

**Part B - Administrative or General Conditions**

This Part includes general background controls and minor administrative matters or procedures that ensure the development is clearly identified and specified.

(1) Approved Plans

The Development must be implemented substantially in accordance with Development Application No 190/2012 received by Council on 26 November 2012 and the below mentioned plans and/or documents, except where amended in red on the attached plans or modified by the conditions of this consent.

| Drawing No. or Document                  | Date Received by Council | Prepared or Drawn By |
|--|--------------------------|----------------------|
| Statement of Environmental Effects       | 26 November 2012         | KDC                  |
| TP.10 - Site / Traffic Management Plan   | 21 April 2013            | McCabe Architects    |
| TP.11 - Lot A Ground Floor & Roof Plans  | 21 April 2013            | McCabe Architects    |
| TP.12 - Lot B Ground & First Floor Plans | 21 April 2013            | McCabe Architects    |
| TP.13 - Lot B Second & Third Floor Plans | 21 April 2013            | McCabe Architects    |
| TP. 14 - Lot B Roof Plan                 | 21 April 2013            | McCabe Architects    |
| TP.15 - Lot C Ground Floor & Roof Plans  | 21 April 2013            | McCabe Architects    |
| TP.20 - Elevations Lot A                 | 21 April 2013            | McCabe Architects    |
| TP.21 - Elevations Lot B                 | 21 April 2013            | McCabe Architects    |
| TP.22 - Elevations Lot B                 | 21 April 2013            | McCabe Architects    |
| TP.23 - Elevations Lot C                 | 21 April 2013            | McCabe Architects    |
| TP.30 - Sections A-A, B-B & C-C          | 21 April 2013            | McCabe Architects    |
| TP.31 - Sections D-D, E-E & F-F          | 21 April 2013            | McCabe Architects    |

(2) Scope of Consent

Prior to construction of the approved development, it is necessary to obtain a Construction Certificate for building and engineering works. These Certificates can be issued either by Council or an appropriately qualified 'Accredited Certifier'. A separate application, complete with detailed plans and specifications, shall be submitted to Council for these Construction Certificates.

(3) Lapsing of Consent

This Consent is valid for a period of five years from the date of consent. It will lapse if the approved use of any land or construction work has not commenced prior to that date. No further extensions will be granted.

(4) Development consent is granted for the construction of a four (4) storey serviced apartment building with forty (40 units); construction of two (2) single storey retail premises; landscaping; car parking and access arrangements; and a three (3) lot Torrens Title subdivision on Lot 34 DP 884345 (55-67 Railway Street) Griffith.

The internal fit out of the two retail buildings shall be subject to separate development approval(s).

(5) A separate development application for any proposed signs (other than exempt or complying signs under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*) must be submitted to and approved by Council prior to the erection or display of any such signs.

(6) The applicant is to be responsible for all amplification, extension and adequate provision for connection to services at their own expense. The work is to be in accordance with Council's *Engineering Guidelines - Subdivisions and Development Standards December 2008* and relevant authorities' specifications.

## Part F - Building Matters

This part relates to applications for buildings of all types.

(1) Compliances, Certificates and Statements

Where indicated, the following Codes, Standards, Treatments and Certificates shall apply to, or are required for, the development.

| Details – Code, Certificate or Statement | Required   |
|--|--|
| Building Code of Australia               | All building work must comply with and be carried out in accordance with the requirements of the Building Code of Australia. |

| Details – Code, Certificate or Statement                                      | Required  |
|---|---|
| <b>Australian Standard 1684 – 1999 Residential Timber Frames Construction</b> | Timber framework shall comply with the requirements of Australian Standard 1684 -1999 Residential Timber Frames Construction. Design specifications and relevant calculations are to be submitted to Council prior to the framework inspection being carried out.   |
| <b>Construction Certificate (Building)</b>                                    | Site works are not to commence until such time as Council has received a construction certificate for the proposed works. Council or an Accredited Certifier may issue construction certificates.   |
| <b>Structural Engineer's Certificate</b>                                      | A certificate from a registered Structural Engineer attesting to the adequacy of the structure to support the anticipated loads is to be submitted as part of the construction certificate documentation  |
| <b>Access and Mobility Statement</b>  | To ensure access and facilities for disabled people are provided, a statement from an Accredited Certifier, the applicant or owner is required certifying that the development complies with the provisions of the <i>Disability Discrimination Act 1992</i> ; <i>Australian Standard AS1428</i> and Council's <i>Access and Mobility Policy</i> . This statement is to form part of the documentation submitted with the construction certificate.   |
| <b>Termite Treatment Certificate</b>  | <p>Upon installation of a termite management system, a durable notice is to be displayed within the meter box. The notice shall indicate:</p> <ul style="list-style-type: none"> <li>- The method of protection used,</li> <li>- Date of installation,</li> <li>- Life expectancy of any chemical system used as listed on the National Register label, and</li> </ul> <p>The implementation of the manufacturers recommendations for the scope and frequency of future inspections for termite activity.</p> |

(2) Materials on Public Roads and Footpath Reserves

No materials, goods or equipment shall be located outside the property boundary and/or upon the public road or footpath reserve.

Where the circumstances of demolition and/or construction require the temporary use of the footpath and/or public road, a hording or road closure **application** must be made at least seven (7) days **prior to commencement of the intended works**. A suitable diagram detailing the location of proposed occupation of public land and all barriers/devices, shall be submitted to Council in conjunction with the application.

Where approval is granted, the applicant shall be responsible for the placement of barriers, signs and night lighting in accordance with Australian Standard 1742.3.

(It should be noted that approval will only be granted where it is considered to be warranted and in instances where public thoroughfare will not be adversely affected).

(3) Builder's Debris

During the construction period, all builder's debris and litter shall be adequately contained within the property. The builder is to remove all builder's debris and litter on a weekly basis, and at the completion of all work.

(4) Essential Fire Protection Services

The following essential fire protection services are to be provided and maintained in accordance with the provisions of Regulation 93/94 of Environmental Planning and Assessment Regulation 2000.

