

150/242D PT5

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Joint Regional Planning Panels
Regional Panels Secretariat
GPO Box 39
Sydney NSW 2001
Att: Angela Kenna

Dear Madam,

| | |
|---------------------------------|--|
| Property: | 242, 246-248, 250-252, 254-256 and 258 Canterbury Road, canterbury and 1, 3-5, 7-9 and 11-13 Close Street, Canterbury |
| Development Description: | Demolition of existing structures at No.242-248 Canterbury Road Canterbury and dedication of land to Council followed by demolition of remaining structures and construction of residential flat buildings and a shop top housing over two basement levels. |
| Application Number: | DA-503/2013 |
| Your Ref: | 2013SYE106 - Canterbury |

Further to the recommendations of the Joint Regional Planning Panel on 4 June 2014 regarding the above mentioned application the following is provided:

1. a) The Stage 1 Preliminary Environmental Assessment Report Prepared by Clearsafe Revision 2 dated 18 October 2013 is considered to be adequate as a Stage 1 Assessment.
- b) A preliminary Acid Sulfate Soils Assessment has been prepared by Clearsafe Environmental Solutions as per Clause 6.1 of the Canterbury LEP 2012 (attached).
- c) BASIX Certificate Number 490740M_03 has been submitted with associated architectural plans to reflect relevant commitments.
- d) The conditions of consent have been revised to specify Council's requirements and reflect what and when further details are to be submitted as follows:

RECOMMENDATION:

THAT the Joint Regional Planning Panel approve DA-503/2013 for the demolition of existing structures at 242, 246-248 Canterbury Road, dedication of land for road widening; and demolition of the remainder of structures and construction of a nine storey building containing commercial premises with shop top housing, residential flat buildings, two basement level car parking areas and central open space area, subject to the following conditions:

Conditions that Identify Approved Plans**General**

1. The development must be carried out in accordance with the plans, specifications and details as outlined in the table below, except where amended by the conditions of this consent:

| Prepared By | Drawing Reference | Issue | Date Prepared | Date received by Council |
|----------------------|-------------------|-------|---------------|--------------------------|
| Realize Architecture | DA 006 | A | 2/4/2014 | 10/4/2014 |
| Realize Architecture | DA. 100 | C | 2/4/2014 | 20/6/2014 |
| Realize Architecture | DA. 101 | C | 2/4/2014 | 20/6/2014 |
| Realize Architecture | DA. 102 | D | 2/4/2014 | 20/6/2014 |
| Realize Architecture | DA. 103 | B | 2/4/2014 | 20/6/2014 |
| Realize Architecture | DA. 104 | B | 2/4/2014 | 20/6/2014 |
| Realize Architecture | DA. 105 | B | 2/4/2014 | 20/6/2014 |
| Realize Architecture | DA. 106 | C | 2/4/2014 | 20/6/2014 |
| Realize Architecture | DA. 107 | C | 2/4/2014 | 20/6/2014 |
| Realize Architecture | DA. 108 | B | 2/4/2014 | 20/6/2014 |
| Realize Architecture | DA. 109 | B | 2/4/2014 | 20/6/2014 |
| Realize Architecture | DA. 110 | B | 2/4/2014 | 20/6/2014 |
| Realize Architecture | DA. 111 | B | 2/4/2014 | 20/6/2014 |
| Realize Architecture | DA. 112 | B | 2/4/2014 | 20/6/2014 |
| Realize Architecture | DA. 200 | B | 2/4/2014 | 20/6/2014 |
| Realize Architecture | DA. 201 | B | 2/4/2014 | 20/6/2014 |
| Realize Architecture | DA. 300 | B | 2/4/2014 | 20/6/2014 |
| Realize Architecture | DA. 301 | B | 2/4/2014 | 20/6/2014 |
| Realize Architecture | DA. 302 | B | 2/4/2014 | 20/6/2014 |
| Realize Architecture | DA 600 | A | 2/4/2014 | 20/6/2014 |

2. The finishes and materials, including the treatment of external walls, roofing, balcony balustrades, fences, windows and doors must be in accordance with the photomontage and 'Schedule of Finishes', prepared by Realize Architecture, as received by Council on 21 November 2013. The approved design (including an element or detail of that design) or materials, finish or colours of the building must not be changed so as to affect the external appearance of the building without the approval of Council.
3. The stormwater system must be constructed in accordance with the plans,

specifications and details received by Council on 12th December 2013, drawing numbers: HDA01/P1, HDA02/P1, HDA03/P2, HDA04/P2 & HDA05/P1, prepared by Whipps Wood Consulting, except where amended by the conditions of this consent.

4. The landscaping of the site must be undertaken in accordance with the landscape plan, marked drawing numbers 1417-LC01 to 1417-LC05, drawn by Ochre Landscape Architects, and submitted to council on 18th April 2014, except where amended by the conditions of this consent.

Matters to be Completed Prior to the Issue of a Construction Certificate
General

5. The following must be submitted to either Council or an Accredited Certifier prior to the issuing of a Construction Certificate:

5.1. Details of:

- Structural Engineering Plan, including method of shoring during excavation
- Building Specifications
- Fire Safety Schedule
- Landscape Plan
- Hydraulic Plan
- Sydney Water Notice of Requirements
- Soil and Waste Management Plan;
- BASIX Certification
- Ventilation of basement in accordance with AS 1668.2

- 5.2. Payment of the Long Service Leave Levy to the Long Service Leave Corporation or to Council.

