required inspection. A schedule of mandatory inspections is listed in Council's Works Specification – Civil (current version).

9.6 Public Safety

- 9.6.1 The applicant is advised that all works undertaken in a public place are to be maintained in a safe condition at all times. Council may at any time and without prior notification make safe any such works Council considers to be unsafe and recover all reasonable costs incurred from the applicant.

9.7 Site Security

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
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RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council

- 9.7.1 Chain wire gates and security fencing must be provided around the site in order to prevent unauthorised access and dumping of rubbish.

10 DURING CONSTRUCTION (ENVIRONMENTAL HEALTH)

10.1 Food Premises

- 10.1.1 On completion of the installation of the ventilation system, a Compliance Certificate is to be submitted to Council certifying that the system has been installed and commissioned in accordance with the approved details.
- 10.1.2 The food preparation areas shall be constructed so as to comply with the requirements of;
- (a) The Food Act 2003 and Regulations there under.
 - (b) Australian Standard 4674-2004 *Design, construction and fit-out of food premises.*
 - (c) Australian Standard 1668.2-2002 *The use of ventilation and air conditioning in buildings – Ventilation design for indoor air contaminant control.*

10.2 Other Matters

- 10.2.1 The recommendations of Environmental Noise Assessment prepared by Marshall Day Acoustics and dated 3 August 2012 held at Enclosure 2AC on Council File DA-12-1529 are to be implemented.

11 PRIOR TO OCCUPATION CERTIFICATE

11.1 Road Damage

- 11.1.1 The cost of repairing any damage caused to Council's assets in the vicinity of the land as a result of the development works shall be met in full by the applicant/developer.

Note: Should the cost of damage repair work not exceed the road maintenance bond Council will automatically call up the bond to recover its costs. Should the repair costs exceed the bond amount a separate invoice will be issued.

11.2 Compliance with Conditions

- 11.2.1 An Occupation Certificate shall not be issued until such time as all conditions of this consent, other than "Operational" conditions, have been satisfied. The use or occupation of the development prior to compliance with all conditions of consent, other than "Operational" conditions, may render the applicant/developer liable to legal proceedings.

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RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council

- 11.2.2 Prior to occupation/use of a new building, it is necessary to obtain an Occupation Certificate from the Principal Certifying Authority in accordance with the provisions of Section 109H of the Environmental Planning & Assessment Act 1979.

11.3 Service Authorities

- 11.3.1 The following documentary evidence shall accompany any Occupation Certificate:

(a) A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Applications must be made through an authorised Water Servicing Coordinator. Please refer to the "Building Plumbing and Developing" Section of the website www.sydneywater.com.au, then follow the "Developing Your Land" link or telephone 13 20 92 for assistance. Following application a "Notice of Requirements" will advise of water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design. The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to the occupation of the development.

- 11.3.2 A final written clearance shall be obtained from Sydney Water Corporation, Integral Energy and Telstra (or any other recognised communication carrier) if such clearance (in the form of a Section 73 Certificate, Notification of Arrangement, etc) has not previously been issued.

11.4 Temporary Facilities Removal

- 11.4.1 Any hoarding or similar barrier erected to protect a public place shall be removed from the land and/or public place.

- 11.4.2 Any temporary toilet facilities provided during construction works shall be appropriately dismantled, disconnected and removed from the land.

- 11.4.3 Any temporary builder's sign or other site information sign shall be removed from the land.

11.5 Fire Safety Certificate

- 11.5.1 A final fire safety certificate complying with Clause 153 of the Environmental Planning and Assessment Regulation 2000 shall be issued prior to the use or change of use of the building, except in the case of any Class 1a and Class 10 building(s).

11.6 Food Premises

- 11.6.1 The premises shall be registered with Council's Environmental Health Unit. The attached application form shall be used for registration purposes.

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RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council

11.6.2 Trading must not commence until an Occupation Certificate for the development has been issued.

11.6.3 The installation of any grease arrestor shall comply with the requirements of the Sydney Water Corporation. A copy of the Corporation's Trade Waste Agreement, shall be submitted to Council.

11.7 Landscaping/Car Parking

11.7.1 All landscaping shall be completed in accordance with approved landscaping design plan. All turfed areas shall be finished level with adjoining surfaces and graded to approved points of drainage discharge.

11.7.2 Off-street car parking shall be encouraged by the installation of appropriate, permanent and prominent signs indicating its availability.

11.7.3 Entrance/exit points are to be clearly signposted and visible from the street and the site at all times.

11.7.4 Access and parking for people with disabilities shall be provided in accordance with Australian Standard 2890.1.

11.7.5 All required internal driveways and car parking spaces, excluding overflow car parking spaces, shall be line-marked, sealed with a hard standing, all-weather material to a standard suitable for the intended purpose.