- (a) Access panels (as required by Part C3.13 of the BCA).
- (b) Automatic sprinkler systems (as required by Parts G3.8, E1.5 of the BCA).
- (c) Emergency lighting (as required by Part E.4.2 of the BCA).
- (d) Exit signs (as required by Part E4.5 of the BCA).
- (e) Smoke detection and alarm systems (as required by Part E.2.2 of the BCA).
- (f) Fire doors (as required by Parts C2.13, C3.4, C3.5, C3.6, C3.7, C3.8, C3.10, D2.8, C3.11, C3.13 & G3.4 of the BCA).
- (g) Hose reels (as required by Part E1.4 of the BCA).
- (h) Hydrants (as required by Part E1.3 of the BCA).
- (i) Mechanical smoke exhaust systems (as required by Parts E2.2b, C2.3 & C2.12 of the BCA).
- (j) Mechanical ventilation and air conditioning systems (as required by Parts E2.2, F4.5, F4.11 & G3.8 of the BCA).
- (k) Portable fire extinguishers (as required by Part E1.6 of the BCA).
- (l) Smoke control systems (as required by Part E2.2 of the BCA).
- (m) Exit doors (as required by Part D1.0 of the BCA).
- (n) Smoke doors (as required by Parts C2.5 & D2.6 of the BCA).
- (y) A certificate or statement prepared by the designer/installer to the effect that the listed essential fire safety services under the Building Code of Australia comply with the relevant Sections and the Australian Standards, is to be submitted upon completion of the building prior to occupation.

(5) Certification of Hydrant System

A certificate or statement prepared by the designer/installer to the effect that the hydrant system complies with the relevant Australian Standard and/or Building Code of Australia shall be forwarded to Council and the NSW Fire Brigade, (Locked Bag 12, PO Greenacre 2190, telephone 02 742 7400).

(6) Inspection of Fire Protection Services

The building and fire protection services are to be inspected in accordance with Australian Standard 1851 Maintenance of Essential Services and the inspection certificate forwarded to Council. A copy of this certificate is also

required to be forwarded to the NSW Fire Brigade and a copy kept on the premises.

(7) Ground Surfaces for Visually Impaired Persons

Tactile ground surface indicators must be provided to warn people with vision impairment that they are approaching a stairway and/or a ramp and where a path of travel meets a vehicular way adjacent to the principal public entrance. They must be Type B indicators in accordance with Australian Standard 1428.1.

(8) A door in a required exit, forming part of a required exit or in the path of travel to a required exit must be readily openable without a key from the site or that faces a person seeking egress, by a single hand downward action or pushing action on a single device which is located between 900mm and 1.2 m for the floor.

(9) Braille and Tactile signage shall be provided to the sanitary compartments in accordance with Specification D3.6 of the Building code of Australia.

(10) Natural Ventilation or Mechanical Ventilation complying with AS1668.2 shall be provided to all habitable rooms and sanitary compartments in the building.

(11) Floor levels are subject to Council's *Flood Plain Management Policy*. The floor levels of habitable rooms for new buildings associated with the proposed development shall not be less than 410mm above the surrounding ground level. In the event that this level is unachievable, documentary evidence, including a detailed design is to be submitted and approved by Council.

(12) The concrete floor slab shall have a continuous insulation installed around the vertical edge of its perimeter. The insulation shall have an R-Value of not less than 1 and be continuous from adjacent finished ground level to a depth of 300mm or the full depth of the vertical edge of the slab.

### **Part I - Prior to the lodgement of the Construction Certificate application(s)**

If the development involves construction work (for example a building, road or stormwater drainage system for a subdivision), you will need a Construction Certificate issued either by Council or an Accredited Certifier before work can commence on your project. Before a Construction Certificate can be issued, you will have to satisfy the following conditions.

(1) Landscape Plan

The areas surrounding the buildings and including Council's footpath and the carpark shall be the subject of a detailed working plan by a suitably qualified person. Three (3) copies are to be submitted to and approved by Council **prior to the lodgement of the Construction Certificate application**. The following shall be incorporated into the Landscape Plan:

- Trees must be planted and maintained for shade at a ratio of at least one tree for every four parking bays in the case of single rows of parking and one tree for every eight spaces in the case of double rows of parking (excluding areas covered by shade sails);

- The brick wall feature at the Railway Street frontage is not to be constructed. Appropriate landscaping features shall be implemented at the frontage of Lot B; and
- Fencing at the northern perimeter of the site.

This detailed plan should be drawn to scale (minimum 1:200) and include the location of tree and shrub species, height and spread at maturity and elevation of landscaped areas. Garden beds are to be fitted with trickle irrigation, bark chips and mounds. Curved lines and the footpath areas of the development are to be incorporated into the overall landscaped area of the development. Lawns are to have underground sprinklers.

Note: Any landscaping, fencing or signage to be provided within the site or along the boundary with any adjoining road reserve (including laneways) is to be designed and maintained to provide safe sight distance to pedestrians for motorists entering and exiting the site to minimise conflict in accordance with AS2890.1:2004.

(2) Fire Safety Schedule

A Fire Safety Schedule and floor plan (3 copies) shall be submitted listing the current and proposed fire safety measures for the whole of the building. Details shall also be submitted regarding:

- Measures to protect persons using the building in the event of a fire.
- Measures to facilitate the egress of persons using the building in the event of a fire.
- Measures to restrict the spread of a fire from the building to the other building nearby.

The schedule and floor plan (3 copies of each) showing the location of all essential measures, are to be submitted **prior to the lodgement of the Construction Certificate application** for each building.

(3) Disabled Access

The buildings shall be provided with access and facilities for disabled persons in accordance with Part D3 and Table F2.4 of the Building Code of Australia. Details of the proposed design of such facilities and the methods to be used to comply with this condition, shall be submitted to Council and approved **prior to the lodgement of the Construction Certificate application** for each building.

Disabled access is to be provided to the premises **prior to the lodgement of an Occupation Certificate application** for each building. Disabled facilities are to be provided to the premises within two (2) months from the date of issue of the Occupation Certificate.