5.3. Payment to Council of:

| | |
|--------------------------------|----------------|
| Kerb and Gutter Damage Deposit | \$34,820.50 |
| Section 94 Contributions | \$3,820,939.84 |
| Certificate Registration Fee | \$36.00 |
| Long Service Levy | \$248,644.90 |

- 5.4. If you appoint Council as your Principal Certifying Authority, the following fees are payable:

| | |
|--|--------------|
| Construction Certificate Application Fee | \$143,352.00 |
| Inspection Fee | \$37,560.00 |
| Occupation Certificate Fee | \$14,045.00 |

Note 1: Long Service Leave is payable where the value is \$25,000 or more under Part 5 Section 36 of the Building and Construction Industry Long Service Payments Act 1986.

Note 2: If you appoint a Principal Certifying Authority other than Council, the fees shown in the fee quote attachment do not apply, however other fees will apply.

Note 3: When the items in this condition are provided and have been assessed as satisfactory, your Construction Certificate will be posted to

you.

Note 4: All fees referred to above are subject to change. You need to refer to our website or contact our Customer Service Centre for a current schedule of fees prior to payment.

Note 5: Section 94 Contribution payments are payable by cash, bank cheque or EFTPOS.

6. Details of the following design changes must be submitted to either Council or an Accredited Certifier prior to the issuing of a Construction Certificate:
 - a) To ensure the provision of adequate storage for residents:
 - i) all residential units must be allocated a minimum storage area of 6m³ per one bedroom unit, 8m³ per two bedroom unit, and 10m³ per three bedroom unit either in the basement or within the joinery of the individual units.
 - ii) Parking facilities/storage for 63 bicycles is to be provided on-site for the development.
 - b) To mitigate potential privacy impacts for residents, all bathroom, ensuite and laundry windows must have translucent glazing.
7. This condition has been levied on the development in accordance with Section 94 of the Environmental Planning and Assessment Act 1979 and in accordance with Canterbury City Council's Canterbury Town Centre Development Contributions Plan, after identifying the likelihood that this development will require or increase the demand on public amenities, public services and public facilities in the area. The amount of the contribution (as at the date of this consent) has been assessed as \$3,820,939.84. The amount payable is based on the following component:

| Contribution Element | Contribution |
|--|-----------------|
| Canterbury Town Centre & Riverfront Precinct | \$ 3,820,939.84 |

Note: The contributions payable will be adjusted, at the time of payment, to reflect Consumer Price Index increases which have taken place since the development application was determined. The contribution is to be paid to Council in full prior to the release of the Construction Certificate, (or for a development not involving building work, the contribution is to be paid to Council in full before the commencement of the activity on the site) in accordance with the requirements of the Contributions Plan.

8. A Soil and Water Management Plan must be submitted to either Council or an Accredited Certifier prior to the issuing of a Construction Certificate. The Soil and Water Management Plan must include details of:
 - a) Property details (location, applicant, drawn by, date, scale)
 - b) Accurate property description (property boundary)
 - c) Contours
 - d) Access point and access control measures
 - e) Location and type of all sediment control measures

- f) Location of existing vegetation to be retained and undisturbed ground
- g) Any existing watercourse or drainage
- h) Material stockpile areas and storage and control methods
- i) Location of new drainage features (stormwater inlet pits)
- j) Revegetation proposals, including specifications on materials uses and methods of application

(Note: For guidance on the preparation of the Plan refer to the Soil and Water Management for Urban Development guidelines produced by the Southern Sydney Regional Organisation of Councils.)

9. A geotechnical engineering report, prepared by a suitably qualified geotechnical engineer, must be submitted to either Council or an Accredited Certifier prior to the issuing of a Construction Certificate. The report must assess the impact and safety of the proposed works and must include the results of subsurface investigations, involving either test pits to rock, or preferably the drilling of cored boreholes (to one metre below the proposed final excavation level). The report must describe:
 - a) An indication and nature and depth of any uncontrolled fill at the site.
 - b) An indication of the nature and condition of the material to be excavated.
 - c) Indications of groundwater or seepages.
 - d) Required temporary measures for support of excavations deeper than one metre adjacent to property boundaries.
 - e) Statement of required excavation methods in rock and measures required to restrict ground vibrations.
 - f) Other geo-technical information or issues considered relevant to design and construction monitoring.

All findings and recommendations of the report are to be followed and adhered to throughout the construction process.

10. The design and location of letterboxes must be in accordance with Australia Post's "Requirements for Delivery of Mail to Residential Premises", published in February 1997. A letterbox must also be provided for the Owners' Corporation. Details of the letterboxes must be shown on the Landscape Plan submitted to either Council or an Accredited Certifier prior to the issuing of a Construction Certificate.
11. Under clause 97A(3) of the Environmental Planning and Assessment Regulation 2000, it is a condition of this development consent that all the commitments listed in each relevant BASIX Certificate for the development are fulfilled.

In this condition:

- a) relevant BASIX Certificate means:
 - i) a BASIX Certificate that was applicable to the development when this development consent was granted (or, if the development consent is modified under section 96 of the Act, a BASIX Certificate that is applicable to the development when this development consent is modified); or

- ii) if a replacement BASIX Certificate accompanies any subsequent application for a construction certificate, the replacement BASIX Certificate; and
- b) BASIX Certificate has the meaning given to that term in the Environmental Planning and Assessment Regulation 2000."