11.8 Fee Payment

11.8.1 Any fee payable to Council as part of a Construction, Compliance or Occupation Certificate or inspection associated with the development (including the registration of privately issued certificates) shall be paid in full.

11.9 Engineering Matters

11.9.1 Surveys/Certificates/Works As Executed plans

11.9.1.1 A works-as-executed plan (to a standard suitable for microfilming) under the hand of a Chartered Professional Engineer or a Registered Surveyor must be lodged with Blacktown City Council when the engineering works are completed.

All Engineering Work As Executed plans, **MUST** be prepared on a copy of the original stamped Construction Certificate for engineering works/approved Engineering plans.

11.9.1.2 A certificate from a Chartered Professional Civil Engineer must be obtained and submitted to Council verifying that the constructed Stormwater Quality Control system (Bio-retention system) will function effectively in accordance with

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RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council

Council's Water Sensitive Urban Design & Integrated Water Cycle Management,
DCP Part R.

- 11.9.1.3 A Geotechnical Engineer is to undertake insitu Saturated Hydraulic Conductivity Testing of each of the bio-retention systems in accordance with Practice Note 1 of the FAWB guidelines. Where the hydraulic conductivity of the soil differs from the rate specified in MUSIC of 100mm/hr (tolerance -20% to +200%), remediation works will be required over the whole filter area to restore the conductivity and the test repeated until the hydraulic conductivity is achieved. A Geotechnical Engineer is to then certify that in accordance with Practice Note 1 of the FAWB guidelines, the Saturated Hydraulic Conductivity is within tolerance to the rate specified in MUSIC for each of the bio-retention systems.
- 11.9.1.4 A certificate from a Hydraulic Engineer must be obtained and submitted to Council to certify that all the requirements of the approved drainage plan have been undertaken including the installation of the bio-retention system, that all the signage and warning notices have been installed and that the proprietary water quality devices have been installed as per the manufacturer's recommendations for the site.
- 11.9.1.5 A certificate from an accredited plumber or experienced hydraulic engineer must be obtained and submitted to Council to certify that all the non-potable water uses are being supplied by rainwater and that all the requirements of the detailed Rainwater Supply, Pipe and Fixture Plan and Landscape Watering Plan have been installed and are working correctly.
- 11.9.1.6 A certificate from a landscape designer must be obtained and submitted to Council to certify that the planting within the bio-retention area including bank areas is of the same quality in type and quantity as per the construction certificate approved landscape plans, that any plants lost have been replaced and any areas of scour or disrepair have been restored.
- 11.9.1.7 The submission to Council of all Inspection/Compliance Certificates required by the "During Construction (Engineering)" Section of this consent.

11.9.2 Easements/Restrictions/Positive Covenants

- 11.9.2.1 Any easement(s) or restriction(s) required by this consent must nominate Blacktown City Council as the authority to release vary or modify the easement(s) or restriction(s). The form of easement or restriction created as a result of this consent must be in accordance with the following:

(a) Blacktown City Council's standard recitals for Terms of Easements and Restrictions (Current Version).

(b) The standard format for easements and restrictions as accepted by the Lands Title Office.

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RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council

- 11.9.2.2 Restrictions and/ or positive covenant must be registered with LPI over the overland flow-path.
- 11.9.2.3 Restrictions and positive covenants must be registered with LPI over the Stormwater Quality Control devices (Bio-retention system, Enviropods & Rainwater tanks) and outlet works.
- 11.9.2.4 All Section 88B restrictions and covenants created, as part of this consent shall contain a provision that they cannot be extinguished or altered except with the consent of Blacktown City Council.

11.9.3 Inspections

- 11.9.3.1 Any **additional** Council inspections beyond the scope of any Compliance Certificate package and needed to verify full compliance with the terms of this consent will be charged at the individual inspection rate nominated in Council's Fees and Charges Schedule.

11.10 Food Premises

- 11.10.1 Prior to the issue of an Occupation Certificate, documentation shall be submitted to Council certifying that the ventilation system has been installed and is operating in accordance with Australian Standard 1668.2:2002 *The use of ventilation and air conditioning in buildings – Ventilation design for indoor air contaminant control*.

11.11 Salinity

- 11.11.1 The recommendations outlined within the Salinity Management Plan submitted to comply with condition 4.5.3 of this consent shall be implemented. In this regard, Council requires written confirmation from a qualified environmental consultant that all works have been completed in accordance with the recommendations of this SMP.

12 OPERATIONAL (PLANNING)

12.1 Access/Parking

- 12.1.1 All required off-street car parking spaces and internal roads shall be maintained to a standard suitable for the intended purpose. In this regard, 123 car parking spaces, including 10 overflow car parking spaces are to be provided on site as part of Stage 1 of the development and a total of 292 car parking spaces including 21 overflow car parking spaces are to be provided on site for the completion of Stage 2 of the development.
- 12.1.2 All loading and unloading operations shall take place at all times wholly within the confines of the land.