NOTE: Compliance with this condition does not guarantee compliance with the Disability Discrimination Act and the developer should investigate their liability under the Act. The Applicant's attention is drawn to the Australian Standard Australian Standard 1428 Parts 1, 2, 3 and 4 in respect of acceptable standards of design and requirements.

(4) The proposed building work shall comply with the provision of Section J: Energy Efficiency of the Building Code of Australia (BCA). Details indicating the method of compliance with these provisions shall be submitted **prior to the lodgement of a Construction Certificate application** for each building.

Certification to this effect will be required **prior to the lodgement of an Occupation Certificate application** for each building.

- (5) **Prior to the lodgement of a Construction Certificate application** for each building it will be necessary to provide a specification of works. The specification is to indicate that all works associated with the construction of the building will be carried out in accordance with Volume 1 of the Building Code of Australia and the relevant Australian Standards
- (6) **Prior to the lodgement of a Construction Certificate application** it will be necessary to demonstrate compliance with Table 5 of Specification C1.1 of the Building code of Australia in relation to Fire Resistance Levels (FRL's). The external walls of the main buildings require protection where located less than 3m from a rear boundary or other building on the allotment.
- (7) Tactile indicators shall be provided to ramps in accordance with AS 1428.4. Locations shall be provided on a plan **prior to the lodgement of a Construction Certificate application** for each building.
- (8) R-Values for the Roof/Ceiling/External Walls forming part of the building envelope are to be submitted verifying compliance with Part J1 of the Building Code of Australia **prior to the lodgement of a Construction Certificate application** for each building.
- (9) External glazing is to comply with Part J2 of the Building Code of Australia. Details of compliance including calculations are to be submitted **prior to the lodgement of a Construction Certificate application** for each building.
- (10) Artificial Lighting and Power for the proposed building are to comply with Part J6.2, J6.3 and J6.5 of the Building code of Australia. Details of lighting design are to be provided **prior to the lodgement of a Construction Certificate application** for each building.
- (11) The fire hazard properties of any material or assembly installed in the building must comply with:-
  - i) for floor material's, floor coverings, wall and ceiling lining materials, Specification C1.10a; and
  - ii) for other materials, specification C1.10 of the Building code of Australia,Manufacturers or installers certification that this has been achieved is to be submitted to Council **prior to the lodgement of a Construction Certificate application** for each building.
- (12) Control measures are to be utilised to prevent soil erosion and silt entering the drainage systems. **Prior to the lodgement of a Construction Certificate application** details of the proposed measures utilising the principles outlined in following document, *Soils and Construction - Managing Urban Stormwater by Landcom (Blue Book)*, are to be submitted for Council approval and implemented before, during and after development works.
- (13) A Construction Management Plan is to be submitted to Council and approved prior to the **lodgement of a Construction Certificate application**. This is to ensure that suitable provision is available on site for all vehicles associated with the construction of the development to alleviate any need to park within,

load/unload from, the surrounding public road network. Appropriate signage and fencing is to be installed and maintained to effect this requirement.

- (14) The applicant is required to pay for all inspections carried out by Council's Engineers. Payment must be paid for eight (8) inspections as per Council's current *Revenue Policy* **prior to the lodgement of a Construction Certificate application**. Any adjustments to the total amount must be paid in full **prior to the lodgement of an Occupation Certificate application**.
- (15) The existing concrete traffic median along Ulong Street is to be extended to the intersection of Ulong Street and Railway Street. The median shall restrict right turning movements into the development from Ulong Street. Detailed engineering design drawings for the median shall be submitted to Council for approval **prior to the lodgement of a Construction Certificate (Civil Works) application**. Such plans shall include designs and specifications for all proposed works as required for approval by Council. The requirements must conform to *Council's Engineering Guidelines - Subdivisions and Development Standards 2008* and RMS guidelines.
- (16) Turning paths to justify suitable tapers connecting to the road carriageway to accommodate 19-metre semi-trailer vehicles for the proposed accessways off Ulong Street and Kooyoo Street are to be submitted to Council for approval **prior to the lodgement of a Construction Certificate (Civil Works) application**. This is to justify the width of the proposed accessways and the tapers at the connection point to the road carriageway.
- (17) The vehicular accessways to be constructed off Railway Street are to be constructed with the ingress and egress lanes separated by a raised splitter island. Design drawings for the islands shall be submitted to Council for approval **prior to the lodgement of a Construction Certificate (Civil Works) application**. Such plans shall include designs and specifications for all proposed works as required for approval by Council. The requirements must conform to *Council's Engineering Guidelines - Subdivisions and Development Standards 2008* and RMS guidelines.
- (18) A raised pedestrian crossing (zebra) is to be installed on Railway Street in a suitable location, to provide a safe crossing point for pedestrians accessing the development. A formal written application, including details and designs, to Griffith's Local Traffic Committee for concurrence is to be submitted to Council's Traffic Engineer, **prior to the lodgement of a Construction Certificate (Civil Works) application**.

The proposed raised pedestrian crossing (zebra) on Railway Street is to be designed in accordance with *Australian Standards AS1742.10:2009 – Pedestrian Control and Protection*, *RMS Australian Standard Supplements – Australian Standard – AS 1742 Manual of Uniform Traffic Control Devices: Part 10*, *Austroads Guide to Road Design Part 4 – Intersections and Crossings - General* and *Austroads Guide to Traffic Management Part 8 – Local Area Traffic Management*.
- (19) All lighting for the illumination of carparking and pedestrian areas shall comply with AS1158 – "Lighting for roads and public spaces" and AS4282 – "Control of Obtrusive Effects of Outdoor Lighting". Details demonstrating compliance with these requirements are to be submitted to Council for approval **prior to the lodgement of a Construction Certificate (Civil Works) application**.