The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Constructions Certificate fully satisfy the requirements of this condition.
- 12. A detailed site contamination investigation must be submitted to Council, in accordance with the requirements of the relevant NSW EPA Guidelines, prior to the issue of a Construction Certificate. Subject to the investigation findings, satisfactory remediation, validation and issuing of a Site Audit Statement may be necessary, in accordance with Council's Contaminated Land Policy.
- 13. After completion of the remedial works, a copy of the Validation Report must be submitted to the Principal Certifying Authority. The construction certificate must not be issued until the Principal Certifying Authority approves this Validation Report. This report shall be prepared with reference to the Environment Protection Authority guidelines, Consultants Reporting on Contaminated Sites, and shall include:
 - a) Describe and document all works performed.
 - b) Include results of validation testing and monitoring.
 - c) Include validation results of any fill imported on to the site.
 - d) Show how all agreed clean-up criteria and relevant regulations have been complied with.
 - e) Include clear justification as to the suitability of the site for the proposed use and the potential for off-site migration of any residual contaminants.

The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Constructions Certificate fully satisfy the requirements of this condition.
- 14. A Site Health & Safety Plan shall be prepared prior to the commencement of remediation works by a person competent to do so. All works are to be carried out in accordance with this plan. This plan shall include:
 - a) hazard identification and control
 - b) site security
 - c) personal protective equipment
 - work zones and decontamination procedures
 - d) contingency plans and incident reporting
 - e) environmental monitoring

Details of this must be submitted to either Council or an Accredited Certifier prior to the issuing of a Construction Certificate.

Access Requirements

- 15. All measures identified in the Access for People with Disabilities Report prepared by Accessible Building Solutions submitted as part of the

- application shall be implemented and where required, details shall be provided with the application for the Construction Certificate.
16. The development must wholly comply with all requirements of the Disability Discrimination Act 1992, Disability (Access to Premises – Buildings) Standard (2010), National Construction Code, AS1735.12: Lifts, Escalators and moving walks and Part 12: Facilities for persons with disabilities, at all times. The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate fully satisfy the requirements of this condition.

Waste Requirements

17. Prior to the issue of the Construction Certificate, the following details must be submitted to Council for approval:
 - 17.1. The residential section of the development will be allocated 52x 240L rubbish bins (allocated amount of 205 halved due to use of compactor and halved again for twice weekly pickup) and 69x 240L recycling bins (amount halved for twice weekly pickup).
 - 17.2. The applicant has proposed the use of 10x 240L garden vegetation bins. These bins are to be stored in the waste bin storage rooms however they are to be presented on the nature strip for collection where they will be collected and returned to the area designated in the amended plans.
 - 17.3. Recycling bins are to be stored on each level of the building as per the approved plans.
 - 17.4. The bins will be serviced twice weekly (for example, rubbish on Mondays and Thursdays and recycling on Tuesdays and Fridays) from the collection point in Close Street.
 - 17.5. The bin hoist will need to have an operating capacity of at least 2000kg.
 - 17.6. Unrestricted and unobstructed access to the collection areas must be provided on collection days from 5.00am.

Engineering Requirements

18. All downpipes, pits and drainage pipes shall be installed to ensure that stormwater is conveyed from the site and into Council's stormwater system in accordance with AUS-SPEC Specification D5 "Stormwater Drainage Design", AS/NZS3500.3 and Council's DCP 2012, Part 6.4. The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate fully satisfy the requirements of this condition.
19. Full width grated drains being provided across the vehicular entrance/exit to the site where internal areas drain towards the street, and be connected to the drainage system upstream of the silt arrestor pit and in accordance with Clause 4 of Council's DCP 2012, Part 6.4. The Certifying Authority must ensure that the building plans and specifications submitted, referenced on

and accompanying the issued Constructions Certificate fully satisfy the requirements of this condition.

20. A full width heavy duty vehicular crossing shall be provided at the vehicular entrance to the site, with a maximum width of 6 metres at the boundary line. This work to be carried out by Council or an approved contractor, at the applicant's cost. The work is to be carried out in accordance with Council's "Specification for the Construction by Private Contractors of: a) Vehicle Crossings, b) Concrete Footpath, c) Concrete Kerb & Gutter". The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Constructions Certificate fully satisfy the requirements of this condition.
21. The applicant to arrange with the relevant public utility authority the alteration or removal of any affected services in connection with the development. Any such work being carried out at the applicant's cost. The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Constructions Certificate fully satisfy the requirements of this condition.
22. The levels of the street alignment are to be obtained by payment of the appropriate fee to Council. These levels are to be incorporated into the designs of the internal pavements, carparks, landscaping and stormwater drainage. Evidence must be provided that these levels have been adopted in the design. As a site inspection and survey by Council is required to obtain the necessary information, payment is required at least 14 days prior to the levels being required. The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Constructions Certificate fully satisfy the requirements of this condition.
23. Driveways, parking and service areas are to be constructed or repaired in accordance with the appropriate AUS-SPEC #1 Specifications: C242-Flexible Pavements; C245-Asphaltic Concrete; C247-Mass Concrete Subbase; C248-Plain or Reinforced Concrete Base; C254-Segmental Paving; C255-Bituminous Microsurfacing. The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Constructions Certificate fully satisfy the requirements of this condition.
24. The driveway grades shall be in accordance with Australian Standard AS 2890.1 "Off-street Parking Part 1 - Carparking Facilities". The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Constructions Certificate fully satisfy the requirements of this condition. The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Constructions Certificate fully satisfy the requirements of this condition.
25. The development must comply with the Public domain requirements set out in the Canterbury Town Centre Public Domain Strategy or subsequent City

of Canterbury advice. The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Constructions Certificate fully satisfy the requirements of this condition.