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- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
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RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council

12.1.3 Access and parking for people with disabilities shall be maintained in accordance with provisions of Australian Standards 1428.1 and 2890.1.

12.1.4 All vehicles must enter and leave the development in the forward direction.

12.2 Retailing Restrictions

12.2.1 This consent does not authorise the sale or display of goods for retail to the general public.

12.3 General

12.3.1 No goods, materials, or trade waste shall be stored at any time outside the building other than in approved garbage receptacles.

12.3.2 No goods or materials shall be stored, displayed for sale or manufactured at any time outside the building.

12.3.3 Spillage of light, if any, shall be controlled so as not to cause nuisance to the amenity of adjoining land.

12.3.4 If artificial lighting is proposed full details are to be submitted indicating the manner in which adjoining properties are to be protected.

12.3.5 Should an intruder alarm be installed on the land it shall be fitted with a timing device in accordance with the requirements of the Protection of the Environment Operations Act 1997.

12.3.6 Emission of sound from the land shall be controlled at all times so as to not unreasonably impact upon nearby owners/occupants.

12.3.7 The hours of operation of the development shall not be outside of the following nominated times.

Any alteration to these hours will require the separate approval of Council.

Approved hours of operation:

Mondays to Saturdays: 7.00am to 10.00pm

Sundays & Public Holidays: 8.00am to 10.00pm

12.3.8 No goods, materials or trade wastes are to be stored at any time outside the building on either the internal vehicular driveway, car parking area, landscaping or footpath, other than in approved garbage receptacles.

12.3.9 No nuisance or interference with the amenity of the area shall be created by reason of any process or operation on the land causing the emission of noise, dust, smoke

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RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council

or any polluted discharge whatsoever. Note: The Protection of the Environment Operations Act 1997 requires Council to investigate complaints where only one person complains.

12.4 Landscaping

- 12.4.1 All landscaped areas provided in accordance with the approved landscaping design plan shall be maintained at all times in a suitable manner.

12.5 Use of Premises

- 12.5.1 The use of the approved development shall, at all times, be conducted in a manner consistent with the terms and conditions of this consent.

12.6 Other Matters

- 12.6.1 Ongoing management of waste in accordance with the waste predication and disposal details submitted by the applicant and held at Enclosure 2A on Council's File JRPP-12-1529.
- 12.6.2 This approval permits a congregation size of 250 persons for Stage 1 of the development and a total of 1000 persons upon the completion of Stage 2 of the development. Any proposal to exceed this number will require the separate formal approval of Council.
- 12.6.3 The approved Place of Public Worship is to be conducted at all times in accordance with the definition of "Place of Public Worship" under the Model Provisions and with the documentation submitted with the application and held at Enclosure 2A on Council's File JRPP-12-1529.
- 12.6.4 No external or amplified sound is to be conducted outside the building.
- 12.6.5 The car park shall not be used as a congregation area, all church activities are to be conducted inside the unit.
- 12.7 Signage**
- 12.7.1 Approval has been granted for "business identification signage" and "building identification signage" only. At no time is the signage to be used for general advertising purposes. Should any change to the signage be proposed (including changes to the sign content, size, dimensions, etc), the separate approval of Council must be obtained.
- 12.7.2 In accordance with Clause 37(2)(b)(vi) of Blacktown Local Environmental Plan (BLEP) 1988, the approved signage must not contain any flashing or moving elements.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

RON MOORE
GENERAL MANAGER

Per _____
Blacktown City Council

13 OPERATIONAL (ENVIRONMENTAL HEALTH)

13.1 Environmental Management

- 13.1.1 Upon receipt of a justified complaint in relation to noise pollution emanating from the premises, an acoustical assessment is to be carried out in accordance with the requirements of the Department of Environment and Conservation's Environmental Noise Management - NSW Industrial Noise Policy and provide recommendations to mitigate the emission of offensive noise from the premises. The report shall be prepared by an appropriately qualified acoustic consultant that is a member of the Association of Australian Acoustic Consultants and shall be submitted to Council for consideration.
- 13.1.2 Any activity carried out in accordance with this approval shall not give rise to air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
- 13.1.3 All waste generated on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
- 13.1.4 In accordance with the requirements of Part 5.7 Protection of the Environment Operations Act 1997, Council is to be informed of any pollution incident that occurs in the course of carrying out the approved activity where material harm to the environment is caused or threatened.

13.2 Food Premises

- 13.2.1 The food premises shall be maintained in accordance with the requirements of;
- o Food Act 2003 and Regulations there under.
 - o Australian Standard 4674-2004 *Design, construction and fit-out of food premises.*

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

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