- (20) All stormwater run off shall be directed to Council's street system for disposal. Stormwater run off shall not be permitted to flow over property boundaries onto the adjoining properties unless legally created easements in accordance with Section 88B of the Conveyancing Act are created. Detailed design drawings and hydraulic calculations for the proposed drainage design are to comply with *Council's Engineering Guidelines – Subdivision and Development Standards December 2008* and are to be submitted to Council for approval **prior to the lodgement of a Construction Certificate application.**
- (21) Stormwater detention is to be created onsite for the critical storm event. The maximum developed discharge is to be 65 litres per second per hectare for the proposed development as approved by this Development Application. Design and details in accordance with *Council's Engineering Guidelines – Subdivision and Development Standards December 2008* are to be submitted to Council for approval **prior to the lodgement of a Construction Certificate application.**
- (22) A qualified Civil Engineer with experience in Hydraulic Analysis shall design and certify the Onsite Detention System, which shall be maintained for the life of the project. The consultant must sign off all drawings and calculations and provide details of Professional Indemnity insurance.

Design and details in accordance with *Council's Engineering Guidelines – Subdivision and Development Standards December 2008* are to be submitted to Council for approval **prior to the lodgement of a Construction Certificate application.**

- (23) The applicant is to submit to Council for approval, hydraulic calculations from a suitably qualified Hydraulic Engineer **prior to the lodgement of a Construction Certificate application.** Calculations must demonstrate that additional tenements resulting from the development will maintain the minimum required pressure and flow rate through Council's existing water main infrastructure.

Should the calculations prove that Council's existing water main infrastructure is not suitable for the proposed development, then upgrade and amplification of Council's water main infrastructure is to be conducted at the applicant's expense to meet the demand of the proposed development. The design of all new mains and other associated components normally associated with water main installations are to conform to the standards prescribed in *Council's Engineering Guidelines – Subdivisions and Development Standards December 2008* and the *Water Reticulation Code of Australia (WSA 03-2002)*.

- (24) The applicant must supply information on the proposed sewerage system for the existing and proposed development including calculated peak demands generated from the entire development. Details of the proposed sewerage system including approval from Council's Water and Sewer Section permitting the calculated flows to connect to Council's Sewerage system are to be submitted to Council for approval **prior to the lodgement of a Construction Certificate application.**

- (25) The design for pipelines, as well as manholes and other associated components normally associated with sewerage main installations are to conform to the standards prescribed in Council's *Engineering Guidelines-Subdivisions and Development Standards December 2008* and the *Sewerage Code of Australia (WSA 03-2002)*. Details and designs are to be submitted to Council for approval **prior to the lodgement of a Construction Certificate (Civil Works) application**.
- (26) The applicant should be aware that as a **Torrens Title Subdivision** is proposed, then separate sewer services with separate sewer main junctions shall be required. The allotment owner shall be responsible for the maintenance, repair, replacement and upgrading of all private internal sewer lines.

Sewer connections are to be designed in accordance with Council's *Engineering Guidelines - Subdivisions and Development Standards December 2008* and submitted to Council for approval **prior to the lodgement of a Construction Certificate application**. Separate application is to be made to Council's Engineering Department for alteration to Council's Sewer Main.

(27) **Section 94A Contributions**

Section 94A Environmental Planning and Assessment Act 1979 - Development Contributions Plan 2010

In accordance with Section 94A of the Environmental Planning and Assessment Act 1979 and Council's Development Contribution Plan 2010, this development requires a payment of a contribution towards the cost of or the recoupment of the cost of the provision, extension or augmentation of public amenities, public services and infrastructure that will, or are likely to be, or that have been provided and are required to adequately serve the community. Copies of relevant plans may be viewed or purchased from Council's Customer Services Unit during normal business hours.

Total payment shall be \$154,133.36 (1% of the proposed cost of carrying out the development).

The contribution is to be paid **prior to the lodgement of a Construction Certificate application** unless other arrangements acceptable to Council are made.

## **Part J - Prior to Commencement of Work**

There are a number of matters that need to be done before your project can physically commence. These are set out in the following conditions.

(1) **Unauthorised Entry to the Site**

**Prior to commencement of works**, a sign must be erected in a prominent position stating that unauthorised entry to the site is not permitted. The sign must also name the builder or other person responsible for the site and a telephone number at which the builder or other person can be contacted

outside working hours. The sign is to be removed when the building works have been completed.

(2) Sedimentation and Erosion Controls

Sedimentation and erosion controls are to be implemented prior to the commencement of site works. This is to include (as a minimum) the installation of a sediment fence with returned ends across the low side of the works and a temporary gravel driveway into the site. All vehicles needing to access the site are to use the temporary driveway.

(3) Toilet Facilities

Adequate toilet facilities are to be provided on the site throughout the demolition/construction phase of the development. Such toilet facilities are to be provided, at the ratio of one (1) toilet for every twenty (20) persons (or part thereof) employed/working on the site. Each toilet provided must be a standard flushing toilet and must be connected to a public sewer, or an accredited sewage management facility approved by council. If connection to either a public sewer or an accredited sewage management facility is not practicable, it shall be connected to some other sewage management facility approved by council. Toilet facilities must be provided and functioning **prior to the commencement of work**.

In this clause:

**accredited sewage management facility** means a sewage management facility to which Division 4A of Part 3 of the Local Government (Approvals) Regulation 1993 applies, being a sewage management facility that is installed or constructed to a design or plan the subject of a certificate of accreditation referred to in clause 95B of the Regulation.

**approved by the council** means the subject of an approval in force under Division 1 of Part 3 of the Local Government (Approvals) Regulation 1993.

**public sewer** has the same meaning as it has in the Local Government (Approvals) Regulation 1993.

**sewage management facility** has the same meaning as it has in the Local Government (Approvals) Regulation 1993.

(4) An application for a **Construction Certificate for Civil Works** shall be submitted to Council and approved for the sewer main infrastructure, stormwater infrastructure works and the construction of driveways, pedestrian facilities, carparking and vehicular manoeuvring areas. Detailed engineering design plans shall be submitted and approved by Council **prior to any Civil Works commencing**. Such plans shall include designs and specifications for all proposed works as required for approval by Council. The requirement must conform to *Council's Engineering Guidelines – Subdivisions and Development Standards* and the *Sewerage Code of Australia (WSA 03-2002)*.