26. The development must comply with the land dedication as prescribed by City of Canterbury to facilitate the installation of the traffic signs at the intersection of Close Street and Canterbury Road, Canterbury. The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Constructions Certificate fully satisfy the requirements of this condition.
27. The developer must coordinate with City of Canterbury in regard to relocation of existing services on Canterbury Road to within the land to be dedicated as road reserve. The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Constructions Certificate fully satisfy the requirements of this condition.
28. The parcel of land to be dedicated to Council along the Cooks River (south western section of the site) must be clear of any structures below or above ground with the exception of public domain elements and the proposed playground that are to be shown on a detailed plan that must be submitted to Council's City Works Division for approval prior to the issue of a Construction Certificate.
29. A public right of way is to be registered over the site linking the Cooks River foreshore through to the intersection of Close Street and Canterbury Road. A detailed plan showing the right of way must be approved by Council prior to the issue of a Construction Certificate.

Roads and Maritime Services (RMS) Requirements

30. To facilitate the proposed future construction of traffic signals and associated civil works on Canterbury Road at Charles and Close Streets, the developer shall dedicate sufficient land as public road at the corner of Close Street and Canterbury Road. The extent of this land dedication as public road shall be in accordance with the attached concept road design plan undertaken by Mott MacDonald (MMD-286061-DR-SK-0016). This land dedication as public road shall be executed, prior to the release of any Construction Certificate for the proposed development and shall be at no cost to RMS or Council.
31. In accordance with Council's Section 94 Developer Contribution Plan, the developer shall make an appropriate monetary contribution towards the proposed traffic signals and associated civil works on Canterbury Road at Close and Charles Streets. The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Constructions Certificate fully satisfy the requirements of this condition.
32. The post-development storm water discharge from the subject site into the

RMS drainage system does not exceed the pre-development discharge. Should there be changes to the RMS's drainage system then detailed design plans and hydraulic calculations of the stormwater drainage system are to be submitted to the RMS for approval, prior to the commencement of any works.

Details should be forwarded to:
The Sydney Asset Management
Roads and Traffic Authority
PO Box 973 Parramatta CBD 2124.

A plan checking fee will be payable and a performance bond may be required before the RMS's approval is issued. With regard to the Civil Works requirement please contact the RMS's Project Engineer, External Works Ph: 8849 2114 or Fax: 8849 2766. The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Constructions Certificate fully satisfy the requirements of this condition.

33. The developer is to submit detailed design drawings and geotechnical reports relating to the excavation of the site and support structures to the RMS for assessment (prior to the approval of any Construction Certificate). The developer is to meet the full cost of the assessment by the RMS. The reports must address the following key issues:
- The impact of excavation/rock anchors on the stability of the Canterbury Road and detailing how the carriageway would be monitored for settlement.
 - The impact of the excavation on the structural stability of the Canterbury Road.
 - Any other issues that may need to be addressed (Contact: Geotechnical Engineer Stanley Yuen on Ph: 8837 0246 or Graham Yip on Ph: 8837 0245) for details.

The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Constructions Certificate fully satisfy the requirements of this condition.

34. The layout of the proposed off-street car parking and loading areas associated with the subject development shall be designed and constructed in accordance with AS 2890.1- 2004 and AS 2890.2 – 2002. The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Constructions Certificate fully satisfy the requirements of this condition.
35. The proposed development must be designed such that road traffic noise from Canterbury Road is mitigated by durable materials and complies with the requirements of Clause 102 – (Impact of road noise or vibration on non-road development) of State Environmental Planning Policy (Infrastructure) 2007. Details of this must be submitted to either Council or an Accredited

Certifier prior to the issuing of a Construction Certificate.

Landscaping Requirements

36. The existing property vegetation is to be retained or removed as follows:

| Tree No. (As listed in the submitted Arboricultural Assessment report) | Botanical Name | Common Name | Action | Details/ Tree Protection Zone (TPZ) |
|--|------------------------------|-----------------|--------|--|
| T1 | <i>Casuarina galuca</i> | Swamp She Oak | Remove | Replacement planting as per proposed tree plants shown on Landscape Plan |
| T2 | <i>Eucalyptus saligna</i> | Sydney Blue Gum | Remove | Replacement planting as per proposed tree plants shown on Landscape Plan |
| T3 | <i>Erythrina cristagalli</i> | Cocks Comb | Remove | NA |

37. The existing neighboring property trees, tabled as Tree 4 to Tree 12 in the submitted Arboricultural Development Assessment Report (written by Moore Trees Arboricultural Services and submitted to council on 10th April 2014) are to be retained and protected during construction as per Section 5 of the submitted report and the Tree Protection Plan (Appendix 1 of the report). A Level 5 Consulting arborist must be engaged as a project arborist. Contact details of this project arborist are to be forwarded to council and the consenting authority prior to the issue of Construction Certificate.
38. All the tree supply stocks shall comply with the guidance given in the publication *Specifying Trees: a guide to assessment of tree quality* by Ross Clark (NATSPEC, 2003). The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Constructions Certificate fully satisfy the requirements of this condition.
39. All scheduled plant stock shall be pre-ordered, prior to issue of Construction Certificate or 3 months prior to the commence of landscape construction works, whichever occurs sooner, for the supply to the site on time for installation. Written confirmation of the order shall be provided to Council's Landscape Architect (Contact no: 9789 9438), prior to issue of any Construction Certificate. In addition to the details in the above table, the order confirmation shall include name, address and contact details of supplier; and expected supply date.
40. Upon completion of the 52 week maintenance period as detailed in the submitted Landscape Management and Maintenance Plan, a report should be submitted to council by Ochre Landscape Architects or landscape contractor on behalf of their client, detailing the success of the landscape plan and any changes which have been made from original constructed

landscape in accordance with changed site conditions, plant failures/replacements etc.

41. Prior to the issue of the Construction Certificate, the following must be updated/provided:
- A *detailed* landscape maintenance schedule is to be provided for the development for a period of 52 weeks.
 - The Landscape Construction Drawings for the public domain areas must be submitted to and approved by the City Works department at City of Canterbury. These drawings must be drawn in accordance with the current available Canterbury Town Centre Public Domain Strategy and associated drawings. These areas including:
 - Footpath pavement and street tree planting on Close Street;
 - Footpath pavement on Canterbury Road and along the Cooks River.

Sydney Water Requirements

42. To cater for the ultimate re-development within the Canterbury Precinct area, amplifications of the existing water mains are required to comply with the Water Supply Code of Australia.
43. Preliminary investigations have identified that approximately 115 metres of 150mm main may need to be amplified to 200mm along Close Street in accordance with the Water Supply Code of Australia WSA 03-2011-3.1 (Sydney Water Edition – 2012).
44. The development site is traversed by 1500mm and 225mm wastewater mains. Sydney Water has carried out preliminary investigations and identified that the existing wastewater system will require amplification to service the ultimate development. The extent of the amplification is subject to the timing of the proposed development and other development and other development within the precinct.
45. Where proposed works are in close proximity to a Sydney Water asset, the proponent may be required to carry out additional works to facilitate their development and protect the wastewater main. Refer to a Water Servicing Coordinator for details of requirements.
46. If direct connection to Sydney Water stormwater system is required, the connection must comply with Connection and Discharge Stormwater Quality Targets.

Prior to the Commencement of any Works

General

47. Before the erection of any building in accordance with this Development Consent:
- 47.1. detailed plans and specifications of the building must be endorsed with a Construction Certificate by the Council or an Accredited Certifier, and;
- 47.2. you must appoint a Principal Certifying Authority (either Canterbury

- City Council, or an Accredited Certifier) and notify the Council of the appointment (see Attachment – Notice of Commencement copy), and;
- 47.3. you must give the Council at least 2 days notice of your intention to commence erection of the building (see Attachment – Notice of Commencement copy).
 - 48. A sign shall be erected at all times on your building site in a prominent position stating the following:
 - 48.1. The name, address and telephone number(s) of the principal certifying authority for the work, and
 - 48.2. The name of the person in charge of the work site and a telephone number at which that person may be contacted during and outside working hours, and
 - 48.3. That unauthorised entry to the work site is prohibited.

Demolition

General

- 49. Demolition must be carried out in accordance with the following:
 - a) Demolition of the building is to be carried out in accordance with applicable provisions of Australian Standard AS 2601-2001: The Demolition of Structures and the Construction Safety Act Regulations.
 - b) The demolition of a structure or building involving the removal of dangerous or hazardous materials, including asbestos or materials containing asbestos must be carried out in accordance with the requirements of the Workcover Authority of New South Wales.
 - c) Demolition being carried out in accordance with the requirements of the Work Health and Safety Regulation 2011.
 - d) A hoarding or fence must be erected between the building or site of the building and the public place, if the public place or pedestrian or vehicular traffic is likely to be obstructed or rendered inconvenient because of the carrying out of the demolition work.
 - e) Demolition of buildings is only permitted during the following hours:
 - i. 7.00 a.m. – 5.00 p.m. Mondays to Fridays
 - ii. 7.00 a.m. – 12.00 noon Saturdays
 - iii. No demolition is to be carried out on Sundays or Public Holidays.
 - f) Burning of demolished building materials is prohibited.
 - g) Adequate care is to be taken during demolition to ensure that no damage is caused to adjoining properties.
 - h) Soil and water management facilities must be installed and maintained during demolition in accordance with Council's Stormwater Management Manual. If you do not provide adequate erosion and sediment control measures and/or soil or other debris from the site enters Council's street gutter or road you may receive a \$1500 on-the-spot fine.
 - i) Council's Soil and Water Management warning sign must be displayed on the most prominent point on the demolition site, visible to both the

street and site workers. The sign must be displayed throughout demolition.

- j) The capacity and effectiveness of soil and water management devices must be maintained at all times.
- k) During the demolition or erection of a building, a sign must be provided in a prominent position stating that unauthorised entry to the premises is prohibited and contain all relevant details of the responsible person/company including a contact number outside working hours.
- l) A sign is not required where work is being carried out inside, or where the premises are occupied during the works (both during and outside working hours).
- m) Toilet facilities must be provided to the work site in accordance with WorkCover's NSW "CODE OF PRACTICE" for Amenities for construction work and any relevant requirements of the NCC.
- n) Removal, cleaning and disposal of lead-based paint conforming to the current NSW Environment Protection Authority's guidelines. Demolition of materials incorporating lead being conducted in strict accordance with sections 1.5, 1.6, 1.7, 3.1 and 3.9 of Australian Standard AS2601-2001: Demolition of Structure. Note: For further advice you may wish to contact the Global Lead Advice and Support Service on 9716 0132 or 1800 626 086 (freecall), or at www.lead.org.au.
- o) Hazardous dust not being allowed to escape from the site. The use of fine mesh dust proof screens or other measures are recommended.
- p) Any existing accumulations of dust (eg. ceiling voids and wall cavities) must be removed by the use of an industrial vacuum fitted with a high efficiency particulate air (HEPA) filter. All dusty surfaces and dust created from work is to be suppressed by a fine water spray. Water must not be allowed to enter the street and stormwater systems. Demolition is not to be performed during adverse winds, which may cause dust to spread beyond the site boundaries.

During Construction

General

- 50. All materials must be stored wholly within the property boundaries and must not be placed on the footway or roadway.
- 51. All precautions must be taken to prevent any damage likely to be sustained to adjoining properties. Adjoining owner property rights must be observed at all times. Where damage occurs to adjoining property, all necessary repair or suitable agreement for such repairs are to be undertaken by the applicant in consultation with, and with the consent of, the affected property owner prior to the issue of an Occupation Certificate.
- 52. All building operations for the erection or alteration of new buildings must be restricted to the hours of 7.00 a.m. - 5.00 p.m. Monday to Saturday, except that on Saturday no mechanical building equipment can be used after 12.00 noon. No work is allowed on Sundays or Public Holidays.