(5) A traffic control plan is to be submitted to Council satisfying the provisions of Australian Standard 1742.3, for acceptance **prior to the commencement of work**. Strict compliance to the traffic control plan is to be maintained throughout the duration of the construction work.

- (6) Driveway construction is subject to *Council's Engineering Guidelines - Subdivisions and Development Standards December 2008*. The finished level of the driveway at the property boundary shall be 130mm above the top of kerb. Upon completion of the formwork and string lines for the driveway, the applicant shall arrange for Council's Surveyors to inspect these works **prior to the pouring of concrete for the driveway**. In the event that this level is unachievable, documentary evidence, including a detailed design is to be submitted and approved by Council **prior to the commencement of driveway construction application**.

Failure to construct to the given levels or without Council approval will render the owner liable for any necessary reconstruction costs to alter work not in conformity with such levels.

- (7) Application is to be made to Council's Engineering Department by the appointed licensed plumber **prior to the commencement of work** on Council's sewer main.
- (8) No work or any objects relating to works are permitted within the rail corridor or the airspace above it or its easements, at any time unless prior approval or an Agreement has been entered into with the Rail Authority (ARTC).

All works within the rail corridor are to be carried out in accordance with railway safeworking rules and regulations, including the Network Rules and Procedures.

Where the Applicant proposes to enter the rail corridor, prior to the commencement of works, written confirmation must be received from the Rail Authority confirming that its approval has been granted. A copy of such approval shall be submitted to Council.

#### **Part K - During Construction**

The development will need to meet certain standards. The following conditions set out matters that need to be done during the construction or implementation process.

- (1) Signage
- To ensure that the site is easily identifiable for deliveries and provides information on the person responsible for the site, a sign displaying the following information is to be erected:
- The statement "*Unauthorised access to the site is not permitted*".
  - The names of the builder or another person responsible for the site along with an out of hours contact number.
  - Lot or Street number.
- (2) Suitable Hoarding to be erected between Site and Public Place
- A suitable hoarding is to be erected between the site and the public places for the duration of the building works. The hoarding is to be removed when the building works have been completed.
- (3) If any damage is occasioned to Council property, particularly concrete kerbing

and guttering and footpaving during building construction, the cost of repairs will be recoverable. It is therefore requested that any damage which is obvious before construction be immediately notified to Council to avoid later conflict.

- (4) All civil construction works such as; the installation of sewer main infrastructure, stormwater infrastructure, driveways, pedestrian facilities, carparking and vehicular manoeuvring areas associated with the development are to be in accordance with *Council's Engineering Guidelines – Subdivisions and Development Standards December 2008*. All requests for inspections are to be made to Council's Customer Service Department.

Apart from these inspections various tests are to be conducted in conjunction with the works. Test guidelines and type of tests required are identified in *Council's Engineering Guidelines - Subdivisions and Development Standards December 2008*.

- (5) All civil construction works shall be inspected by Council Officers or Council Nominee during normal office hours as specified in *Council's Engineering Guidelines - Subdivisions and Development Standards (Part 1 - Section 4)*. All requests for inspection are to be made to Council's Customer Service Department.

Apart from these inspections various tests are to be conducted in conjunction with the works. Test guidelines and type of tests required are identified in *Council's Engineering Guidelines - Subdivisions and Development Standards (Part 7)*.

- (6) Where required, kerb outlets for storm water to be saw cut with suitably approved kerb adaptors to be installed using 20 MPa concrete.

#### **Part L - Prior to the lodgement of an Occupation Certificate application**

**Prior to commencement of use of the development or occupation of a building,** Council must be contacted, an inspection carried out and permit to occupy issued. This is to confirm that all works have been completed and the development is suitable for use for its designed purpose.

- (1) **Prior to the lodgement of an Occupation Certificate application** the person with the benefit of the development shall complete and submit an *Application to Discharge Liquid Trade Waste (Cat. A)* to and enter into a Liquid Trade Waste Agreement with Council (application fees may apply).
- (2) S64 Local Government Act 1993 – Water Supply and Sewerage

Pursuant to Section 64 of the *Local Government Act 1993* and the *Water Management Act 2000*, the applicant is required to apply to Council for a Compliance Certificate under the provisions of S305 of the *Water Management Act 2000*. Council shall issue a certificate of compliance pursuant to S307 of this Act upon the applicant making a payment in accordance with S306 of this Act. A detailed report shall be provided by the applicant setting out the water and sewer usage of the development utilising data from existing similar developments for review by Council and an appropriate contribution is to be paid **prior to the lodgement of an Occupation Certificate application**.

The contribution is exclusive of the fees for the connection of water services to the individual allotments.

(3) **Water Allocation Transfer**

The applicant is to arrange for the transfer to Council of a water allocation of 0.5 ML per tenement. The amount of equivalent tenements and an appropriate water allocation transfer amount is to be based on the usage report to be provided to fulfil condition L (3). Documentary evidence of the transfer must be submitted to Council **prior to the lodgement of an Occupation Certificate application**. The contribution is exclusive of the fees for the connection of water services to the individual allotments.

(4) **Installation of Landscaping**

The approved landscaping areas shall be installed to the satisfaction of Council **prior to the lodgement of a Final Occupation Certificate application**. The maintenance of the landscaping areas within Council's road reserve shall be the responsibility of the person with the benefit of the development consent to the satisfaction of Council.

(5) **Prior to the lodgement of an Occupation Certificate application**, Council must be advised in writing of the business name of the serviced apartments, address, owner or company name, 24 hour contact details for the site manager, and the number of occupants approved for the premises. A caretaker/manager must be contactable 24 hours a day.

(6) **Final Fire Safety Certificate**

The essential fire safety measures referred to in this Schedule, excluding any existing measures, are to be installed within the building.

A final fire safety certificate, in or to the effect of Form 15 (copy attached) is to be furnished by the owner of the building to the Principal Certifying Authority (PCA) **prior to the lodgement of the Occupation Certificate application**, in respect of all essential fire safety measures specified in the above Schedule.