53. Renewal or provision of fencing, attributable to the proposed development being the responsibility of the developer.
54. All development, including walls must be located within the property boundaries of the subject site.
55. Council's warning sign for Soil and Water Management must be displayed on the most prominent point on the building site, visible to both the street and site workers. The sign must be displayed throughout construction.
56. The capacity and effectiveness of erosion and sediment control devices must be maintained at all times.
57. A copy of the Soil and Water Management Plan must be kept on site at all times and made available to Council officers on request.
58. The construction site must have soil and water management controls implemented as described in Specifications S1 and S2 of Council's Stormwater Management Manual.
59. Concrete pumping contractors must not allow the discharge of waste concrete to the stormwater system. Waste concrete must be collected and disposed of on-site.
60. Materials must not be deposited on Council's roadways as a result of vehicles leaving the building site.
61. Drains, gutters, roadways and access ways must be maintained free of soil, clay and sediment. Where required, gutters and roadways must be swept regularly to maintain them free from sediment. Do not hose down.
62. The site must be provided with a vehicle wash down area at the exit point of the site. The area must drain to an approved silt trap prior to disposal to the stormwater drainage system in accordance with the requirements of Specification S2 of Council's Stormwater Management Manual. Vehicle tyres must be clean before leaving the site.
63. A single entry/exit point must be provided to the site which will be constructed of a minimum of 40mm aggregate of blue metal or recycled concrete. The depth of the entry/exit point must be 150mm. The length will be no less than 15m and the width no less than 3m. Water from the area above the entry/exit point shall be diverted to an approved sediment filter or trap by a bund or drain located above.
64. All building construction work must comply with the National Construction Code.
65. Provide a Surveyor's Certificate to the Principal Certifying Authority prior to walls being erected more than 300mm above adjacent ground surfaces to indicate the exact location of all external walls in relation to allotment boundaries.
66. Provide a Surveyor's Certificate to the Principal Certifying Authority prior to the pouring of concrete at each floor slab level indicating the finished floor level to a referenced benchmark. These levels must relate to the levels indicated on the approved architectural plans and/or the hydraulic details.
67. All site works shall comply with the occupational health and safety requirements of the NSW WorkCover Authority.

68. Where excavation is proposed adjacent to existing dwellings or a vacant property, the works shall be carried out in accordance with Part 3.1.1- Earthworks NCC and, the person/company responsible for doing the excavation shall give 7 days notice of intention to carry out the excavation works to the owner of the adjoining allotment of land and furnish particulars to the owner of the proposed work. (An allotment of land also includes a public road and any other public place.)
69. Where erection or demolition of a building involves the closure of a public place, or where pedestrian or vehicular access is to be obstructed or rendered inconvenient, the premises is to be provided with a hoarding and or sufficient awning to be erected to prevent any substance from, or in connection with the work falling onto the public place.
70. The site is also to be kept illuminated between sunset and sunrise where it is likely to be dangerous for people using the public place.
71. Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination, shall be notified to the Council and the Principal Certifying Authority immediately.
72. All works/regulatory signposting associated with the proposed development are to be at no cost to the RMS.
73. The Tree protection measures are to be installed prior to the start of any site works and are to be established/supervised and maintained by the Project Arborist.
74. Post construction, the project arborist is to inspect the health and condition of the trees marked to be retained and issue a certificate of compliance which is to be forwarded to council for our records.

Prior to the Issue of an Occupation Certificate
Crime Prevention Requirements

75. A security system/swipe card system is to be installed within the lifts which allow operation of the lift only to authorized levels within the building.
76. All access points to the residential component of the building (including lifts and stairwells) must be restricted to residents only through a security system. Visitor's to the residential complexes must be provided with access via the intercom.
77. Signage throughout the site is to be used to direct people to where they are meant to be. This will reduce excuse making and loitering opportunities for potential offenders.
78. The site be treated with anti-graffiti paint to deter graffiti offenders targeting the building and its perimeter. This will preserve the building and increase a sense of maintenance and ownership of the site.
79. A master antenna connected to the all dwellings on the site is to be provided.

80. The doors to each building entry(ground floor) and interior stairwells of each level should have toughened/fire-rated glass panel/window for visibility of persons using the entry and stairs (not exterior egress fire doors);
81. Seating must be provided on the upper level tier of the public domain overlooking the lower level open walkways along the Cooks River corridor;
82. A clear, transparent/partially transparent glazed façade, and legible entry to the retail tenancy be provided at the Canterbury Road façade (western);
83. Buildings B, C and D: signage will be provided from all access path ways directing to each of these entries;
84. A highly visible entry portico and signage at the entry is provided to distinguish the entry points (particularly for visitors);
85. Each of the doors to the apartment entry points is glazed to enable viewing of the interior entry space.
86. The privacy fencing for the Close Street apartments be light open fencing above the podium planter. For the public domain-facing units, solid fencing be limited to 1m high with light coloured open fencing above as per the DCP requirements;
87. Incorporate some individual private entries to the Close Street-facing apartments to activate this street frontage, provide visual interest and provide increased surveillance of the street and development;
88. Landscape bed separating walkway to access Buildings C and D and public domain will have low plants only and high canopied trees.
89. The Ground Floor undercroft/car parking area and adjacent pathways to Apartment Buildings will be well lit at all times of night and day.
90. Active uses having long hours of operation would be suited to the ground floor uses (eg. 7 Eleven mini-mart, cafe) or similar which would ensure activity, surveillance and lighting of premises.
91. Security grilles would be detrimental to the building design and are not be permitted.
92. The car park ceilings will be painted white to reflect light and to assist in increased lux levels and reduce the number of lights required. Consideration also needs to be given to the reduction of service ducts mounted on the roof of the car park which diminishes the effect of lighting;
93. The bike/storage area on basement level 1 be “split” into two separate areas – with only one entry/egress to each, minimizing the number of storage areas within each area. Open mesh will be used, and strong lighting and visibility measures.
94. Care must be taken with the design of the area south of the large retaining walls, which could be hidden from view by the units. These areas are potential areas for graffiti and anti-social activity (after daylight) and therefore will be well-lit. Seating will be carefully located to promote visibility/overlooking of potential hidden areas. Consideration could be given to “spiky” planting adjacent to these walls, however will need to be consistently maintained.