The certificate should state that each specified essential fire safety measure has been assessed by a properly qualified person (chosen by the owner), and was found to be capable of performing to a standard not less than that specified in the Schedule.

**Advice**

*A person who carries out the assessment must inspect and verify the performance of each specified fire safety measure and must test the operation of each new item of equipment installed in accordance with the Schedule.*

(7) **Prior to the lodgement of the Occupation Certificate application** it will be necessary to provide the following certification. Certification shall be prepared by the designer/installer.

**Glazing**

- Compliance with AS2047 and /or AS1288
- Compliance with nominated U-Value and SHGC

**Air Conditioning**

- Confirmation that the system has been designed and installed in accordance with Part J6 of the Building Code of Australia.

**Insulation**

- Confirmation that the nominated Insulation Material and given R-Value have been installed to the Roof/Ceiling, External Wall and where applicable the sub-floor.

**Fire Safety Certificate**

- A certificate or statement to the effect that the listed essential fire safety services contained within the Fire Safety Schedule have been implemented in accordance with the relevant Australian Standard.

**Fire Hazard Properties**

- Confirmation lining materials comply with required properties (detailed in Part F conditions).

Additional certification to the above may be requested where required to determine compliance with the Building Code of Australia.

- (8) Arrangements are to be made to provide a twelve (12) month maintenance period for civil works relating to Council's infrastructure. It is the applicant's responsibility to notify the relevant departments regarding the commencement and finish of the maintenance period and adequate arrangements are to be made regarding any relevant inspections required.

A five percent (5%) bond of the total cost of works is to be submitted to Council for the works that need maintenance **prior to the lodgement of an Occupation Certificate application.**

- (9) Works As Executed plans for approved civil works are to be submitted to Council upon completion of the development **prior to the lodgement of an Occupation Certificate application.** Works As Executed plans are to be in accordance with *Council's Engineering Guidelines – Subdivisions and Development Standards*.
- (10) **Prior to the lodgement of an Occupation Certificate application** a 'No Stopping' zone is to be installed along the northern side of Railway Street for the full frontage of the proposed development. Restrictions are to be implemented by making formal written application to Council's Traffic Engineer. All costs for the above mentioned works shall be borne by the applicant.
- (11) **Prior to the lodgement of an Occupation Certificate application** the existing concrete traffic median along Ulong Street is to be extended to the intersection of Ulong Street and Railway Street. The median shall restrict right turning movements into the development from Ulong Street.
- (12) **Prior to the lodgement of an Occupation Certificate application,** the proposed accessways off Railway Street are to be constructed in accordance with *Council's Engineering Guidelines - Subdivisions and Development Standards December 2008 (Part 2 - Section 2)*, over the full width of the footway to provide effective sealed access to the site and a nuisance-free surface over Council's footway.
- (13) **Prior to the lodgement of an Occupation Certificate application** the vehicular accessways to be constructed off Railway Street are to be constructed with the ingress and egress lanes separated by a raised splitter island. The splitter islands shall be constructed so that they do not protrude onto the carriageway of Railway Street. Details of the splitter island are to be

submitted to Council for approval prior to the commencement of works of the accessways.

- (14) **Prior to the lodgement of an Occupation Certificate application**, the proposed accessway off Ulong Street is to be constructed in accordance with *Council's Engineering Guidelines - Subdivisions and Development Standards December 2008 (Part 2 - Section 2)*, over the full width of the footway to provide effective all-weather access to the site and a nuisance-free surface over Council's footway.

The proposed accessway off Ulong Street will include the construction of a sealed roadway over Lot 33 DP 884345 to provide access to the subject allotment.

- (15) **Prior to the lodgement of an Occupation Certificate application**, the proposed accessway off Kooyoo Street is to be constructed in accordance with *Council's Engineering Guidelines - Subdivisions and Development Standards December 2008 (Part 2 - Section 2)*, over the full width of the footway to provide effective all-weather access to the site and a nuisance-free surface over Council's footway.

The proposed accessway off Kooyoo Street will include the construction of a sealed roadway north of Lot 40 DP 884506 to provide access from the subject allotment.

- (16) All heavy vehicles shall only be permitted to enter the development via the accessway located off Ulong Street and exit via the accessway located off Kooyoo Street. Heavy vehicles shall include heavy rigid vehicles and all vehicles of greater size as specified in AS 2890.2 – *Off Street Commercial Parking Facilities* (2002).

Entry & Exit signs and associated linemarking/directional arrows are to be installed in accordance with AS2890. Signage and associated linemarking/directional arrows are to be installed to clearly advise motorists of the entry and exit driveways. All signage and linemarking/directional arrows are to be installed to Council's satisfaction **prior to the lodgement of an Occupation Certificate application**. All costs associated with these works are to be borne by the applicant. The signs and linemarking/directional arrows are to be maintained for the life of the development.

- (17) **Prior to lodgement of an Occupation Certificate application**, entry and exit signs shall be erected at the applicant's expense within the property for all proposed accessways in a position clearly visible from the surrounding road network. The type and location of the signage are to be to the satisfaction of Council.

- (18) **Prior to lodgement of an Occupation Certificate application**, 'Heavy Vehicle Access Only' signage shall be erected at the accessways off Ulong Street and Kooyoo Street, at the applicant's expense. The signage shall be clearly visible from the road way and within the carpark for the development. The signage is required to identify the one-way movement of heavy vehicles through the site and restrict light vehicles from utilising the heavy vehicle accessways.



- (19) **Prior to lodgement of an Occupation Certificate application**, 'No Entry' signage shall be erected at the exit points of the accessways off Ulong Street and Kooyoo Street at the applicant's expense. The signage shall be clearly visible from the road way and within the carpark for the development. The signage is required to identify the one-way movement of heavy vehicles through the site and restrict light vehicles from utilising the heavy vehicle accessways.
- (20) **Prior to the lodgement of an Occupation Certificate application** the applicant shall construct a 2.5 metre wide, shared concrete footpath along Railway Street for the full frontage of the subject allotment. Footpath construction is to comply with Council's *Engineering Guidelines – Subdivisions and Development Standards December 2008*.
- (21) **Prior to the lodgement of an Occupation Certificate application**, a raised pedestrian crossing (zebra) is to be installed on Railway Street in a suitable location to provide a safe crossing point for pedestrians accessing the development.