95. There must be no vegetation that will have the potential to conceal/entrapment areas adjacent to the pedestrian walkways and cycleway, particularly in the lower open space areas.
96. Signage is recommended to remind visitors that the space on the southern portion of the property is private property, however should be welcoming language;
97. There will need to be very clear directional signage for each apartment entrance at all pedestrian entrances from the street and from the visitor car park;
98. All access control measures should be implemented in the final design detail of the development;
99. The ground floor tenancies have active frontages to both the street and visitor car park and be appropriate uses that operate at extended trading hours to promote surveillance and activity. The layout of the tenancies should be given careful consideration as to whether this is feasible for a range of uses.
100. Secure access to the basement car park for retail tenants and residents only should be permitted (ie. security grill physical door, not boom gate). No public access to the whole car park should be permitted and all visitor car parking spaces should be at the ground level or a secure portion of Basement Level 1.
101. Resident-only security access to basement car park via all lifts must be implemented;
102. A Strata or Building Manager (whether on-site or not) which must swiftly address repairs, graffiti removal and any vandalism.
103. As graffiti is a problem in the area, particularly the areas adjoining the parkland at the eastern and southern boundaries of the site, the external walls of the building should be graffiti resistant and non-porous. In particular, the large retaining walls facing the Cooks River bicycle path need to be graffiti resistant and non-porous. This wall is highly likely to be vandalised by graffiti. If graffiti offences occur, rapid removal must be implemented. This is to be included in the Strata Management Plan.
104. The landscaping and open space areas of the site to be well managed and maintained so as to reduce illegitimate entry and anti-social activity. This is to be included in the Strata Management Plan.
105. The landscaped area at the corner is at a prominent part of the site and must be well maintained at all times as it has the potential to become degraded and become a further "gap" that gives the impression of being and uncontrolled/unmanaged area which could promote unwanted behaviour and be an unattractive streetscape element. This entry should be legible and inviting. This is to be included in the Strata Management Plan.
106. Should criminal activity occur on the site, particularly after hours, consideration will need to be given to on-site CCTV and/or security personnel after hours (the project architect has indicated that CCTV will be

- implemented throughout the site). This is to be included in the Strata Management Plan.
107. Consideration should be given to the direction of monetary contributions generated by the development to the widening of this cycle path under the Canterbury Road bridge.
 108. The lighting of the cycleway and publicly accessible areas must comply with Australian Standard AS 1158. Lighting within the site should be even and enable facial recognition at all times. This is to be included in the Strata Management Plan.
 109. Fire egress doors that face the eastern boundary and Close Street must be self-closing and remain closed at all times.
 110. Internal car park structures such as concrete columns, solid internal walls, and service rooms contain portholes (cut outs). This measure will open sightlines, increase natural surveillance and assist with light distribution.
 111. All access points to the building (this would include lifts and stairwells) must be restricted to residents only through a security system. Visitors to the residential complex must be provided with access via the intercom.
 112. The storage units located in the vicinity of the car spaces be fully enclosed and non-visible. This measure will deter potential offenders from breaking in as they are unable to see what contents (reward) is inside the storage unit.
 113. Residential parking allocation must be separate to commercial and visitor parking with either a bollard gate or roller door. This will increase security and reduce unauthorised persons accessing restricted areas of the building.
 114. In addition to existing lighting, sensor spot lights must be strategically placed in high pedestrian areas to increase natural surveillance and enhance feelings of personal safety.
 115. Mirrors must be strategically erected around the site to assist with blind corners and increase natural surveillance.

Acoustic Requirements

116. Prior to the occupation of the development an acoustic assessment shall be undertaken to ensure that the recommended treatments and controls contained in the Acoustic Assessment Report prepared by Acoustic Logic (Project No. 20130055.1, Dated: 6 November 2013), submitted with DA503/2013, have been incorporated in the final design of the building.

Car Parking Requirements

117. A total of four hundred and thirty two (432) off-street parking spaces being provided, comprising of:
 - a) One (1) car wash bay being allocated as common property;
 - b) One accessible car space being allocated to each accessible dwelling;
 - c) One car space being allocated to each 2 and 3 bedroom dwelling in Buildings A and B;
 - d) One car space being allocated for each studio, 1 bedroom and 2 bedroom unit in Buildings B and C

- e) Two car spaces being allocated for each 3 bedroom unit in Buildings C and D.
- f) Sixteen (16) car spaces being allocated for the commercial component of the development.

The car spaces must be allocated and marked according to this requirement. If the development is strata subdivided, the car park layout must respect the above allocation. All 'small car spaces' must be allocated to studio and/or 1 bedroom apartments.

- 118. The accessible parking spaces must comply with the dimensions of AS 2890.1 and have a firm, level surface with minimal crossfall. These spaces must be marked with the international symbol of disability.
- 119. All car parking spaces must be sealed, line marked and signposted to ensure they are made freely available at all times during business hours for staff and customers.
- 120. Signage shall be erected to notify and allow people to use the designated spaces.

Engineering Requirements

- 121. Certification from an accredited engineer must be provided to certify that all works has been carried out in accordance with the approved plan(s), relevant codes and standards.
- 122. All redundant vehicular crossings shall be replaced with kerb and the footpath reserve made good by Council or an approved contractor, at the applicant's cost. The work is to be carried out in accordance with Council's "Specification for the Construction by Private Contractors of: a) Vehicle Crossings, b) Concrete Footpath, c) Concrete Kerb & Gutter".
- 123. The reconstruction of the kerb and gutter along all areas of the site fronting Close Street and Canterbury Road is required. Work to be carried out by Council or an approved contractor, at the applicant's cost. The work is to be carried out in accordance with Council's "Specification for the Construction by Private Contractors of: a) Vehicle Crossings, b) Concrete Footpath, c) Concrete Kerb & Gutter".
- 124. The reconstruction of concrete footpath paving and associated works along all areas of the site fronting Close Street and Canterbury Road is required. Work being carried out by Council or an approved contractor, at the applicant's cost. The work is to be carried out in accordance with Council's "Specification for the Construction by Private Contractors of: a) Vehicle Crossings, b) Concrete Footpath, c) Concrete Kerb & Gutter".
- 125. The granting of service easements within the properties to the satisfaction of Council or private certifier. Costs associated with preparation and registration of easements to be borne by the developer.
- 126. All easements required for the subdivision being shown on and registered in conjunction with the subdivision plan.
- 127. All works within the area to be dedicated along the Cooks River foreshore (south-western portion of the site) to be completed at the applicants cost,

and the dedication to take place prior to the issue of an Occupation Certificate.

128. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Application must be made through an authorised Water Servicing Co-ordinator. Please refer to “Your Business” section of Sydney Water’s web site at www.sydneywater.com.au then the “e-developer” icon or telephone 13 20 92. Following application, a “Notice of Requirements” will be forwarded detailing water and sewage extensions to be built and charges to be paid. Please make early contact with the Co-ordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design. The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to occupation of the development/release of the final plan of subdivision. A copy of Sydney Water’s Notice of Requirements must be submitted to the Principal Certifying Authority prior to the Construction Certificate being issued.

Critical Inspections

129. Critical stage inspections must occur:

Class 2, 3 or 4 Buildings

- 129.1. at the commencement of the building work, and
- 129.2. prior to covering of waterproofing in any wet areas, for a minimum of 10% of rooms with wet areas within the building, and
- 129.3. prior to covering any stormwater drainage connections, and
- 129.4. after the building work has been completed and prior to any occupation certificate being issued in relation to the building.

Class 5, 6, 7, 8 or 9 Buildings

- 129.5. at the commencement of the building work, and
- 129.6. prior to covering any stormwater drainage connections, and
- 129.7. after the building work has been completed and prior to any occupation certificate being issued in relation to the building.

130. Section 81(A) of the EP&A Act 1979 requires that a person having the benefit of a development consent, if not carrying out the work as an owner-builder, **must notify the principal contractor for the building work of any critical stage inspections and other inspections that are to be carried out in respect of the building work**, as nominated in this development consent. To arrange an inspection by Council please phone 9789-9300 during normal office hours.

Completion of Development

General

131. An Occupation Certificate/Interim Occupation Certificate from the Principal Certifying Authority must be obtained before partial/entire occupation of the development.

Notes

1. The future use of each commercial/retail shop and office premise must be dealt with under a separate application and is subject to Council approval, unless deemed exempt or complying development.
2. This application has been assessed in accordance with the National Construction Code which took effect on 1 May 2011.
3. Where Council is appointed as the Principal Certifying Authority, you will be required to submit Compliance Certificates in respect of the following:
 - Structural Engineering Work
 - Final Fire Safety Certificate
 - Glazing
 - BASIX completion
 - Premises Standard
 - Waterproofing
4. Any works to be carried out by Council at the applicant's cost need to be applied for in advance.
5. Australian Standards AS3500 Plumbing and Drainage and Part 5 Domestic Installations requires that eaves gutters are installed with continuous overflow measures that prevent water from overflowing gutters flowing back into the building.
6. Private contractors shall submit an application and pay an inspection fee to Council seven days prior to commencement of any works on the footpath or roadway. No work shall be carried out without Council approval.
7. The applicant is to ensure that landscaping and hydraulic plans are co-ordinated. Hydraulic details such as pits, stormwater lines, detention tanks and retaining walls are to be shown on the Landscape Plan as these can effect layout of garden beds and plantings.
8. Before you dig, call "Dial before you Dig" on 1100 (listen to the prompts) or facsimile 1300 652 077 (with your street no./name, side of street and distance from the nearest cross street) for underground utility services information for any excavation areas.
9. No variation to the approved design and external appearance of the building (including colour of materials) will be permitted without our approval.
10. Compliance with the National Construction Code does not guarantee protection from prosecution under "The Disability Discrimination Act". Further information is available from the Human Rights and Equal Opportunity Commission on 1800 021 199.
11. If you are not satisfied with this determination, you may appeal to the Land and Environment Court within 6 months after the date on which you receive this Notice of Determination, under Section 97 of the Environmental Planning and Assessment Act 1979.

If you require any further information, please do not hesitate to contact Mine Kocak in City Planning on 9789 9357, Monday to Friday.

Yours sincerely,

A handwritten signature in black ink, consisting of a series of connected loops and curves, positioned above the printed name.

Miné Kocak
PLANNER

2 July 2014