The proposed raised pedestrian crossing (zebra) on Railway Street is to be constructed in accordance with *Australian Standards AS1742.10:2009 – Pedestrian Control and Protection, RMS Australian Standard Supplements – Australian Standard – AS 1742 Manual of Uniform Traffic Control Devices: Part 10, Austroads Guide to Road Design Part 4 – Intersections and Crossings - General and Austroads Guide to Traffic Management Part 8 – Local Area Traffic Management*.

- (22) **Prior to the lodgement of an Occupation Certificate application** provision of 138 off-street parking spaces each of dimensions 2.6 metres x 5.5 metres in accordance with Council's *Development Control Plan (DCP) 20 – Parking (2011)*, including 6 car parking spaces in accordance with Australian Standard 2890.6:2009 for disabled persons to serve the proposed development. Parking bays are to be clearly identified by pavement markings. Spaces adjacent to walls or other obstructions, which may affect door openings or vehicle manoeuvring, are to be widened by an additional 300mm on the side of the obstruction(s).

In respect of parking for disabled persons, approval does not guarantee compliance with the Disability Discrimination Act and the developer should investigate their liability under the Act. The applicant's attention is drawn to the Australian Standard AS 2890.6:2009 in respect of acceptable standards of design and requirements.

- (23) Parking bays, line marking and directional lines must be implemented substantially in accordance with the approved plans and *Australian Standard 2890.1:2004*. Parking bays, line marking and directional lines are to be maintained by the owner of the site for the lifetime of the development and are to be installed **prior to the lodgement of an Occupation Certificate application**.
- (24) **Prior to the lodgement of an Occupation Certificate application** all car parking and vehicular manoeuvring areas associated with the development are to be constructed of concrete or bitumen sealed and maintained to Council's satisfaction.

- (25) **Prior to the lodgement of an Occupation Certificate application** provision for the parking of bicycles on site in accordance with AS 2890.3-1993 "Bicycle parking facilities" is to be provided.
- (26) The onsite detention, associated floodways and flow paths are to be protected by a Section 88E covenant in favour of Griffith City Council. The Instrument is to be submitted to Council for approval, **prior to the lodgement of an Occupation Certificate application**.
- (27) **Prior to the lodgement of an Occupation Certificate application** individual water meters are to be provided to each proposed allotment. The connection to Council's water main must be applied for separately. Where the connection is 25mm or greater to serve the needs of the development, the application shall be supported with hydraulic calculations prepared by an appropriate consultant, including reference to a water pressure and flow rate test of the adjacent mains.

#### **Part M - Prior to lodgement of the Subdivision Certificate application**

If all the conditions set out above have been satisfied, you may now submit your subdivision plans (prepared by a registered surveyor) to Council with an application for a subdivision certificate. Once the plan has been checked and signed by Council, it will be released for you or your selected consultant/solicitor to register with the Department of Lands Land Titles Office.

Before Council will release the plan, the following conditions need to be satisfied.

- (1) Subdivision Certificate  
An application for a subdivision certificate is required on completion of all conditions of Development Consent. The application is to be lodged with and approved by Council as the consent authority. The application should include the original plan of subdivision plus six (6) copies.
- (2) **Prior to the lodgement of a Subdivision Certificate application**, services are not permitted to cross property boundaries unless legally created easements in accordance with Section 88B of the Conveyancing Act are created. The location and widths of the easements are to be specified in the instrument for the purpose of protecting and identifying the services.
- (3) The development must be provided with telephone services to each proposed allotment. Documentary evidence from the service provider is to be submitted to Council, **prior to the lodgement of a Subdivision Certificate application**, confirming that satisfactory arrangements have been made for the provision of a telephone service.
- (4) The development must be provided with power to service each proposed allotment. Documentary evidence from the service provider is to be submitted to Council, **prior to the lodgement of a Subdivision Certificate application**, confirming that satisfactory arrangements have been made for the provision of an adequate electricity supply.
- (5) The development must be provided with natural gas to service each proposed allotment. Documentary evidence from the service provider is to be submitted to Council, **prior to the lodgement of a Subdivision Certificate**

**application**, confirming that satisfactory arrangements have been made for the provision of a natural gas service.

- (6) **Prior to the lodgement of a Subdivision Certificate application** right of carriageways are to be created in accordance with Section 88B of the Conveyancing Act where vehicles cross property boundaries. Matters to be addressed in the instrument are to include the width and location of the right of carriageways. This is for the purpose of identifying and protecting the vehicular access-ways. The instrument shall include the maintenance of the internal roadways to be constructed in the right of carriageways for the lifetime of the development.
- (7) **Prior to the lodgement of a Subdivision Certificate application** Council's existing gravity sewer system is to be extended to service proposed Lot B. All works shall be in accordance with the specifications outlined in *Council's Engineering Guidelines – Subdivision and Development Standards 2008* and the *Sewerage Code of Australia (WSA 03-2002)*.
- (8) **Prior to the lodgement of a Subdivision Certificate application** a three (3) metre easement shall be established pursuant to Section 88B of the Conveyancing Act for the drainage of sewage from the proposed allotments as a burden on all downstream allotments. The 88B instrument shall identify Council as a benefited authority. Matters to be addressed in the instrument should include the width and location of the easement. This is for the purpose of identifying and protecting the sewerage system.

#### **Part O - On-Going Requirements**

This part includes conditions or requirements that will need to be satisfied at all times.

- (1) Any waste or recycling containers are to be screened from view from a public place and are not to obstruct or interfere with the use of loading and parking facilities and accessways.
- (2) The serviced apartments shall be used for self-contained accommodation on a commercial basis and shall be regularly serviced by the owner or manager of the building. The building shall not be used as a permanent place of residence.
- (3) The use of the serviced apartments shall adhere to the Plan of Management provided in Appendix H of the Statement of Environmental Effects at all times. Any alteration to the Plan of Management shall require prior Council approval.
- (4) The use of the retail premises and serviced apartments shall be controlled so that any emitted noise is at a level so as not to create an "offensive noise" as defined in the *Protection of the Environment Operations Act 1997* to any affected residence.
- (5) The owner/manager of the site(s) must be responsible for the removal of all graffiti from the building within 48 hours of its application.
- (6) A separate application for the internal fit-out of the retail buildings approved on proposed Lot A and proposed Lot C must be submitted to and approved

by Council or a Principle Certifying Authority prior to that fit-out or use commencing.

- (7) All vehicles are required to enter and leave the development in a forward direction to ensure traffic/pedestrian safety.
- (8) All vehicular loading and unloading is to be carried out within the site to prevent interference with the use of the public road by vehicles and pedestrians.
- (9) Vehicles accessing the development are to be limited to a 19-metre semi-trailer as specified in Austroads *Design Vehicles and Turning Path Templates* (2006).
- (10) Heavy vehicles are required to enter the site via Ulong Street and leave the site via Kooyoo Street. Heavy vehicles shall include heavy rigid vehicles and all vehicles of greater size as specified in AS 2890.2 – *Off Street Commercial Parking Facilities* (2002).
- (11) Vehicles accessing the development from Ulong Street are restricted to a left turn movement.
- (12) Internal vehicular manoeuvring aisles, parking areas and loading bays shall be maintained clear of obstruction and used exclusively for the purposes of vehicle access, parking and loading and unloading respectively. Under no circumstances shall these areas be used for the storage of goods or waste receptacles or any other purpose.
- (13) All existing/proposed sewer manholes must be kept free of any obstructions so that their positioning and maintenance are easily obtainable.
- (14) The hours of operation for the two (2) retail premises are limited to the hours set out in the table below:

| Days                        | Time Period         |
|-----------------------------|---------------------|
| <b>Mondays to Saturdays</b> | 7:00 am to 9:00 pm  |
| <b>Sundays and Holidays</b> | 7:00 am to 10:00 pm |

Any alteration to these hours will require a modification to this consent or a separate development application.

### **Part S - Building Fire Safety**

This part includes conditions that relate to fire protection of your development. They include regular inspections and updates and outline the special fittings or systems that must be in place at all times.

- (1) Annual Fire Statement

Each year, within 12 months of the previous statement or after a certificate of installation has been issued for the building (whichever is applicable), the owner of the building must ensure the Council receives a fire safety

statement. This is to be in the format of Form 15A (copy attached) and must deal with each essential fire safety measure in the building.

As soon as practicable after the statement is issued, a copy of the statement (together with a copy of the current fire safety schedule) is to be given to the Commissioner of New South Wales Fire Brigades. A further copy is to be prominently displayed in the building.

(2) Automatic Sprinkler Systems

A fire sprinkler system is required, this is to be designed and installed in accordance with Australian Standard 2118.

(3) Emergency Lighting

Illuminated exit signs (complying with Australian Standard AS 2293 – Emergency Evacuation Lighting in Buildings and E4.8 of the Building Code of Australia) must be installed over each required exit.

(4) Exit Signs

Exit signs are to be provided on all access doors. These are to be designed and installed in accordance with Australian Standard 2293.

(5) Fire Doors

Fire doors are to be designed and installed in accordance with Australian Standard 1905.

(6) Fire Hydrants

Fire Hydrants are to be designed and installed in accordance with Australian Standard 2419.1.

(7) Hose Reels

Hose reels are required. These are to be designed and installed in accordance with Australian Standard 2441.

(8) Mechanical Ventilation & Air Conditioning Systems

The mechanical ventilation and air conditioning system is to be designed and installed in accordance with Australian Standard 1668.

(9) Portable Fire Extinguishers

In accordance with the Building Code of Australia, all portable fire extinguishers must be installed to comply with the requirements of Australian Standard AS 2444. A portable extinguisher is required in the area of the building. This extinguisher is to be installed and maintained in accordance with the following Australian Standards:

- (a) AS1841 Portable Fire Extinguishers – Water (gas container) type and AS2444.
- (b) AS1842 Portable Fire Extinguishers – Water (stored pressure) type and AS2444.
- (c) AS18844 Portable Fire Extinguishers – Foam (gas container) type and AS2444.
- (d) AS1845 Portable Fire Extinguishers – Foam (stored pressure) type and AS2444.
- (e) AS1846 Portable Fire Extinguishers – Powder type and AS2444.

- (f) AS1847 Portable Fire Extinguishers – Carbon dioxide type and AS2444.
  - (g) AS1848 Portable Fire Extinguishers – Halon type and AS2444.
- (10) Exit Doors

Exit doors are required. These are to be designed and installed in accordance with the Building Code of Australia.

#### **Note W - Inspections, Certificates and Other Approvals**

The following inspections must be carried out, certificates issued or supplied, or additional consents gained at the times or stages shown.

(1) Inspections During Construction

Should Council be engaged as the Principal Certifying Authority, the following inspections are required to be carried out by Council's officers.

- (a) Piers, pads or post holes prior to the placement of concrete;
- (b) Footing trenches, with reinforcement steel in position, before concrete is poured;
- (d) Concrete slabs, with reinforcement steel in position before concrete is poured;
- (e) Internal/external drains (including **sanitary plumbing** and stackwork) **prior to covering**;  
Note: Drainage lines and stackwork are required to be under water test during the inspection;
- (f) Floor framework – (**including** bearers, joists and ant capping);
- (g) Wall and roof framework - including damp-proofing, water plumbing "rough-in" and floor, wall and roof construction prior to fixing any linings;
- (h) Waterproofing of wet areas;
- (i) Roof water drainage before backfilling;
- (j) Structural steelwork;
- (k) Completion of work before the building is occupied or used;

**Should adequate notice not be given for cancellation of an inspection, or if works have not progressed to a stage where an inspection can be completed, a default penalty shall be imposed upon the applicant by Council.**

**Twenty four (24) hours notice is to be given to Council's Customer Service by telephoning (02) 6962 8100 to arrange for an inspection to be carried out.**